

DAVID Y. IGE
GOVERNOR

JOSH GREEN M.D.
LT. GOVERNOR



ISAAC W. CHOY
DIRECTOR OF TAXATION

STATE OF HAWAII
DEPARTMENT OF TAXATION
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To: The Honorable Mike Gabbard, Chair;
The Honorable Clarence K. Nishihara, Vice Chair;
and Members of the Senate Committee on Agriculture and Environment

From: Isaac W. Choy, Director
Department of Taxation

Date: Monday, March 14, 2022
Time: 1:00 P.M.
Place: Via Video Conference, State Capitol

Re: H.B. 2466, H.D. 2, Relating to Taro

The Department of Taxation (Department) is opposed to H.B. 2466, H.D. 2, in its current form, and offers the following comments for the Committee's consideration.

H.B. 2466, H.D. 2, adds a new section to chapter 237, Hawaii Revised Statutes (HRS), establishing a new general excise tax (GET) exemption for "all of the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State." The measure has a defective effective date of October 18, 2050, and applies to taxable years beginning after December 31, 2021.

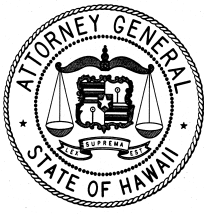
The Department notes that the House Committee on Agriculture amended the original version of this measure to defect the effective date and create a new general excise tax exemption for taro instead of the originally-proposed income tax credit. The House Committee on Economic Development further defected the effective date from July 1, 2050, to October 18, 2050.

First, the Department notes that, as currently written, the GET exemption would apply to any seller of qualifying taro products, including supermarkets and big box stores. This does not appear to be consistent with the intent of the measure, thus, the Department strongly suggests limiting the application of the exemption to the person who cultivated the taro.

Second, the Department notes that requiring unprocessed taro to be cultivated and produced *in the State* in order to qualify for the new exemption may create an issue under the Commerce Clause of the U.S. Constitution.

Finally, if the Committee wishes to insert a functional effective date and advance this measure, the Department respectfully requests that the new GET exemption be made effective on January 1, 2023, rather than for taxable years beginning after December 31, 2021. Using a specific date instead of just a taxable year will ensure that no taxpayer has a competitive advantage based on their tax year and will allow the Department sufficient time to make the form and system changes necessary to properly administer this exemption.

Thank you for the opportunity to testify on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2022**

ON THE FOLLOWING MEASURE:

H.B. NO. 2466, H.D. 2, RELATING TO TARO.

BEFORE THE:

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

DATE: Monday, March 14, 2022 **TIME:** 1:00 p.m.

LOCATION: State Capitol, Room 224 and Videoconference

TESTIFIER(S): Holly T. Shikada, Attorney General, or
Nathan S. C. Chee, Deputy Attorney General

Chair Gabbard and Members of the Committee:

The Department of the Attorney General has concerns regarding this bill and provides the following comments.

The stated purpose of this bill "is to create stronger economic incentives for new taro farmers, improve the livelihoods of existing taro farmers, and reduce the cost of poi for local residents by exempting the gross proceeds or income from the sale of any product resulting from the cultivation and production of unprocessed taro in the State from the general excise tax" (page 4, lines 14-20). This bill accomplishes its stated purpose by adding a new section to chapter 237, Hawaii Revised Statutes, that exempts gross proceeds or income received "from the sale of any product resulting from the cultivation and production of unprocessed taro in the State" (page 5, lines 5-9).

This bill could be subject to challenge as a violation of the Commerce Clause of the United States Constitution.

The Commerce Clause provides that Congress shall have the power to "regulate Commerce . . . among the several States." U.S. Const. art I, § 8, cl. 3. "Though phrased as a grant of regulatory power to Congress, the clause has long been understood to have a 'negative' aspect that denies the States the power unjustifiably to discriminate against or burden the interstate flow of articles in commerce." *Oregon Waste Systems, Inc. v. Dep't of Env'tl. Quality*, 511 U.S. 93, 98 (1994). This implicit constitutional restriction upon the states has become known as the "negative" or "dormant" Commerce Clause doctrine. See *Rocky Mountain Farmers Union v. Corey*,

730 F.3d 1070, 1087 (9th Cir. 2013). The doctrine prohibits states from "advancing their own commercial interests by curtailing the movement of articles of commerce, either into or out of the state," *Fort Gratiot Sanitary Landfill, Inc. v. Michigan Dep't of Natural Resources*, 504 U.S. 353 (1992) (internal brackets omitted), upon concern about "economic protectionism," *i.e.*, "regulatory measures designed to benefit in-state economic interests by burdening out-of-state competitors." *Department of Revenue of Ky. v. Davis*, 553 U.S. 328, 337 (2008). For example, in *Bacchus Imports Ltd. v. Dias*, 468 U.S. 263 (1984), the United States Supreme Court struck down an exemption from the liquor tax for locally produced alcoholic beverages upon finding that the exemption bestowed a commercial advantage on locally produced products.

Here, a general excise tax exemption would be given for products made from locally grown taro, but the exemption would not be available to products made with taro grown out-of-state. Similar to the situation in *Bacchus*, the proposed general excise tax exemption may be challenged as unconstitutional because it bestows a commercial advantage on locally produced products in the form of lower taxes, while burdening out-of-state competitors who would not be eligible for the same exemption if their taro was grown out-of-state.

Based on the foregoing, we respectfully ask that these concerns be addressed. One solution would be to remove the wording "in the State" (page 5, line 9). This amendment would address the possible Commerce Clause challenge by allowing the general excise tax exemption for both locally and out-of-state grown taro products.

Thank you for the opportunity to offer these comments.

Aloha;

I am testifying as taro farmer, consumer of kalo and poi, former member of the Taro Security and Purity Task Force, and long-time member of 'Onipa'a Nā Hui Kalo, a recognized statewide organization of taro growers, in strong support with amendments for HB2466 HB2 Relating to Taro.

Notwithstanding the Governor's call to double local food production by 2030, the fact that taro is our most culturally significant crop and our healthiest staple starch, as well as a critically important cultural landscape, *there are strong economic, cultural, and environmental justifications for this request for tax exemption for taro farmers* and their raw and value-added products.

Taro farming is an essential business in Hawai'i. As with every business, COVID has cut deeply into the commercial livelihoods of taro farmers. Most regular orders were cancelled in 2020-21 leaving growers with very few customers for months. At the same time, taro farmers stepped up to the plate at unprecedented levels to feed their communities on all islands by delivering poi and kalo to kupuna and families in need, to chefs for meal programs, and to food banks week after week. You won't find these stories in the paper when you read about COVID. And, while the pandemic has set planting schedules back two years for some commercial growers (taro is a 12-month crop), hundreds of subsistence growers and families are planting kalo in a move towards food security. Some of them may become the next generation of commercial taro farmers – but only if they can afford to.

As taro farmers, we often consider ourselves waiwai (wealthy) in many aspects of our lives. That mindset keeps us going and allows us to support our families and our communities year in and year out. Taro connects us to each other. Yet, over the last few decades, our ability to make a sustainable and dignified livelihood has become more challenging with the increasing cost of land and leases, farm machinery, inputs and new hurdles for bringing products to market. Taro farmers, and small farmers in general in Hawai'i, make on average less than \$40,000/year (many much less) and report income losses of almost \$10,000 annually (pre-COVID) at a time when HUD has set low income (80% below median income) for Hawai'i at more than \$86-88,000/yr.

Taro lands are celebrated as wahi pana (legendary places) in mo'olelo (traditions and stories) and oli (chant), and often farmed generation to generation building memory upon memory. They are the lands that protect our riparian areas, our coastal wetlands, and feed our fishponds. They contribute to our food security and are teaching our children how to reconnect to healthy 'ai (food), to 'āina (land) and aloha 'āina (stewardship). Taro farms are also typically rural and located on some of the most beautiful lands in our state. As such they have become desirable to the real estate market. *This is a deeply concerning issue*, not just for the above reasons, but also because taro lands, provided they have water, are known to be some of our most productive agricultural (food) lands; and taro systems, including traditional 'auwai (ditches), have lacked adequate protections from development for decades.

