

Honolulu, Hawaii

FEB 17 2012

RE: H.B. No. 1524
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 1524, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require persons sentenced for theft in the first, second, third, or fourth degree for an offense involving theft of an agricultural product or commodity to pay restitution to the victim in an amount equal to the value of what was stolen and the cost of replanting; and
- (2) Include in the offense of theft in the second degree the failure to maintain a required certificate of ownership or other written proof of ownership of commercial quantities of agricultural commodities while in possession of those commodities.

Your Committee received testimony in support of this measure from the Department of Agriculture; Waimanalo Agricultural Association; Hawaii Crop Improvement Association; Ace Farm, LLC; W.H. Shipman, Ltd.; Hawaii Farm Bureau Federation; Environmental Caucus of the Democratic Party of Hawaii; and three individuals.

Your Committee finds that agricultural theft continues to be a significant problem in the State and has resulted in millions of



dollars in losses for the agricultural industry. This measure will allow prosecutors to develop stronger cases against thieves of agricultural products and commodities and will require repayment to those farmers victimized by agricultural theft.

Your Committee has amended this measure by making it effective on July 1, 2012.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1524, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1524, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture,

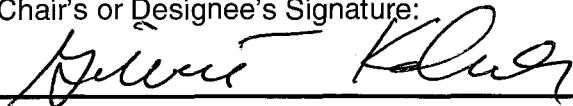


CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture
AGL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1524 HD2	AGL, JDL	2/14/12		
<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
NISHIHARA, Clarence K. (C)	✓			
KAHELE, Gilbert (VC)	✓			
CHUN OAKLAND, Suzanne				✓
DELA CRUZ, Donovan M.				✓
KOUCHI, Ronald D.	✓			
SHIMABUKURO, Maile				✓
TOKUDA, Jill N.				✓
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	5	0	0	4
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes