



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**
KA 'OIHANA HO'OMOHALA PĀ'OIHANA, 'IMI WAIWAI
A HO'OMĀKA'IKA'I

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
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Statement of
JAMES KUNANE TOKIOKA
Director
Department of Business, Economic Development, and Tourism
before the
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Monday, January 27, 2025
1:00 PM
State Capitol, Conference Room 224

In consideration of
SB 328
RELATING TO TAXATION

Chair Gabbard, Vice Chair Richards, and members of the Committee. The Department of Business, Economic Development, and Tourism (DBEDT) strongly supports SB0328, which establishes an income tax credit for capital infrastructure costs incurred in the conversion of a dairy farm to a hog farm, up to a maximum of \$1,000,000.

Addressing Hawaii's Agricultural Challenges

Hawaii's pork consumption is projected to grow from 92.8 million pounds in 2023 to over 104 million pounds by 2030. However, local supply currently accounts for only 0.4% of pork consumed, with an additional 2.9% produced in the grey market. The steep decline in Hawaii's hog inventory and production—from 28,570 hogs in 1992 to just 8,000 in 2023—highlights the urgent need to bolster local pork production capacity.

Production costs in Hawaii are notably high, with hog production costs estimated to be twice the U.S. average and slaughtering costs 1.8 times higher than on the mainland. These economic pressures have led to a significant decline in the number of hog farms and the volume of hogs sold, from 32,231 in 2002 to 6,143 in 2022.

Alignment with State Mandates

This proposal aligns with and supports the following state mandates:

Act 151 (2019): Food Security and Resiliency

- Objective: Double Hawaii's food production and increase agricultural exports.
- Connection: Constructing a facility for hog farming directly supports Act 151's goals by enhancing local pork production and reducing reliance on imported pork, which currently constitutes over 96% of consumption. This initiative strengthens food security and aligns with the broader "Farm to State" program.

Act 175 (2021): Local Food Sourcing in Schools

- Objective: Ensure that 30% of food served in public schools is locally sourced by 2030.
- Connection: Increasing local pork production provides a viable pathway for schools to source locally produced protein, thereby supporting Act 175's benchmarks and fostering a sustainable farm-to-school pipeline.

Act 176 (2021): Local Procurement Benchmarks

- Objective: Establish minimum thresholds for state departments to purchase fresh, local agricultural products or value-added goods.
- Connection: A dedicated facility for hog farming will enable state departments to meet procurement goals by offering a reliable supply of locally produced pork and processed products.

Economic Benefits and Workforce Development

Investing in hog farming infrastructure aligns with DBEDT's broader strategy to diversify Hawaii's economy by:

- Supporting Local Farmers: By reducing capital barriers, this tax credit will encourage investment in hog farming and stimulate growth in small and medium-sized agricultural enterprises.
- Strengthening Food Systems: Expanding local pork production supports Hawaii's "Made in Hawaii" brand, creating high-value, export-ready agricultural products.

- **Workforce Development:** A robust hog farming sector creates jobs in farming, processing, and distribution while fostering innovation in agricultural technology and practices.

Advancing Economic and Agricultural Resilience

As detailed in the Hawaii Hog Industry Research Report (2024), demand for local hog harvesting services is expected to grow significantly. Transitioning from grey market practices to commercial-scale operations will:

- Improve food safety and quality through federally inspected processing.
- Build resilience in Hawaii's agricultural sector by reducing dependency on imported pork.
- Open new market opportunities, including exports, by enhancing the value of local agricultural products.

SB0328 is a critical step toward revitalizing Hawaii's hog industry, reducing reliance on imports, and achieving the state's ambitious food security and sustainability goals. By providing targeted tax incentives, this measure empowers local farmers, strengthens Hawaii's economy, and ensures a resilient and sustainable food system for future generations.

Thank you for the opportunity to testify. We respectfully urge the Committee to pass SB0328.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

MONDAY, JANUARY 27, 2025
1:00 PM
CONFERENCE ROOM 224

SENATE BILL NO. 328
RELATING TO TAXATION

Chair Gabbard, Vice Chair Richards and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 328. This bill seeks to establish a dairy farm retrofit income tax credit by including a new section in Chapter 235, Hawaii Revised Statutes. The Department of Agriculture (Department) fully supports this initiative.

