

**HOUSE OF REPRESENTATIVES
STATE OF HAWAII
THE THIRTY-FIRST LEGISLATURE**

In the matter of the House Investigative) [] SUBPOENA
Committee to Investigate Compliance with) [X] SUBPOENA DUCES TECUM
Audit Nos. 19-12 and 21-01) [X] EXHIBIT "A"
_____)

FROM THE STATE OF HAWAII TO:

The Sergeants-at-Arms of the House of Representatives of the Thirty-First Legislature of the State of Hawaii; the sheriff or the sheriff's deputies; the chief of police of any county or the chief's deputies; any police officer of the State or any county; and any officer authorized by law to serve subpoenas in the State of Hawaii,

YOU ARE COMMANDED to subpoena the individual named below:

Phyllis Shimabukuro-Geiser, Chairperson of the Board of Agriculture,
or Other Appropriate Individual in custody of the books, records, documents, or other
evidence requested below
Office of the Chairperson
1428 South King Street
Honolulu, HI 96814

THE ABOVE-NAMED INDIVIDUAL IS COMMANDED, at the place, date, and time indicated below, **TO:**

- [] Appear and testify before the above-named Investigative Committee.
- [X] Produce the documents or things described below.

METHOD: Via e-mail to Chair Della Au Belatti, House Investigative Committee
to Investigate Compliance with Audit Nos. 19-12 and 21-01
repbelatti@capitol.hawaii.gov

DATE: Monday, August 30, 2021

TIME: 4:30 P.M.

DESCRIPTION OF DOCUMENTS TO BE PRODUCED (Attach EXHIBIT A if necessary):

See EXHIBIT A.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT PURSUANT TO THE HAWAII STATE CONSTITUTION; SECTION 21-14, HAWAII REVISED STATUTES; AND THE RULES OF HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE COMPLIANCE WITH AUDIT NOS. 19-12 AND 21-01.

Della Au Belatti

Rep. Della Au Belatti
Chair, House Investigative Committee to Investigate
Compliance with Audit Nos. 19-12 and 21-01

Date: August 13, 2021

This subpoena is issued in the above-captioned matter under the authority of the Hawaii State Constitution; Section 21-8 of the Hawaii Revised Statutes; House Resolution No. 164 of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021; Rule 55.1 of the Rules of the House of Representatives of the Thirty-First Legislature of the State of Hawaii; and Rule 2.2 of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01.

NOTICE TO WITNESS

You have been subpoenaed to produce certain books, records, documents, or other evidence to the House Investigative Committee to Investigate Compliance with Audit No. 19-12 or No. 21-01. The Investigative Committee was established by House Resolution No. 164, Thirty-First Legislature of the State of Hawaii, Regular Session of 2021. The Investigative Committee is authorized to follow up on the Audit of the Department of Land and Natural Resources' Special Land and Development Fund, Report No. 19-12, and Audit of the Agribusiness Development Corporation, Report No. 21-01, and to examine the recommendations made in those audits, for purposes of improving the operations and management of state agencies, their funds, and any other matters.

Together with this subpoena, you are being served with a copy of House Resolution No. 164 and a copy of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01.

I certify that this is a full, true, and correct copy of the original on file in this office.

Thi L. T. [Signature]

Chief Clerk, House of Representatives,
Legislature, State of Hawaii

Date: 8/13/21

EXHIBIT A

DOCUMENTS TO BE PRODUCED

1. Any and all policies, procedures, guidance, directives, and/or memoranda regarding the Board of Agriculture's ("Board") approval process of agricultural projects, agricultural development plans, and project facility programs developed by the Agribusiness Development Corporation ("ADC") pursuant to HRS §163D-8.5, including the process of delegation of that authority by the Board;
2. Any and all records, including but not limited to minutes of the Board, documenting:
 - a. Any and all approvals or disapprovals by the Board pursuant to HRS §163D-8.5;
 - b. Delegation of the Board's general authority to approve ADC's agricultural projects, agricultural development plans, and project facility programs pursuant to HRS §163D-8.5; and
 - c. Delegation of the Board's authority to approve specific ADC agricultural projects, agricultural development plans, and project facility programs pursuant to HRS §163D-8.5;
3. List of research and/or marketing reports produced, published, and/or commissioned by the Department of Agriculture from 2001 to present related to any of the following topics:
 - a. Imported agricultural products and the potential for increasing local production to replace imported products in a manner that complements existing local producers and increases Hawaii's agricultural self-sufficiency;
 - b. Promoting and facilitating the development of diversified agriculture and agricultural enterprises in Hawaii;
 - c. Promoting, marketing, and distributing Hawaii agricultural crops and value-added products in local, national, and international markets;
 - d. Air and transportation services and associated facilities that support the agricultural industry, and strategies to ensure the provision of adequate services and facilities in meeting local, national and international market needs;
 - e. Market demands and trends that can be used by farmers in Hawaii to plan future harvests and production; and
 - f. Strategies for federal and state legislative actions that will promote the development and enhancement of Hawaii's agricultural industries;
4. Any and all documents related to actions taken by the Department of Agriculture and/or the Board since the publication of Report No. 21-01, "Audit of the Agribusiness Development Corporation" to address any of the findings in Report No. 21-01; and
5. Any other documents or information regarding the audit process, audit recommendations, and/or audit responses relevant to the purpose of the Investigative Committee and any other documents the Department of Agriculture would like to produce.

RETURN OF SERVICE

I, Rod Tanonaka, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE FOLLOWING IS TRUE AND CORRECT:

I served the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01's Subpoena, along with a copy of House Resolution No. 164 and a copy of the Rules of the House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01 to:

_____ Phyllis Shimabukuro-Geiser, Chairperson of the Board of Agriculture
Office of the Chairperson
1428 South King Street
Honolulu, HI 96814


On another individual (explain): AG Clare Connors

by delivering the copies personally on August 12, 2021 at 3:55 P.M.

Signature of Process Server: 

Print Name, Address, and Telephone Number of Process Server:
Rod Tanonaka
415 S. Beretania St. # 017
Honolulu, HI 96797 96813
808-586-6500

ACKNOWLEDGMENT OF SERVICE

Signature of Person Served: 

Print Name: Justine T. M. Hura 8861