
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 PART I

2 SECTION 1. The Hawaii Revised Statutes is amended by
3 adding a new chapter to title 11 to be appropriately designated
4 and to read as follows:

5 "CHAPTER

6 AGRICULTURAL ENFORCEMENT PROGRAM

7 § -1 Board of agriculture; powers and duties. The board
8 of agriculture shall establish within the department of
9 agriculture an agricultural enforcement program and shall employ
10 or appoint, and remove, the following persons, subject to
11 chapter 76 and section 78-1, who shall be provided with suitable
12 badges or insignia of office by the department of agriculture:

13 (1) An enforcement chief of the department of agriculture,
14 who shall be the head of the agricultural enforcement
15 program and shall have charge, direction, and control,
16 subject to the direction and control of the board of
17 agriculture, of all matters relating to the



1 enforcement of the offense of theft of an agricultural
 2 product or commodity, pursuant to sections 708-830,
 3 708-830.5, 708-831, 708-832, 708-833, or 708-835.5,
 4 and any other matters as determined by the board of
 5 agriculture. The enforcement chief shall be an
 6 administrator experienced in addressing agricultural
 7 theft; and

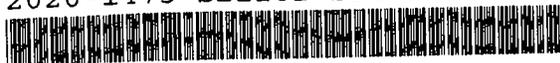
8 (2) Personnel and enforcement officers of the agricultural
 9 enforcement program, including but not limited to
 10 enforcement officers on a voluntary basis and without
 11 pay.

12 **§ -2 Agricultural enforcement special fund; established.**

13 (a) There is hereby established in the state treasury a special
 14 fund known as the agricultural enforcement special fund, which
 15 shall be administered by the department of agriculture.

16 (b) The following shall be deposited into the agricultural
 17 enforcement special fund:

18 (1) Grants, awards, donations, gifts, transfers, or moneys
 19 derived from public or private sources for the
 20 purposes of enforcing the offense of theft of an
 21 agricultural product or commodity pursuant to sections



1 708-830, 708-830.5, 708-831, 708-832, 708-833, or
2 708-835.5, or any other matters as determined by the
3 board of agriculture;

4 (2) Fees, reimbursements, administrative charges, and
5 penalties collected for activities related to the
6 enforcement of laws and rules protecting agricultural
7 products or commodities, except as otherwise provided
8 by law that provides for deposits into other special
9 funds administered by the department of agriculture;

10 (3) Moneys derived from interest, dividends, or other
11 income from the above-mentioned sources; and

12 (4) Appropriations by the legislature to the special fund.

13 (c) The agricultural enforcement special fund shall be
14 used for expenditures, including but not limited to:

15 (1) Training;

16 (2) Research;

17 (3) Equipment;

18 (4) Preparation and dissemination of information to the
19 public;

20 (5) Data collection and development;

21 (6) Information technology;



- 1 (7) Safety;
- 2 (8) Wireless communication;
- 3 (9) Management;
- 4 (10) Travel;
- 5 (11) Equipment rental;
- 6 (12) Repairs;
- 7 (13) Planning;
- 8 (14) Information;
- 9 (15) Education;
- 10 (16) Operations;
- 11 (17) Maintenance functions authorized and deemed necessary
- 12 by the department of agriculture;
- 13 (18) Funding for consultants or contractual hires related
- 14 to the enforcement of the offense of theft of an
- 15 agricultural product or commodity pursuant to sections
- 16 708-830, 708-830.5, 708-831, 708-832, 708-833, or
- 17 708-835.5, or any other matters as determined by the
- 18 board of agriculture; and
- 19 (19) Work performed in cooperation with enforcement
- 20 authorities of the State, the counties, and the
- 21 federal government.



1 (d) The fund shall be held separate and apart from all
2 other moneys, funds, and accounts in the department of
3 agriculture, except that any moneys received from the federal
4 government or from private contributions shall be deposited and
5 accounted for in accordance with conditions established by the
6 department of agriculture and agencies or persons from whom the
7 moneys are received. Any balance remaining in the fund at the
8 end of any fiscal year shall be carried forward in the fund for
9 the next fiscal year.