The Department firmly supports the preservation of agricultural lands and businesses within the industry. This measure facilitates the conversion of a dairy farm into a qualified hog farm, preserving the nature of the farm's focus on animal husbandry, while retaining valuable labor expertise in raising livestock animals. Furthermore, we suggest expanding the working definition of "qualified farm" to encompass other eligible livestock and crop businesses. This broader definition would provide greater flexibility to support the transformation of farms and ranches across the state as needed.

The Department appreciates this legislative effort to support agriculture in Hawai'i. Lastly, we respectfully defer to the Department of Finance regarding the proposed amendments to Chapters 235 and 91, HRS, necessary to implement the provisions of this Act.

Thank you for the opportunity to testify on this measure.



JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



WENDY GADY
EXECUTIVE DIRECTOR

STATE OF HAWAII
AGRIBUSINESS DEVELOPMENT CORPORATION
HUI HO'OU LU AINA MAHIAI

TESTIMONY OF WENDY L. GADY
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
January 27, 2025
1:00pm p.m.
Conference Room 224 & Videoconference

SENATE BILL NO. 328
RELATING TO TAXATION

Chair Gabbard, Vice Chair Richards, and Members of the Committee:

Thank you for the opportunity to testify in support of Senate Bill No. 328, which establishes an income tax credit for capital infrastructure costs incurred in the conversion of a dairy farm to a hog farm, up to a maximum of \$1,000,000.

Investing in local hog harvesting services to grow hog market practices to commercial-scale operations will reinforce Hawaii's agricultural sector with a local hog farming and processing industry, which would reduce dependency on imported pork. By implementing this tax incentive, we are encouraging investment in local hog farming, stimulating capital growth in small and medium-sized agricultural enterprises and potentially laying the foundation for a robust local hog farming industry for generations to come.

We respectfully urge you to support this measure and prioritize its passage. Thank you for your attention to this critical issue and for your commitment to advancing Hawai'i's agricultural future and for your consideration of our testimony.

JOSH GREEN M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



GARY S. SUGANUMA
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**TESTIMONY OF
GARY S. SUGANUMA, DIRECTOR OF TAXATION**

TESTIMONY ON THE FOLLOWING MEASURE:

S.B. No. 328, Relating to Taxation

BEFORE THE:

Senate Committee on Agriculture and Environment

DATE: Monday, January 27, 2025

TIME: 1:00 p.m.

LOCATION: State Capitol, Room 224

Chair Gabbard, Vice-Chair Richards, III, and Members of the Committee:

The Department of Taxation ("Department") offers the following comments regarding S.B. 328 for your consideration.

S.B. 328 amends chapter 235, Hawaii Revised Statutes, by adding a new section establishing a nonrefundable income tax credit for dairy farms retrofitted to hog farms. The credit is equal to 50 percent of the capital infrastructure costs incurred by the taxpayer on the retrofit, up to a maximum of \$1,000,000. The credit must be claimed against net income tax liability, on or before the end of the twelfth month following the close of the taxable year. If the credit exceeds the taxpayer's income tax liability, the excess may be carried forward until exhausted.

S.B. 328 defines "capital infrastructure costs" as capital expenditures, as used in section 263 of the Internal Revenue Code and regulations promulgated thereunder; provided that the capital expenditures for real property and fixtures are paid or incurred in connection with the conversion of a dairy farm to a qualified farm and that the capital infrastructure costs are not costs for which another credit is claimed under chapter 235, Hawaii Revised Statutes.

"Qualified farm" means a business that currently owns capital or property or operates a hog farm at former dairy farm facilities and whose principal business is

animal husbandry.

The bill is effective upon its approval for taxable years beginning after December 31, 2024.

The Department can administer this bill as written.

Thank you for the opportunity to provide comments on this measure.



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January 27, 2025

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SB 328
RELATING TO TAXATION

Conference Room 224 & Videoconference
1:00 PM

Aloha Chair Gabbard, Vice-Chair Richards, and Members of the Committees:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports SB 328, which establishes an income tax credit for capital infrastructure costs incurred in the conversion of a dairy farm to a hog farm.

