

Honolulu, Hawaii

**FEB 13 2025**RE: S.B. No. 762  
S.D. 1

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

Sir:

Your Committees on Agriculture and Environment and Public Safety and Military Affairs, to which was referred S.B. No. 762 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL CRIMES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Agricultural Crimes Council;
- (2) Expand the duties of the Department of Agriculture to collaborate with and support the Council;
- (3) Authorize the Council to withdraw and deposit moneys, revenues, and fines into and out of the Animal Industry Special Fund; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Agriculture; Department of Law Enforcement; Department of Research and Development of the County of Hawai'i; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Hawaii Aquaculture and Aquaponics Association; Nahenahe Farm; Hawai'i Food+ Policy; Maui County Ag Working Group; and eight individuals.



Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that the State has severe challenges in effectively mitigating and preventing agricultural crimes. Agricultural crimes often occur in rural and geographically isolated locations, making it challenging to timely respond to and adequately address reports of the crimes. Your Committees recognize that it can be burdensome, if not impossible, for the owners of these large tracts of land, farms, and ranches to implement traditional crime deterrence methods. Your Committees also find that, while agricultural lands are included as a category in many of the State's laws establishing certain crimes, limited resources make it difficult to prosecute these crimes effectively. According to testimony received by your Committees, the Agricultural Crimes Council established by this measure would provide an essential framework and resources for a coordinated, statewide approach to preventing and investigating agricultural crimes.

Your Committees have amended this measure by:

- (1) Inserting language to allow the designees of the ex officio members of the Council to represent those positions;
- (2) Clarifying that the public members of the Council shall serve four-year terms;
- (3) Inserting language to provide procedural guidelines for any investigator appointed or commissioned by the Council to investigate agricultural crimes, which includes clarifying the scope of their powers and authority to be that of a law enforcement officer;
- (4) Deleting language that would have authorized the Council to withdraw and deposit moneys, revenues, and fines into and out of the Animal Industry Special Fund and replacing it with language that requires all moneys, revenues, and fines received and processed by the Council to be deposited into the Agricultural Enforcement Special Fund established by Act ,



Regular Session of Hawaii 2025, and allows moneys in the Agricultural Enforcement Special Fund to be expended to cover the costs of the Council;

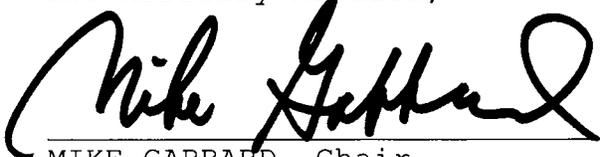
- (5) Inserting language that makes a conforming amendment to section 76-16(b), Hawaii Revised Statutes, to effectuate the exemption of the Executive Director of the Council from civil service laws;
- (6) Changing the appropriation to an unspecified amount;
- (7) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that this measure, as amended, contains an unspecified appropriation amount. Should your Committees on Ways and Means and the Judiciary choose to deliberate on this measure, your Committees respectfully request that they consider inserting an appropriation amount of \$2,000,000 for the establishment and operation of the Hawaii Agricultural Crimes Council.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 762, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 762, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Agriculture and  
Environment and Public Safety  
and Military Affairs,

  
BRANDON J.C. LEE, Chair

  
MIKE GABBARD, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB762	AEN/PSM, WAM/JDC	2-7-25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)	X			
DECOITE, Lynn	X			
RHOADS, Karl	X			
AWA, Brenton			X	
<b>TOTAL</b>	4	0	1	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

