

JAN 19 2018

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that agricultural theft
2 and vandalism are a constant worry for farmers and ranchers.
3 Given the broad acreage that many farming and ranching
4 operations encompass, it is often difficult for farmers and
5 ranchers to police their entire operations at all times.
6 Furthermore, vigilance at night after work hours may be
7 challenging because not all farmers and ranchers are able to
8 live on or near the fields where they work. All of these
9 factors make agricultural operations easy prey for theft or
10 vandalism.

11 The legislature also finds that the county of Hawaii is
12 known as the breadbasket of the State. However, agricultural
13 theft and vandalism have been a constant threat for farmers and
14 ranchers on the island, increasing the cost of production and
15 making it more difficult for farming and ranching operations to
16 be successful.



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1 The legislature also finds that individuals who are not
2 full-time farmers or ranchers, but who grow food or other
3 agricultural products for their own use or for small-scale sale,
4 may be targets of agricultural product theft and vandalism.
5 This theft and vandalism dispossesses victims of food they have
6 grown, deprives them of a source of income, and reduces their
7 self-sufficiency.

8 The purpose of this Act is to establish a two-year
9 agricultural theft and vandalism pilot project to examine the
10 effectiveness of prosecuting agricultural theft and vandalism
11 cases, including theft and vandalism affecting individuals who
12 are not full-time farmers or ranchers, in the county of Hawaii.

13 SECTION 2. (a) The department of agriculture shall:

14 (1) Establish a two-year agricultural theft and vandalism
15 pilot project to examine and assess the effectiveness
16 of prosecuting agricultural theft and agricultural
17 vandalism cases in the county of Hawaii;

18 (2) Examine and assess the effectiveness of prosecuting
19 the theft of agricultural products produced for
20 personal or small-scale commercial use on any land,
21 regardless of land classification;



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- 1 (3) Partner with the county of Hawaii to hire two
2 enforcement officers within the prosecuting attorney's
3 office or any other law enforcement agency; and
- 4 (4) No later than January 1, 2020, assess the
5 implementation of the pilot project, including the
6 pilot project's effectiveness in:
- 7 (A) Identifying the number of convictions for
8 agricultural theft and agricultural vandalism;
- 9 (B) Identifying best practices for prosecuting
10 perpetrators of agricultural theft and
11 agricultural vandalism;
- 12 (C) Identifying areas where agricultural theft and
13 agricultural vandalism are most prevalent;
- 14 (D) Identifying best practices for preventing
15 agricultural theft and agricultural vandalism;
16 and
- 17 (E) Making recommendations for a statewide program to
18 address agricultural theft and agricultural
19 vandalism.
- 20 (b) Based on the department of agriculture's assessment of
21 the agricultural theft and vandalism pilot project, the



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1 department shall determine whether to continue, expand, or end
2 the pilot project.

3 (c) The department of agriculture shall submit a report of
4 its findings and recommendations, including any proposed
5 legislation, to the legislature no later than twenty days prior
6 to the convening of the regular session of 2020.

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so much
9 thereof as may be necessary for fiscal year 2018-2019 for the
10 purposes of establishing and implementing a two-year
11 agricultural theft and vandalism pilot project including the
12 hiring of two full-time equivalent enforcement officers (2.0
13 FTE) for the pilot project.

14 The sums appropriated shall be expended by the department
15 of agriculture for the purposes of this Act.

16 SECTION 4. This Act shall take effect on July 1, 2018.

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Report Title:

Agricultural Theft and Vandalism Pilot Project; Appropriation

Description:

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. Appropriates funds.

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