Converting underutilized dairy farm infrastructure into hog farming operations offers a valuable opportunity to grow Hawai'i's pork industry and promote greater self-sufficiency in local meat production. Currently, Hawai'i imports most of its pork, leaving our state vulnerable to disruptions in supply chains. Encouraging local hog farming will strengthen food security and provide consumers with fresh, locally produced pork.

Farmers often face significant financial challenges when upgrading or repurposing agricultural infrastructure to meet the demands of a different type of operation. Converting a dairy farm to a hog farm requires substantial investment in areas such as:

- Renovation of existing structures to accommodate hogs instead of dairy cows
- Compliance with environmental and health regulations.
- Equipment and technology tailored for hog farming.

SB 328 recognizes these challenges and provides financial relief through a tax credit for capital infrastructure costs. This reduces the financial burden on farmers and encourages the expansion of local hog farming operations.

Thank you for this opportunity to provide our input on this measure.

TAX FOUNDATION OF HAWAII

735 Bishop Street, Suite 417

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: INCOME TAX; Dairy Farm Retrofit Tax Credit

BILL NUMBER: SB 328

INTRODUCED BY: DELA CRUZ, AQUINO, CHANG, DECOITE, HASHIMOTO, INOUE, KIDANI, KIM, Richards, San Buenaventura

EXECUTIVE SUMMARY: Establishes an income tax credit for capital infrastructure costs incurred in the conversion of a dairy farm to a hog farm.

SYNOPSIS: Adds a new section to chapter 235, HRS, to establish a dairy farm retrofit income tax credit equal to fifty per cent of the capital infrastructure costs incurred, up to a maximum of \$1,000,000.

For a partnership, S corporation, estate, or trust, the cost upon which the credit is computed shall be determined at the entity level and the distribution and share of the tax credit shall be determined by administrative rule.

Requires the director of taxation to prepare any forms necessary to claim a credit, may require a taxpayer to furnish reasonable information to validate a claim for the credit, and adopt rules pursuant to HRS chapter 91.

Tax credits exceeding the taxpayer's income tax liability may be carried forward and used against the taxpayer's income tax liability in subsequent years until exhausted. Requires claims for the credit, including any amended claims, to be filed on or before the end of the twelfth month following the taxable year for which the credit is claimed. Failure to comply with the foregoing provision shall constitute a waiver of the right to claim the credit.

Defines "Capital infrastructure costs" as capital expenditures, as used in IRC section 263, paid or incurred in connection with the conversion of a dairy farm to a qualified farm, and shall not include costs for which another credit is claimed under the HRS.

Defines "Qualified farm" as a business that 1) currently owns capital or property or operates a hog farm at former dairy farm facilities, and 2) whose principal business is animal husbandry.

EFFECTIVE DATE: Upon approval, applies to taxable years beginning after December 31, 2024.

STAFF COMMENTS: This measure provides a tax subsidy specifically to dairy farms that convert only to hog farms; as opposed to any other type of animal husbandry. The bill appears to be too narrow to be an industry incentive, and smells more like a benefit to a specific taxpayer. If so, the law would be unfair to other taxpayers, especially those in competition with the taxpayer seeking this benefit.

Even if that objection can be overcome, lawmakers need to keep in mind two things. First, the tax system is the device that raises the money that they, lawmakers, like to spend. Using the tax system to shape social policy merely throws the revenue raising system out of whack, making the system less than reliable as there is no way to determine how many taxpayers will avail themselves of the credit and in what amount.

The second point to remember about tax credits is that they are nothing more than the expenditure of public dollars, but out the back door. If, in fact, these dollars were subject to the appropriation process, would taxpayers be as generous about the expenditure of these funds when we need money to support victims of natural disasters like the Maui wildfires, there isn't enough money for social service programs, or our state hospitals are on the verge of collapse?

In any event, a direct appropriation for a grant or subsidy program would be more accountable and transparent.

Furthermore, the additional credit would require changes to tax forms and instructions, reprogramming, staff training, and other costs that could be massive in amount. A direct appropriation may be a far less costly method to accomplish the same thing.

Digested: 1/25/2025