



State of Hawaii
DEPARTMENT OF AGRICULTURE
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LATE TESTIMONY

TESTIMONY OF RUSSELL KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
February 3, 2012
8:00 A.M.

HOUSE BILL NO. 1948
RELATING TO AGRICULTURE

Chairperson Tsuji and Members of the Committee:

Thank you for the opportunity to provide testimony on HB 1948. This bill strengthens the existing law to include on the invoice, the name, address and telephone number, license plate number of the vehicle used to deliver the commodity; name and address of the farm; name and address of the consignee; and signature of the seller owner of seller, require proof of identification of the sellers of agricultural commodities. Further, the bill makes the failure to retain the required certificate ownership or possession of agricultural commodities without the certificate of ownership while in possession of agricultural commodities is prima facie evidence of the offense of theft. The bill also amends the Hawaii Penal Code, Chapter 703, Hawaii Revised Statutes, which adds the failure to maintain a certificate of ownership and possession of agricultural commodities without ownership certificates to theft in the second degree.

The department supports the intent of the bill and defers the criminal prosecution section of the bill to the counties' prosecutor offices.



The reported losses, as documented by a statewide survey of farmers conducted by the Department of Agriculture, USDA, and the Hawaii Farm Bureau, totaled millions of dollars.

Thank you for the opportunity to testify on this measure.



Hawaii Farm Bureau
F E D E R A T I O N

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FEBRUARY 3, 2012

HEARING BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
RELATING TO AGRICULTURE

HB 1948
Room 312
8:00 AM

Chair Tsuji, Vice Chair Hashem, and Members of the Committee:

I am Janet Ashman, representing the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 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.

HFBF **strongly supports HB 1948**, which would deter the theft of farm product, by requiring sellers of these goods to validate who they are when providing commercial vendors with the ownership documentation *already required by law*.

Unfortunately, theft from farms has become rampant in the islands. There is no way that a farmer can guard every inch of his property every minute of the day and night. No farmer can afford to hire security guards to do this and he shouldn't have to. Our police departments are trying to help but they certainly don't have the staff to be everywhere at all times. **Thieves have become so brazen that they take orders from farmers' markets and fill them by stealing fruits and vegetables right from farmers' fields the night before their promised delivery.** This should not be allowed to continue.

High land, labor, and shipping costs, competition from the mainland and foreign countries, and a myriad of other factors such as disease and pests make farming a risky venture in Hawaii. Although we all want fresh food and we don't want to be dependent upon imported food in case of an emergency that blocks food shipments to Hawaii, we aren't doing enough to support our local farmers. This bill will help.

The current system requires ownership and movement certification documents for the transportation and sale of agricultural commodities over two hundred pounds or worth at least \$100. The intent of the law was good, but thieves just provide false information since no verification is required. The proposed law would change that to make the seller show ID and provide information that can be followed up on later by police, if it turns out that the produce was stolen.

We respectfully request that you pass this bill and we thank you for your support of Hawaii's farmers and ranchers.