

Honolulu, Hawaii
MAR 18 , 2022

RE: S.B. No. 346
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred S.B. No. 346, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FARM ANIMALS,"

begs leave to report as follows:

The purpose of this measure is to, beginning on June 30, 2027, prohibit farm owners and operators within the State from knowingly causing the confinement of egg-laying hens in a cruel manner and prohibit business owners and operators from selling shell eggs or egg products from hens that are confined in a cruel manner.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i, Animal Legal Defense Fund, Hawaiian Airlines, and three individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Farm Bureau, Hawaiian Egg Company dba Mikilua Poultry Farm, Petersons' Upland Farm, and three individuals. Your Committee received comments on this measure from the Department of Agriculture, The Humane Society of the United States, Farm Sanctuary, World Animal Protection, Compassion in World Farming, Animal Equality Hawaii, Center for Biological Diversity, Friends of the Earth, Mercy For Animals, Humane Society International, World Animal Protection US, Animal Outlook, Humane Society Veterinary Medical Association, The



Humane League, Down to Earth *Organic and Natural*, American Society for the Prevention of Cruelty to Animals, and Villa Rose.

Your Committee finds that there are no existing laws or regulations in the State establishing confinement standards for egg-laying hens. This measure phases out certain types of extreme, outdated, and cruel methods of farm animal confinement and the sale of products produced using those methods of confinement.

Your Committee notes that shell egg grading exists under the United States Department of Agriculture. Your Committee finds that only shell eggs officially graded by the United States Department of Agriculture are eligible to bear the USDA grademark or shield. Furthermore, only products that are both officially graded and certified by the United States Department of Agriculture as sourced from cage-free flocks are eligible to use the "Certified Cage Free" design. Your Committee does not intend to create additional burdens for egg producers in the State as this measure utilizes existing USDA guidelines for commercial egg products.

Your Committee has amended this measure by:

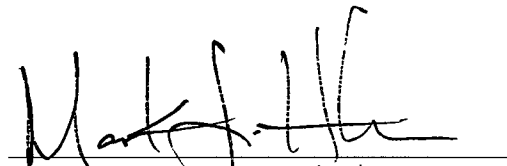
- (1) Deleting all provisions relating to unlawful confinement of egg-laying hens in a cruel manner and selling of eggs or egg products produced by egg-laying hens confined in a cruel manner;
- (2) Inserting language making it unlawful, beginning January 1, 2028, for a farm owner or operator or a business owner or operator to sell or offer for sale for human consumption any shell egg that has not been certified by the United States Department of Agriculture as being cage free, as evidenced by the United States Department of Agriculture certified cage free grademark or shield;
- (3) Establishing the Cage Free Matching Grant Program within the Department of Agriculture to provide farm owners or operators and business owners or operators with matching grants to assist them in converting their operations to meet the certified cage free requirements;



- (4) Appropriating funds for the Cage Free Matching Grant Program;
- (5) Repealing the Cage Free Matching Grant Program on June 30, 2027;
- (6) Repealing this measure on June 30, 2032; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 346, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 346, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture,


MARK J. HASHEM, Chair



HR 1137-22

Record of Votes of the Committee on Agriculture

Bill/Resolution No.: SB 346, SD2	Committee Referral: AGR, JHA, FIN	Date: 3/16/22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. HASHEM, Mark J. (C)	✓			
2. PERRUSO, Amy A. (VC)	✓			
3. LOWEN, Nicole E.	✓			
4. MARTEN, Lisa	✓			
5. MATAYOSHI, Scot Z.		✓		
6. TODD, Chris		✓		
7. TOKIOKA, James Kunane	✓			
8. MATSUMOTO, Lauren		✓		
TOTAL (8)	5	3		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>Amy Perruso</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				