

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 3153
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 3153 entitled:

"A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY,"

begs leave to report as follows:

The purpose and intent of this measure is to, beginning January 1, 2021, prohibit the confinement of specified farm animals in a cruel manner and prohibit business owners and operators from selling certain products made from animals confined in a cruel manner.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i; Friends of the Earth; Center for Biological Diversity; Natural Resources Defense Council; Animal Equality; Animal Outlook; Counter Culture Organic Farm; Women, Food and Agriculture Network; Compassion in World Farming USA; Ekahi Health; Moonstruck Farm; Hawaiian Acres Community Association; Hawaiian Egg Company dba Mikilua Poultry Farm; Farm Sanctuary; Animal Legal Defense Fund; American Society for the Prevention of Cruelty to Animals; Mercy for Animals; Love of Life Farm; Hawaii Tropical Fruit Growers; Humane Society International; The Humane Society of the United States; Hawai'i Center for Food Safety; Hawaii Farmers Union United; Maui Tea Farm; Hawaii Farmers Union United - Haleakala Chapter; Honaunau Farm; Stop Hawaii Dog Abuse; Petersons' Upland Farm; and fifty-two individuals. Your Committee received testimony in opposition to this measure from



the Department of Agriculture; University of Hawaii System; and SK Natural Farms, LLC.

Your Committee finds that that certain methods of farm animal containment are cruel to animals and threaten human health and safety by increasing the risk of foodborne illness. This measure prevents cruelty to farm animals by phasing out extreme methods of farm animal confinement and the sale of products produced through extreme confinement.

Your Committee understands that interested stakeholders have had an opportunity to discuss potential amendments to this measure to bring about consensus of the participating parties. Amendments to this measure are therefore necessary to incorporate the compromise language.

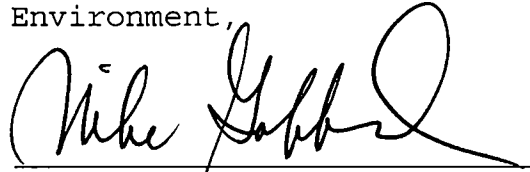
Your Committee has amended this measure by:

- (1) Making the provisions effective beginning January 1, 2025, rather than beginning January 1, 2021;
- (2) Inserting language to exempt a farm owner or operator who maintains a flock of ten thousand or fewer caged egg-laying hens or sells shell eggs or egg products from such a flock; provided that the farm owner or operator does not knowingly cause any egg-laying hen to be confined with less than one square foot of usable floor space per hen, unless such confinement falls under another exemption;
- (3) Inserting language to require that any egg-laying hen added to a flock of ten thousand or fewer caged egg-laying hens after December 31, 2025 not be confined in a cruel manner;
- (4) Amending penalties to be not less than \$500 or more than \$1,000 per violation, instead of a maximum of \$5,000; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



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. 3153, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3153, S.D. 1, and be referred to your Committee on 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