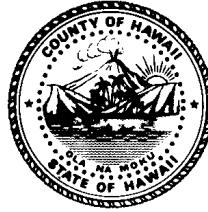


Harry Kim
Mayor



Roy Takemoto
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

March 10, 2020

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair
Committee on Public Safety, Intergovernmental and Military Affairs

Dear Chair Nishihara, Vice Chair Wakai, and Committee Members:

RE: HB 1902, HD2 Relating to Firearms, HB 2709, HD2 Relating to the Uniform Probate Code, HB 2736, HD1 Relating to Firearms Ammunition and HB 2744, HD1 Relating to Gun Violence Prevention

The First Amendment to the Constitution of the United States provides for freedom of religion, speech, and press; and the right to peaceably assemble and to petition the government. Yet, as fundamental and sacrosanct as those values are to America, few if any would argue that those freedoms are not subject to reasonable restrictions (take the cliché of “yelling ‘Fire’ in a crowded theater”).

Similarly, the Second Amendment guarantees the right to keep and bear arms. This right, too, must be subject to reasonable restrictions, or else we would each be able to have our own machine gun mounted on our mantelpiece or strapped over our shoulders.

So the question comes down to what is reasonable. That should be determined by a free people acting through their elected representatives, in this case our State Legislature. And given the times in which we live, and the carnage that we have witnessed both in our own state and across the country, I thank you for taking on the divisive but crucial task of deciding what reasonable restrictions might be.

HB 1902, HD2 would prohibit large capacity magazines for all firearms. They are already restricted for pistols, and HB 1902, HD2 might be the most important bill before you today, given the data on mass shootings that are set forth in the preamble of this bill. HB 1902, HD2 also is an admirable effort to come closer to the goal that both sides of the gun issue agree on—keeping weapons out of the hands of people who shouldn't have them. Whether problems were manifest during childhood or adulthood should not matter.

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HB 2709, HD2 would close a loophole in ownership laws by requiring that all firearms in an estate are properly transferred or disposed of before the estate may close.

HB 2736 would regulate ammunition the same way firearms are regulated, and require the licensing of sellers of ammunition. It would seem that this proposal would be particularly valuable in the case of a firearm that is lost or stolen

HB 2744, HD1 would prohibit the assembly of a gun that would not have a serial number (a "ghost gun") and mandate a serial number for firearms brought into Hawai'i that do not already have one. It also would establish a Commission that could issue policy reports relating to preventing gun violence and violent crimes. Public policy thrives when based on good data and research.

Can any of the restrictions contained in these four bills be considered unreasonable? I have no doubt that some will say yes, but I would argue that all of these bills would make Hawai'i a safer place without unduly restricting the right to keep and bear arms.

Again, thank you for taking on these issues.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Harry Kim", written in a cursive style.

Harry Kim
MAYOR