Every year, we see more million dollar homes sprouting up in and encroaching on taro growing communities. The result has been significant increases in land valuations and tax assessments for taro lands from the counties, as well as excessive lease rates from DLNR for taro lands. There is no law protecting these culturally important agricultural lands from being assessed based on adjacent property values. There are few places left for us to farm affordably. All this adds up to the need for HB2466.

Taro is recognized as the State Plant (Act 71) for its deepest connections to Hawaiian culture and a source of their mo'okū'auhau (genealogies). It is essential that we support the survival and continuity of taro farming not just for these purposes, but for all that it provides.

HB2466 will provide a portion of relief to taro growers from the heavy burden of increasing tax rates. Perhaps 600 acres are currently in wet and dryland taro cultivation statewide. Thirty thousand acres or just 0.428 percent of all lands in the state is an estimate of lands that were in taro production at the turn of the 20th century when Hawai'i was both food self-sufficient and food secure. This bill will help keep taro lands in production, encourage new growers, and protect our taro farming lifestyle. Relief from income taxes can be enough to fix a tractor, a truck to transport taro to market, pay for fuel, medical bills or health insurance. Everything counts when you are in a very low income bracket.

HB2466 also corrects and simplifies existing tax exemptions for kuleana taro lands in some counties by recognizing that, towards the goal of food security, all taro growers are a part of the solution, not just those on kuleana lands.

The price of poi for consumers is tied to the costs of farming, milling packaging and transport. Milled poi averages \$9-11 per pound retail, making this healthy food inaccessible to those who need it most. While some families have turned to buying taro directly from farmers and pounding their own poi, many still do not have that option. Providing tax relief to taro farmers may help lower the price of poi and/or make more kalo available directly to some consumers.

As bad as it is now, while the revenue impacts of COVID are surely immediate, it is, in the big picture, a short term fiscal challenge. State revenue levels are predicted to return to 2019 forecast levels within four years (per the Council on Revenues Letter to the Governor 1/8/2021), indicating the exemption proposed by HB2466 will have negligible impact.

Returning to the intentions of the original 1901 Hawaiian legislature, and the importance of encouraging greater taro production to feed the people of these islands, HB2466 is both reasonable and doable. Collectively, we can improve food security for Hawai'i and this bill is a good step towards that goal. I encourage committee members to look the big picture, as well as the survival of our cultural livelihoods, and support HB2466.

Amendments

In the House Finance committee, the Department of Taxation and the Department of Agriculture suggested that, as currently written, the GET exemption would apply to any seller of qualifying taro products, including supermarkets and big box stores which was not the intent of the measure. These Departments suggested limiting the application of the exemption to those who cultivated the taro. As a taro farmer, I would agree. Taro growers who also directly produce value-added products such as pa'i 'ai, poi, kulolo, taro chips, or lū'au (taro leaf) would be covered by a growers' exemption. This measure could also help reduce the cost of poi for local families, hence, poi millers as beneficiaries of this measure should be recognized.

Second, the Attorney General's Office and the Department of Taxation noted that requiring unprocessed taro to be cultivated and produced in the State in order to qualify for the new exemption would create an issue under the Commerce Clause of the U.S. Constitution. The AG's Office suggested removing "in the State" as a simple fix for this measure. However, it re-broadens who might be able to claim an exemption. To maintain the focus on taro growers and raw taro

products or products made solely or primarily from raw taro, we propose the following amendments:

SECTION 2. Chapter 237, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§237- Exemption for the cultivation and production of unprocessed taro. There shall be exempted from, and excluded from the measure of, the taxes imposed by this chapter all of the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro, or where value-added whose primary ingredient is taro or taro leaf in the State." This exemption shall not apply to bulk buyers or shippers of raw or value-added taro products, supermarkets or big box stores.

Primary ingredient is defined as the ingredient of highest percentage in a product and listed first on a label.

I am available should you have any questions.

Mahalo for supporting HB2466 HD2!
Penny Levin
Taro farmer



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e-mail info@hfbf.org; www.hfbf.org

March 14, 2022

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

**TESTIMONY ON HB 2466, HD2
RELATING TO TARO**

Conference Room 224 & Videoconference
1:00 PM

Aloha Chair Gabbard, Vice-Chair Nishihara, and Members of the Committee:

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 HB 2466, HD2, which exempts the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State from the general excise tax.

