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State of Hawaii
DEPARTMENT OF AGRICULTURE
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SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON FINANCE

February 26, 2015
1:30 P.M.
CONFERENCE ROOM 308

HOUSE BILL NO. 823 HOUSE DRAFT 1
RELATING TO AGRICULTURAL THEFT

Chairperson Luke, and Members of the Committee:

Thank for the opportunity to testify on House Bill No. 823, HD1 relating to agricultural theft. The bill proposes to establish a two-year pilot project to investigate the effectiveness of an enforcement officer dedicated specifically on prosecuting agricultural theft and agricultural vandalism incidences in the county of Hawaii; identify best practices for prevention and provide recommendations for a statewide program to address agricultural theft and agricultural vandalism. The department supports this bill provided it does not adversely impact the priorities in the Administration's budget.

Agricultural theft and agricultural vandalism have been a constant problem for farmers on the island of Hawaii, increasing the cost of production and preventing farming operations to be successful. The vast farming land area on the Hawaii island and limited law enforcement officers make it difficult to capture perpetrators.

The department has been working with the Investigations Division of the Attorney General's office on on-going investigations of alleged illegal activities. Therefore, we request that the Attorney General's office be included in the discussion.

Thank you for the opportunity to testify on this measure.



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TESTIMONY IN SUPPORT OF HOUSE BILL 823, HD 1

A BILL FOR AN ACT RELATING TO AGRICULTURE

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

Thursday, February 26, 2015, 1:30 p.m.
State Capitol, Conference Room 308

Honorable Chair Luke, Vice-Chair Nishimoto, and Members of the Committee on Finance, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of House Bill No. 823, HD 1.

This measure establishes a two-year agricultural theft pilot project to investigate the effectiveness of a dedicated enforcement officer focused specifically on prosecuting agricultural theft and agricultural vandalism in the county of Hawai'i.

Agricultural theft and vandalism in the county of Hawai'i is not only an impediment to running a successful and profitable farming operation, but can also prove harmful to consumers. In 2011, the Food and Drug Administration (FDA) halted the importation of all Mexican-sourced papayas into the United States. The FDA found salmonella in about 16% of imported papayas from Mexico and the finding of this human pathogen in papayas caused the FDA to stop the importation of a food-source from the entire country of Mexico. At the time, 65% of all U.S. imported papayas came from Mexico.

Hawai'i county is the breadbasket of the State. Having the ability to identify and track the sources of agricultural products from field to table is crucial in the event a contamination is found to exist. This pilot project would provide an enforcement officer within the county of Hawai'i with the ability to focus on investigating and prosecuting these agricultural issues, as our over-tasked police department does not have the ability to provide a permanent officer to investigate agricultural crimes.

We would have the ability to:

1. Protect our agricultural industry – the economic engine of Hawai‘i county;
2. Ensure our products do not go the way of the Mexican papaya; and
3. Allow our farmers and growers to continue to be world-wide competitors with Hawai‘i-grown products.

This pilot project has the capability to increase the safety and sustainability of our farming and agricultural industry by allowing farmers to focus less on the security of their crops and more on high-quality products and safe farming techniques. By having a committed investigator when crime, vandalism, or contamination of our agricultural products occur, we will be able to act swiftly and decisively to tackle the issue.

The Office of the Prosecuting Attorney, County of Hawai‘i supports the passage of House Bill No. 823, HD 1. Thank you for the opportunity to testify on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'M. Roth', with a long horizontal flourish extending to the right.

Mitchell D. Roth
Prosecuting Attorney
County of Hawai‘i

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 25, 2015 11:39 AM
To: FINTestimony
Cc: mwille@co.hawaii.hi.us
Subject: Submitted testimony for HB823 on Feb 26, 2015 13:30PM

HB823

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Wille	Hawaii County Council Dist 9	Support	Yes

Comments: Agricultural theft is a major problem here in Hawaii County. Please support this bill. Thank you for your consideration. Margaret Wille, Councilmember County of Hawaii

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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finance1-Kim

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 9:21 PM
To: FINTestimony
Cc: darakawa@lurf.org
Subject: Submitted testimony for HB823 on Feb 26, 2015 13:30PM

HB823

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
David Z. Arakawa	Land Use Research Foundation of Hawaii	Support	No

