

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Acting Chairperson
Board of Agriculture

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
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TESTIMONY OF THE DEPARTMENT OF AGRICULTURE
BEFORE THE HOUSE COMMITTEE ON JUDICIARY

FEBRUARY 12, 2019
4:00 P.M.
CONFERENCE ROOM 325

HOUSE BILL NO. 1503 HD1
RELATING TO AGRICULTURE

Chairperson Lee and Members of the Committee:

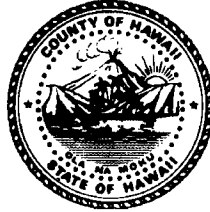
Thank you for the opportunity to testify on House Bill 1503 HD1, which establishes a two-year agricultural theft and vandalism pilot project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the county of Hawaii. The Department strongly supports this bill provided that it does not impact the Department's priorities listed in the Executive Budget.

The Department of Agriculture has entered into a two-year contract with the Hawaii County Prosecutor's Office for one investigator to conduct agricultural theft and agricultural vandalism investigations. This has been very valuable and productive project with the limited staff performing investigations and outreach with farmers, law enforcement, and farmers markets. We encourage the continuation of the joint efforts being done to pursue prosecution agricultural related crimes.

Thank you for the opportunity to testify on this measure.



Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

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February 11, 2019

Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

LATE

Dear Chair Lee, Vice Chair San Buenaventura, and Committee Members:

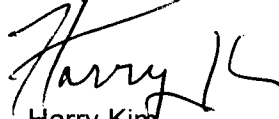
RE: HB 1503, HD1 Relating to Agriculture (Agricultural Theft and Vandalism Pilot Project)

Thank you for this opportunity to testify in support of HB 1503, HD1.

For about a year, our Prosecuting Attorney's office has had an investigator working on agricultural crimes, and we have received positive comments from the agriculture community about his work. The preamble of this bill does a good job of explaining the vulnerabilities agriculture has to theft and vandalism, and our news media has documented farmers who have gone out of business because of their losses.

In order to continue the program, state funding is both desirable and appropriate. I hope you will act favorably on HB 1503, HD1, with an early effective date.

Respectfully Submitted,


Harry Kim
MAYOR

HB-1503-HD-1

Submitted on: 2/10/2019 9:05:21 PM

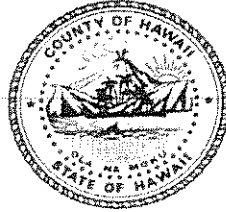
Testimony for JUD on 2/12/2019 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Councilmember Yuki Lei Sugimura	Maui County Council	Support	No

Comments:

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 1503, HD 1

A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF
AGRICULTURE

COMMITTEE ON JUDICIARY
Rep. Chris Lee, Chair
Rep. Joy San Buenaventura, Vice Chair

LATE

Tuesday, February 12, 2019, 4:00 p.m.
State Capitol, Conference Room 325

Honorable Chair Lee, Honorable Vice Chair San Buenaventura, and Members of the Committee on Judiciary, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in **STRONG SUPPORT** of House Bill No. 1503, HD 1.

This measure establishes a two-year agricultural theft and vandalism pilot project to examine the effectiveness of prosecuting agricultural theft and vandalism in the County of Hawai'i, and appropriates funds.

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 prove harmful to consumers. If stolen produce makes its way to the consumer market, there is no way to ensure product safety.

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.

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. We cannot allow this to happen here in Hawai'i. At the time, 65% of all U.S. imported papayas come from Mexico.

Current agriculture vandalism/theft in Hawai'i County includes on-going theft of seasonal fruit, including coffee, avocados, lychee, rambutan, noni, etc. These actions resulted in tremendous economic hardships for the farmers and their families, and have created an ever-growing sense of uncertainty for Hawai'i County farmers that they may fall victim to vandals.

This pilot project will provide enforcement officers within Hawai'i County with the ability to focus on investigating and prosecuting these agricultural issues, as our over tasked police department does not have the capacity to provide a permanent officer to exclusively investigate agricultural crimes.

If this project were allowed to go forward, we would have the ability to:

1. Protect our agricultural industry- the economic engine of Hawai'i County;
2. Ensure the food safety of Hawaii Island agricultural products;
3. Support our famers and growers as they continue to be world-wide competitors with Hawai'ian 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 committed investigators available 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, strongly supports the passage of House Bill No. 1503, HD 1. Thank you for the opportunity to testify on this matter.



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February 12, 2019

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY

TESTIMONY ON HB 1503, HD1
RELATING AGRICULTURE

Room 325
4:00 PM

Aloha Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 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.

The Hawaii Farm Bureau strongly supports HB 1503, HD1, which appropriates funds to the Department of Agriculture to establish a 2-year Agricultural Theft and Vandalism Pilot Project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the County of Hawaii.

Agricultural theft can be tough to prove and even tougher to prosecute. While we agree that this measure may not resolve implementation of our current agricultural theft laws or enforcement efforts, it will provide the prosecutors another tool to help prosecute individuals suspected of agricultural theft. HFB continues to work with both the police and prosecutor's office to find ways we can work together to help deter, apprehend, and convict individuals that are committing agricultural theft.

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



Email: communications@ulupono.com

HOUSE COMMITTEE ON JUDICIARY
Tuesday, February 12, 2019 — 4:00 p.m. — Room 325

Ulupono Initiative Supports HB 1503 HD 1, Relating to Agriculture

Dear Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

My name is Murray Clay and I am Managing Partner of Ulupono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally produced food; increase affordable, clean, renewable energy; and better manage waste and fresh water resources. Ulupono believes that self-sufficiency is essential to our future prosperity and will help shape a future where economic progress and mission-focused impact can work hand in hand.