The Hawai'i Farm Bureau recognizes taro's importance in Hawai'i's cultural identity and role in local food security. This measure is aimed to assist taro farmers in their efforts to increase their production and viability. We support this effort to improve the taro farmer's ability to not only sustain themselves but also to expand their long-term success.

HFB supports any initiative that reduces the cost of production so that locally produced goods can compete with imported products, strengthening our local economy.

Hawai'i Farm Bureau Policy states: "State tax and monetary policies should be designed to encourage private initiative to help stabilize farm economics in the State of Hawai'i, to promote employment and economic growth, and to distribute the tax burden equitably. Further such policy should be used by the state, when appropriate, to encourage agricultural growth and expansion."

HFB supports HB 2466, HD2 which is an investment in Hawai'i's taro farmers.

Thank you for this opportunity to testify in support of this measure.

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 305

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: GENERAL EXCISE, Exemption for Income Derived from Unprocessed Taro

BILL NUMBER: HB 2466 HD 2

INTRODUCED BY: House Committee on Economic Development

EXECUTIVE SUMMARY: Exempts the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State from the general excise tax. Effective 10/18/2050.

SYNOPSIS: Adds a new section to chapter 237, HRS, providing an exemption for all gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State.

EFFECTIVE DATE: October 18, 2050; applicable to taxable years beginning after December 31, 2021.

STAFF COMMENTS: This measure proposes incentives under the general excise tax to encourage the production of taro in the state.

The use of the tax system to provide financial assistance in the form of preferential tax treatment under the income tax is an inefficient use of the tax system. This preferential treatment proposed in this measure amounts to nothing more than a subsidy as there is no obvious undue burden of taxes. If this measure is enacted, it will provide one industry with preferential treatment. That is bad tax policy.

Giving tax breaks to one select group of taxpayers comes at the expense of all other taxpayers. Rather than singling out a particular area for tax relief, concurrent efforts must be made to improve Hawaii's business climate to enhance the economic prospects for all businesses.

If lawmakers want to subsidize this specific project, then an appropriation of funds is far more accountable as taxpayers will then know who is to receive the subsidy, how much is being spent and then they can judge whether or not this is an appropriate use of state taxpayer dollars.

As a technical matter, the exemption language in the current bill draft is extremely vague and should be tightened up considerably if this bill is to move forward.

There is also a constitutional issue. The bill applies the exemption to cultivation and production of unprocessed taro in the State. This restriction is unconstitutional under the Commerce Clause of the Constitution because the same preferential tax treatment must be allowed for competing products from other States. See *In re Hawaiian Flour Mills, Inc.*, 76 Haw. 1, 868 P.2d 419 (1994); *Bacchus Imports, Inc. v. Dias*, 468 U.S. 263 (1984); Hawaii Tax Information Release No. 93-4. In *Hawaiian Flour Mills*, the Tax Appeal Court determined that a general excise tax exclusion for locally grown, raised, or caught agricultural, meat, or fish products for

consumption out-of-state violated the Commerce Clause of the United States Constitution. The Court found that appellant Hawaiian Flour Mills, Inc. was entitled to the exemption from the general excise tax on its sales of fresh food products to be consumed out-of-State by persons engaged in interstate or foreign commerce, whether or not the fresh food products were locally grown, raised, or caught.

Digested: 2/26/2022

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
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TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

MARCH 14, 2022
1:00 P.M.
VIA VIDEOCONFERENCE

HOUSE BILL NO. 2466 HD2
RELATING TO TARO

Chairperson Gabbard and Members of the Committee:

Thank you for the opportunity to present testimony on House Bill 2466 HD2, which amends Chapter 237 and establishes an exemption from state general excise tax (GET) for the local cultivation and production of unprocessed taro.

The Department supports the intent of this measure to reduce the tax burden and create stronger economic incentives for new taro farmers, improve the livelihoods of existing taro farmers, and reduce the cost of poi for local consumption.

We believe the high costs of farming is a significant barrier to an expansion in taro production. Nevertheless, local taro farmers have shown their resiliency by expanding taro cultivation statewide to 805 acres in 2020, up 32 per cent from the 612 acres in 2015.

