

Honolulu, Hawaii

FEB 13 2025

RE: S.B. No. 1249
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 1249 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish an Agricultural Crime Prevention Program;
- (2) Clarify, create, and strengthen laws regarding crimes and violations related to agriculture, agricultural lands, and hunting on private agricultural lands;
- (3) Establish clear distinctions between administrative and criminal penalties for agricultural crimes; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture, Department of the Attorney General, Office of the Prosecuting Attorney of the County of Hawai'i, Hawai'i Farm Bureau, Hawai'i Farmers Union United, and seven individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.



Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Cattlemen's Council, Inc.

Your Committee finds that the increasing prevalence of agricultural crimes pose a significant and growing threat to the sustainability and vitality of the State's agricultural industry. This measure addresses the complex and multifaceted nature of agricultural crimes by establishing the Program to provide grants, education, administrative enforcement, and other related services to ensure the safety, integrity, and sustainability of the State's agricultural lands for present and future generations.

Your Committee has amended this measure by:

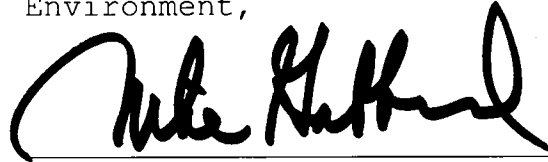
- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes the concerns raised in testimony that the amount of the administrative penalties established in this measure may not have the deterrent effect that is needed to properly address the rampant agricultural crime being committed across the State. Other jurisdictions have had success in mitigating agricultural crime by increasing penalties for a first offense to \$10,000, a second offense to \$25,000, and a third offense to \$100,000. Your Committee finds that this issue merits further consideration and respectfully requests that subsequent Committees who choose to deliberate on this measure consider increasing the penalties accordingly.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1249, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1249, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.



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

A handwritten signature in black ink, appearing to read "Mike Gabbard", written over a horizontal line.

MIKE GABBARD, Chair



Record of Votes
Committee on Agriculture and Environment
AEN

*Only one measure per Record of Votes