Ulupono supports HB 1503 HD 1, which requires the Department of Agriculture to establish a two-year agricultural theft and vandalism pilot project in the County of Hawai'i, because it aligns with our goal to increase local food production.

In our conversations with farmers and ranchers, one issue that keeps coming up is agricultural theft and how there is little enforcement and punishment for offenders. Agricultural lots are a prime target for thieves as there are many open entry points, farms are often located in rural and isolated areas, and punishments are minor relative to other crimes. For farmers that can afford to, they have to spend money on security infrastructure, monitoring, and manpower to defend their agricultural operations. Profit margins for agricultural operations are already tight and if a business loses revenue from theft or vandalism and has to invest heavily in security, this could push more local farmers and ranchers out of the agricultural sector. Ultimately, this underrated issue is one that hurts our ability to increase locally grown food in our state.

As Hawai'i's local food issues become increasingly complex and challenging, organizations need additional resources and support to address and overcome them. We appreciate this committee's efforts to look at policies that support local food production.

We believe that through collaboration, we can help produce more local food and support an economically robust homegrown agriculture industry, which strengthens our community with fresh, healthy food. Thank you for this opportunity to testify.

Respectfully,

Murray Clay
Managing Partner

Investing in a Sustainable Hawai'i



PO Box 168, Kealahou, HI 96750
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COMMITTEE ON JUDICIARY

February 12, 2019
4:00 p.m.
Conference Room 325

RE: Testimony in Support of HB 1103 HD1

Aloha Chair Lee, Vice Chair Buenaventura and members of the Committee,

I am Chris Manfredi, President of Hawaii Coffee Association.

The Hawaii Coffee Association's (HCA) mission is to represent all sectors of the Hawaiian coffee industry, including growers, millers, wholesalers, roasters and retailers located throughout the State of Hawaii. The HCA's primary objective is to increase awareness and consumption of Hawaiian coffees. A major component of HCA's work is the continuing education of members and consumers.

The HCA strongly supports HB 1103 HD1. The Hawaiian green coffee industry is valued at more than \$62MM by USDA - not accounting for retail sales. The advent of Coffee Berry Borer (CBB) in Hawaii has threatened our industry to its core. Working together with commodity groups, HDOA, UHCTAHR, USDA, Hawaii Farm Bureau, SHAC, CBB Task Force, lawmakers, administrators, countless volunteers and stakeholders, together, we averted the collapse of Hawaiian coffee - one of Hawaii's signature crops.

The recent discovery of CBB on Maui is alarming to many of our members. Were it not for the support of the legislature via HDOA Pesticide Subsidy Program aimed at controlling Coffee Berry Borer, many more farms would have failed - with resulting unemployment, loss of revenue and potentially becoming a burden to the state. Moreover, abandoned farms act a reservoir for the pest, affecting neighboring farms, reducing crop yields and increasing the cost of control. HB1103 HD 1 represents a modest investment in the Hawaiian Coffee Industry - one that also contributes to tourism.

The cost of production of coffee in Hawaii is generally much higher than any other coffee growing region. The high cost of land, labor, transportation, farm inputs, and regulatory compliance place Hawaii's producers at a competitive disadvantage to our counterparts located beyond our shores. In many instances the cost of CBB management is far less expensive. While we are working as an industry to effect meaningful change in this area, the HDOA subsidy program helps level the playing field for Hawaii's producers.

Thank you for your support of HB 1103 HD1 and for the opportunity to testify on this important measure.



HAWAII FOREST INDUSTRY ASSOCIATION (HFIA)

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February 11, 2019

Hon. Representative Chris Lee
House Committee on Judiciary

Re: Testimony in Support of HB 1503 HD1 – Agricultural theft

Honorable Representative Lee

The Hawai'i Forest Industry Association (HFIA) is a statewide nonprofit corporation established in Hawai'i in 1989 to promote healthy and productive forests and a sustainable forest industry through forest management, education, planning, information exchange, and advocacy. HFIA has over 300 members, including professional foresters, millers, harvesters, growers, educators, retailers, manufacturers, wholesalers, governments, nonprofits, horticulturists, and others interested in HFIA's mission of healthy and productive forests.

The HFIA supports HB 1503 HD1 that increases the funding available for prosecuting agricultural theft and vandalism. Several of our members are forest owners who fit into the broad category of agricultural production including timber theft and damage to equipment and premises. The bill also requires cooperation with the Hawaii County prosecutor's office and provides funding for two positions. These are the elements of a well thought out plan to address agricultural theft, we look forward to this bill becoming law.

Mahalo,

A handwritten signature in blue ink, appearing to read "Nicholas Koch".

Nicholas Koch, HFIA President

P.O. Box 66

'O'ōkala, HI 96774

Phone: 808-933-9411

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HB-1503-HD-1

Submitted on: 2/11/2019 3:39:08 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

HB-1503-HD-1

Submitted on: 2/11/2019 4:31:54 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Warren Watanabe	Maui County Farm Bureau	Support	No

Comments:

Ag Crime is a major challenge to agricultural viability across the State. Police resources are taxed, placing ag incidents at low priority for response despite its' major impact on farms. Farmers on Maui have experienced theft of not only agricultural products but equipment, coupled with vandalism. Most recently it has escalated to blackmailing of farmers. We respectfully request for this measure to include a pilot program on Maui, leveraging state, county and private resources to develop a comprehensive program to address this issue.

Please support this issue including the suggested amendment.