The Department appreciates all efforts to increase farmers' income from the sale of any product resulting from the cultivation and production of unprocessed taro in the state but defers to the Department of Taxation with respect to the proposed amendments in Chapter 237.

Thank you for the opportunity to testify on this measure.





**HB2466 HD2
RELATING TO TARO**

Ke Kōmike 'Aha Kenekoa o ka 'Oihana Mahi'ai a me ke Ao Kūlohelohe
Senate Committee on Agriculture and Environment

Malaki 14, 2022

1:00 p.m.

Lumi 224

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB2466 HD2, which would create economic incentives for taro farmers, and potentially reduce the cost of poi and other taro products for local families by creating an excise tax exemption for gross proceeds and income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State.

In 2008, the Hawai'i State Legislature passed Act 211, which established the Taro Security and Purity Task Force (Task Force). Act 211 directed taro farmers, agencies, and University of Hawai'i representatives to seek solutions to the challenges facing taro production, taro farmers, and taro markets. Funding and administrative support from OHA enabled the Task Force to meet consistently and to gather input from taro growing communities on all islands over a period of 12 months.

The Task Force's ensuing 2010 Legislative Report, entitled, "E Ola Hou Ke Kalo; Ho'i Hou Ka 'Āina Lē'ia – The Taro Lives; Abundance Returns to the Land," issued 87 recommendations and grouped them according to the following categories: Land; Water; Economic Viability; Biosecurity; Research; Communication, Education, and Public Awareness; and Hawaiian Taro Varieties. Among them were recommendations to implement tax relief measures to ease cost burdens on existing and future taro farmers.

Consistent with the Taro Security and Purity Task Force's report and recommendations, this measure provides for excise tax relief that will facilitate our taro farmers' ability to overcome economic barriers to their overall success. By exempting taro farmers gross proceeds and income received from the sale of any product resulting from the cultivation and production of unprocessed taro, this bill would incentivize current and future taro farmers, including our youth, to engage in, maintain, and expand their taro farming activities, thereby contributing to our living cultural foundation as well as to the overall food security and self-sufficiency of our islands. .

Accordingly, OHA urges the Committee to **PASS** HB2466 HD2. Thank you for the opportunity to testify on this measure.

HB-2466-HD-2

Submitted on: 3/12/2022 12:13:05 AM

Testimony for AEN on 3/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Azuma Chrupaluk	Testifying for Administrator of Mahiku A'o Mai Food Security Services	Support	Written Testimony Only

Comments:

Mahalo nui loa no ko 'oukou 'ike i ke kalo. Na'au ho'omaika'i wau no keia mea kanawai. He mea maika'i keia mai na mahi'ai Hawai'i. Ke pono nei makou i ka wai no ka hana ana kumu waiwai.

Thank you for your consideration concerning kalo. I am grateful for this proposed bill. This is a good deed for Hawaiian farmers. Now we just need water for the source of life prosperity.



STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
ON
HOUSE BILL NO. 2466, H.D. 2

March 14, 2022
1:00 p.m.
Room 224 and Videoconference

RELATING TO TARO

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 2466, H.D. 2, adds a new section to Chapter 237, HRS, to establish a general excise tax exemption for all gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State.

B&F notes that the federal American Rescue Plan (ARP) Act restricts states from using ARP Coronavirus State Fiscal Recovery Funds (CSFRF) to directly or indirectly offset a reduction in net tax revenue resulting from a change in law, regulation, or administrative interpretation beginning on March 3, 2021, through the last day of the fiscal year in which the CSFRF have been spent. If a state cuts taxes during this period, it must demonstrate how it paid for the tax cuts from sources other than the CSFRF, such as:

- By enacting policies to raise other sources of revenue;
- By cutting spending; or

- Through higher revenue due to economic growth.

If the CSFRF provided have been used to offset tax cuts, the amount used for this purpose must be repaid to the U.S. Treasury.

The U.S. Department of Treasury has issued rules governing how this restriction is to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with this ARP restriction.

Thank you for your consideration of our comments.

March 12, 2022

To: Chair Gabbard, Vice Chair Nishihara and Committee on Agriculture and Environment members,

Subject: Support HB2466 HD2 RELATING TO TARO with amendments

Aloha e Chair Gabbard, Vice Chair Nishihara and Committee members,

I respectfully **SUPPORT HB2466 HD 2 Relating to Taro**, that exempts the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the state from the general excise tax. However, I am requesting your **consideration to amend the effective date to sooner than October 18, 2050**.