Comments: The Land Use Research Foundation of Hawaii SUPPORTS HB 823, HD1, Relating to Agricultural Theft, which establishes a two-year Agricultural Theft Pilot Project in the Department of Agriculture to focus on investigating and prosecuting agricultural theft or agricultural vandalism in the County of Hawaii. Appropriates funds. (HB823 HD1)

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February 26, 2015

HEARING BEFORE THE
HOUSE COMMITTEE ON FINANCE

TESTIMONY ON HB 823 HD 1
RELATING TO AGRICULTURAL THEFT

Room 308
1:30 PM

Aloha Chair Luke, Vice Chair Nishimoto, and Members of the Committee:

I am Christopher Manfredi, President of the Hawaii Farm Bureau Federation (HFB). Organized since 1948, the HFBF is comprised of 1,932 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

HFB strongly supports HB 823 HD 1, which would establish a two-year agricultural theft pilot project to work with the county of Hawaii to hire an enforcement officer within the county of Hawaii to focus on investigating and prosecuting agricultural theft.

Agricultural theft and vandalism are persistent problems facing agriculture. Weather, drought, pests, weeds, disease, activists, unstable markets, transportation and labor issues, and a changing climate all contribute to uncertainty for farmers and ranchers. Few businesses face such challenges, yet we are charged with producing food, fiber, fuel and flowers for the 99% of non-farmers. Add in the constant threat and impacts of trespass, theft and vandalism, and it's a wonder farms and ranches remain viable.

In working with our members, HDOA, and law enforcement, we have collectively concluded that a dedicated enforcement officer housed in the county prosecutor's office would be a giant step forward in minimizing agricultural crimes and enhancing public safety. Too often a farmer or rancher has sweated, worried, and worked to the bone to produce a crop, only to wake up one morning to find that an opportunistic criminal has helped himself to the harvest. Farmers and ranchers are fed up with this activity and frankly, deserve better. We understand that law enforcement resources are often prioritized for public health and safety. Is the health, safety and livelihood of a farmer and his family any less important? We think not.

Thank you for passing HB 823 HD 1.

FIN-Jo

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 11:04 AM
To: FINTestimony
Cc: gottlieb@hawaii.rr.com
Subject: *Submitted testimony for HB823 on Feb 26, 2015 13:30PM*

HB823

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Hawaii Cattlemen's Council	Support	No

Comments:

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finance1-Kim

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 5:13 PM
To: FINTestimony
Cc: britneal@live.com
Subject: Submitted testimony for HB823 on Feb 26, 2015 13:30PM

HB823

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Brittany Neal	Individual	Support	No

Comments: I support HB 823. I have experienced both livestock theft and property vandalism and would like to see these issues be addressed more seriously.

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finance1-Kim

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 5:10 PM
To: FINTestimony
Cc: brentneal@live.com
Subject: Submitted testimony for HB823 on Feb 26, 2015 13:30PM

HB823

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Brent Neal	Individual	Support	No

Comments: I support HB 823. I am a farmer and I have struggled with livestock theft and property vandalism and I would like to see the issue be more appropriately addressed such as with harsher penalties that may be more of a deterrent to this behavior. This bill would be a good move in that direction. Furthermore, it would be unfortunate to see more people getting hurt as farmers are forced to take things into their own hands in order to protect their farms and preserve their livelihood. It is hard enough to farm these days and livestock theft and vandalism are not welcome, forcing some farmers to pursue another livelihood altogether.

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LATE

Aloha Chair Luke, Vice Chair Nishimoto, and Members of the Committee:

I am Mark Phillipson, Corporate Affairs Lead for Syngenta Hawaii.

Syngenta Hawaii supports HB 823, which would establish a two-year agricultural theft pilot project to work with the County of Hawaii to hire an enforcement officer in the county dedicated to investigating and prosecuting agricultural theft.

Agricultural theft and vandalism are persistent problems facing farmers and ranchers. There are enough problems facing Hawaii agriculture, without the additional costs that result from vandalism and theft.

The members of Hawaii's agricultural community, along with HDOA, and law enforcement, have collectively agreed that a dedicated enforcement officer housed in the county prosecutor's office would be an important action to minimize agricultural crimes and protecting the safety of famers, ranchers and the general public. There are unscrupulous individuals who profit by stealing the results of the hard work and investments made by Hawaii's farmers and ranchers.

Please help protect farmers and ranchers, as well as the public, from criminal behavior.

Thank you for the opportunity to speak in support of HB823.