To better support our small taro farmers across Hawai'i we need to incentivize the cultivation of taro FOR Hawai'i consumption. The exemption for taro farmers will mitigate one of the biggest issues that Hawai'i small farmers face with providing affordable locally grown taro for local consumption. Not only will this measure contribute to the goal of doubling food production in Hawai'i but most importantly will provide affordable access to locally grown taro for local consumption.

The counties of Maui and Kaua'i have been able to successfully enact exemptions on Kuleana lands for taro production from county taxes. As a step towards "protecting and perpetuating the traditional practice of taro farming as part of Hawaii's cultural identity and its role in local food security," this measure will allow all small taro farmers in Hawai'i on agricultural lands access to this benefit for a bigger impact to the decrease to Hawai'i's dependence on imported foods.

Thank you for time and allowing me to testify and I request your consideration to **pass HB2466 HD2 with a changed effective date**.

Mahalo,

Whitney Wright



Senate Committee on Agriculture & Environment

Hawai'i Alliance for Progressive Action (HAPA) Supports: HB2466 HD2

Monday, March 14th, 2022 1:00 p.m., Conference Room 224

Aloha Chair Gabbard, Vice Chair Nishihara and Members of the Committee,

HAPA is in strong support of HB2466 HD2 which establishes an exemption from state income tax for the first \$100,000 of income derived from taro, taro products, and land used to produce taro if the total amount of land used to cultivate taro in Hawai'i does not exceed thirty thousand acres at any point in the year.

HB2466 HD2 will provide relief to taro growers from the heavy burden of increasing land tax rates. Tax relief of this nature helps create resources that enable farms to reinvest in their farm and offer more opportunities for the next generation of taro farmers.

This is an important step towards supporting native traditional food ways, farming and food security for Hawai'i. We need to do everything we can to support expansion of farming and particularly the cultivation of taro which is so culturally significant and such an important part of our landscape, history, food security and community.

HB2466 HD2 is a great way to support a native cultural practice and Hawai'i's staple food. Supporting taro farming and assisting farmers will also help to keep native Hawaiian traditional and customary cultural practices alive.

Taro is a valued landscape and is recognized as the State Plant. Taro farmers need and deserve support to ensure taro farming continues to grow and expand into the future. This measure helps to incentivize farmers to grow taro, one of the healthiest staple starch foods available.

Taro lands provide ecological and environmental buffers against flooding. Taro lands are intricately connected to the protection of our riparian areas, coastal wetlands, and fishponds. Taro lands are celebrated as important and sacred places in Hawaiian traditions and stories and often farmed by families for generations.

HB2466 HD2 will create economic incentives for taro farmers' and could reduce the cost of poi for local families. In doing so, this measure could help make taro more widely accessible and enable Hawaiian families to reconnect with this culturally important food source.

Unfortunately, taro farms are typically rural and located on some of the most beautiful lands in our state. As such they have become desirable to the real estate market. Every

year, more and more we see more multi million-dollar homes encroaching on taro growing communities.

The result has been significant increases in tax assessments for taro lands from the counties, as well as excessive lease rates from DLNR. If a taro farmer can't afford to pay the taxes for their property and live on their own lands there are few places left for them to continue to farm.

This is a very concerning and important issue for us to address this legislative session, not just for the above reasons, but also because taro lands are some of our most productive agricultural lands and they have never been needed so much. This past year the COVID-19 crisis has reminded us all how important it is to urgently grow our food security. By encouraging more people to grow and produce taro we can help increase local food self-sufficiency and help Hawai'i reach its food security goals.

By exempting taro production from state income taxes HB2466 will improve the economic landscape for taro farmers' as well as their ability to overcome financial barriers and setbacks.

We strongly support HB2466 HD2 and believe it will reduce the cost of production and help locally produced goods compete with imported products, which in turn helps to strengthen our local economy.

Thank you for your consideration.

Respectfully,



Anne Frederick
Executive Director

[1] Sustainable America: Rogers, Nicole (2013) *What is a Food Hub*
<https://sustainableamerica.org/blog/what-is-a-food-hub/>

[2] SDSU Extension Community Vitality Field Specialist: Blachford, Sierra under direction of O'Neill, Kari & Zdorovtsov, Chris; *The Benefits of Food Hubs* <https://extension.sdstate.edu/benefits-food-hubs>

[3] MSU Center for Regional Food Systems: Weiss, Andrea (2020) *Equity and collaboration for resilient local food systems across the U.S.*
<https://www.canr.msu.edu/news/equity-and-collaboration-for-resilient-local-food-systems-across-the-us>

HB-2466-HD-2

Submitted on: 3/13/2022 8:47:58 AM

Testimony for AEN on 3/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Bishop	Individual	Support	Written Testimony Only

Comments:

I am in Strong Support with amendments

Mahalo

Daniel Bishop

Aloha Chair Gabbard, Vice Chair Nishihara and members of the Senate committee on Agriculture and Environment.

I'm writing in support of HB2466 HD2 which **calls for a tax exemption on the gross proceeds or income received through the production of taro**. We need to start investing energy and time into our farmers here in Hawaii. It is implausible that we do not have a sustainable food system and it is even more scary to know that in the case of a natural disaster, we are most vulnerable to food shortages or cut off from food supply. HB 2466 works towards building that resilience that we need in our food system. Kalo was once grown as a crop abundantly across the island chain and for that being more accessible for those who consume. This makes it only right to support HB2466 to increase access to taro so that consumers can enjoy the abundance of a nutrient rich crop.

Thank you for reading through my testimony in support of HB2466 HD2.

Me ke aloha,

Jesse Mikasobe-Kealiinohomoku

#Fixourfoodsystem



Restore the Commons

Monday, March 14, 2022, 1:00 pm

Senate Committee on Agriculture and Environment

HOUSE BILL 2466 – RELATING TO KALO

Position: Strong Support

Me ke Aloha, Chair Gabbard, Vice-Chair Nishihara, and Members of the Committee on Agriculture and Environment

HB2466 provides a small stimulus to a market that is crucial in shifting from fast foods supporting diet-related illness to affordable fresh, healthy foods. At the same time, it is a small stimulus to returning more lo'i to production and assuring proper stream flows to our countryside. These are important steps toward returning to a healthy state of mind for our society, rejuvenating our contact with the earth and each other.

Mahalo for the opportunity to address this issue,

/s/ Charley Ice, Hoa'āina; and member of the Health Committee of the Hawaii Democratic Party, and the Food Security and Agriculture Committee of the Environmental Caucus



Food+ Policy Internship 2022

food@purplemaia.org

March 13, 2022

To: Chair Gabbard, Vice Chair Nishihara and members of the Senate committee on Agriculture and Environment

Subject: Testimony in **Support of HB 2466 HD2**, RELATING TO TARO

Aloha mai kākou,

We are writing on behalf of the Hawai'i Food+ Policy Internship to express our SUPPORT for **HB2466 HD2**, relating to taro. Thank you for allocating time to read through our testimony that strongly stands alongside taro farmers and the advancement of a sustainable and more equitable food system for Hawai'i.

The state of Hawai'i imports approximately 90% of our food. This large percentage of food comes from the continent (Miles et Al, 2020). Roughly 2 million pounds of taro are imported from somewhere else. Hawai'i consumes approximately 6.5 million pounds of taro annually and part of that demand local farmers are able to supply approximately four million pounds of raw taro. They are able to do-so on an estimated 500-600 acre māla kalo (Dryland production) or 380 acres of lo'i kalo (Wetland production). This reflects how important local production of taro is in order to provide for the demand. With Hawai'i sitting in the middle of the pacific, we hold prime space to carry out agriculture production on a more serious scale (Anderson, 2019) whilst being ecologically conscious in this time of climate change.

HB2466 HD2 calls for a tax exemption on the gross proceeds or income received through the production of taro. Such efforts will work as incentives to relieve hardworking taro farmers from potential challenges and advance efforts towards building a resilient food system.

Thank you for your time and consideration to read our testimony in support of **HB2466 HD2**.

Mahalo,
Hawai'i Food+ Policy Interns
#Fixourfoodsystem

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2022, the cohort of interns are undergrads and graduate students from throughout the UH System. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.



Food+ Policy Internship 2022

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References

- Anderson, P. B. (2019). The Past is present: Kalo farming on Hawaii Island. Ke Ola. <https://keolamagazine.com/agriculture/kalo-farming-on-hawaii-island/#:~:text=Kalo%20was%20an%20essential%20food,kalo%20cultivation%20and%20its%20consumption.>
- Jung, Y. (2021, March 7). *Fewer farmers are growing Hawaii's 'miracle food' taro despite growing demand*. Honolulu Civil Beat. Retrieved February 15, 2022, from <https://www.civilbeat.org/2021/03/fewer-farmers-are-growing-hawaiis-miracle-food-taro-despite-growing-demand/#:~:text=At%20its%20peak%2C%20kalo%20farming,puts%20the%20acreage%20at%20310.>
- Miles, A., & Merrigan, K. (2020, April 14). *If we get food right, we get everything right*. Honolulu Civil Beat. Retrieved February 15, 2022, from <https://www.civilbeat.org/2020/04/if-we-get-food-right-we-get-everything-right/>
- Terrell, J. (2021, July 8). *The state does a lot to help farmers in Hawaii. but it's not enough*. Honolulu Civil Beat. Retrieved February 15, 2022, from <https://www.civilbeat.org/2021/07/the-state-does-a-lot-to-help-farmers-in-hawaii-but-its-not-enough/>

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HB-2466-HD-2

Submitted on: 3/13/2022 12:08:25 PM

Testimony for AEN on 3/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Emily Kandagawa	Individual	Support	Written Testimony Only

Comments:

I support the taro tax exemption bill HB2466 because every year that passes without this legislation we get further and further away from genuine food security and economic justice in Hawaii. We need this bill to pass with the amendment below in order to satisfy US federal commerce laws and to narrow in on the taro growers this legislation is intended to support. Mahalo.

"§237- Exemption for the cultivation and production of unprocessed taro. There shall be exempted from, and excluded from the measure of, the taxes imposed by this chapter all of the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro ****, and where value-added, whose primary ingredient is taro or taro leaf ~~in the State~~." Primary ingredient is defined as the ingredient of highest percentage in a product and listed first on a label.****

HB-2466-HD-2

Submitted on: 3/13/2022 12:22:48 PM

Testimony for AEN on 3/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian "Ioane" Jahn	Individual	Support	Written Testimony Only

Comments:

I support this bill. Aloha 'Āina!

Ioane

#fixourfoodsystem

HB-2466-HD-2

Submitted on: 3/13/2022 2:19:50 PM

Testimony for AEN on 3/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyron Kahoe kapu-Cruz	Testifying for Jr. Koʻolaupoko Hawaiian Civic Club's	Support	Written Testimony Only

Comments:

Name: Tyron Kahoe kapu-Cruz

Date: 3-13-2022

Aloha, my name is Tyron and I'm from He'eia . I am here to state the Jr. Koʻolaupoko Hawaiian Civic Club's support for Bill HB2466. I support this bill because it would economically help new farmers and give existing farmers a livelihood. With existing farmers and new farmers financially abled, then more taro could be produced locally and Hawai'i could be less dependent on taro imports. This bill is important to me for the reason that poi is expensive not just for average families, but also for me and my family. A second reason why I consider this important to me is with the lo'i kalo fields, it has the potential to mitigate riparian buffers and sediment retention basins. I am asking that the Members of the Senate Committee of AEN and WAM pass this bill and support it until the governor signs it. That is all I have to say, Mahalo.

HB-2466-HD-2

Submitted on: 3/13/2022 9:59:57 PM

Testimony for AEN on 3/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
C. Milika'a Vierra	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill and our mahi'ai kalo.

Mahalo

HB-2466-HD-2

Submitted on: 3/14/2022 8:32:33 AM

Testimony for AEN on 3/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello,

My name is Nanea Lo. I'm a lifelong resident and Kanaka Maoli of the island of O‘ahu in Mō‘ili‘ili. I'm writing in support of HB2466 HD2.

me ke aloha ‘āina,

Nanea Lo