10 § -3 Board of agriculture, delegation of authority. The
11 board of agriculture may delegate to enforcement officers within
12 the agricultural enforcement program any authority as may be
13 required for enforcement of the offense of theft of an
14 agricultural product or commodity pursuant to sections 708-830,
15 708-830.5, 708-831, 708-832, 708-833, or 708-835.5, or any other
16 matters as determined by the board of agriculture.

17 § -4 Agricultural enforcement officers, duties; other
18 law enforcement officers. (a) The agricultural enforcement
19 officers shall:



- 1 (1) Enforce the offense of theft of an agricultural
2 product or commodity pursuant to sections 708-830,
3 708-830.5, 708-831, 708-832, 708-833, or 708-835.5;
- 4 (2) Investigate complaints, gather evidence, conduct
5 investigations, and conduct field observations and
6 inspections as required or assigned;
- 7 (3) Cooperate with enforcement authorities of the State,
8 counties, and federal government in development of
9 programs and mutual aid agreements for agricultural
10 enforcement activities within the State; and
- 11 (4) Carry out other duties and responsibilities as
12 determined by the board of agriculture.
- 13 (b) Every state and county officer charged with the
14 enforcement of laws and ordinances shall enforce and assist in
15 the enforcement of the offense of theft of an agricultural
16 product or commodity pursuant to sections 708-830, 708-830.5,
17 708-831, 708-832, 708-833, or 708-835.5, and any other matters
18 as determined by the board of agriculture.
- 19 (c) The department of agriculture shall enter into
20 memoranda of agreement with the division of conservation and
21 resource enforcement of the department of land and natural



1 resources, the sheriff division of the department of public
2 safety, and each county police department as necessary to
3 effectuate the purposes of this section.

4 § -5 Board of agriculture, police powers. (a) The
5 board of agriculture shall have police powers and may appoint
6 and commission enforcement officers within the agricultural
7 enforcement program. Persons appointed and commissioned under
8 this section shall have and may exercise all of the powers and
9 authority of a police officer, including the power of arrest,
10 and in addition to enforcing the offense of theft of an
11 agricultural product or commodity pursuant to sections 708-830,
12 708-830.5, 708-831, 708-832, 708-833, or 708-835.5, and any
13 other matters as determined by the board of agriculture, may
14 enforce all other state laws and rules and county ordinances
15 within all lands and waters of the State; provided that these
16 powers shall remain in force and effect only while in actual
17 performance of their duties, which shall include off-duty
18 employment when that employment is for other state departments
19 or agencies. These enforcement officers shall consist of
20 personnel whose primary duty is the enforcement of the offense
21 of theft of an agricultural product or commodity pursuant to



1 sections 708-830, 708-830.5, 708-831, 708-832, 708-833, or
2 708-835.5, and any other matters as determined by the board of
3 agriculture.

4 (b) An enforcement officer, upon arresting any person for
5 violation of the offense of theft of an agricultural product or
6 commodity pursuant to sections 708-830, 708-830.5, 708-831,
7 708-832, 708-833, or 708-835.5, or other matters as determined
8 by the board of agriculture, may immediately take the person
9 arrested to a police station or before a district judge, or take
10 the name and address of the person, and note the violation of
11 the law or rule by the person, and issue the person a summons or
12 citation, printed in the form described in section -6,
13 warning the person to appear and to answer to the charge against
14 the person at a certain place and time within seven days after
15 the arrest. Any person failing to obey a summons issued
16 pursuant to this section shall be subject to section -7.

17 § -6 **Summons or citation.** There shall be a form of
18 summons or citation for use in citing violators of the offense
19 of theft of an agricultural product or commodity pursuant to
20 sections 708-830, 708-830.5, 708-831, 708-832, 708-833, or
21 708-835.5, or other matters as determined by the board of



1 agriculture that does not mandate the physical arrest of the
 2 violators. The summons or citation shall be printed in a form
 3 commensurate with the form of other summons or citation used in
 4 modern methods of arrest and shall be so designed to include all
 5 necessary information to make it valid and legal within the laws
 6 and rules of the State. The form and content of the summons or
 7 citation shall be adopted or prescribed by the district courts.

8 In every case where a summons or citation is issued, the
 9 original of the same shall be given to the violator; provided
 10 that the district courts may prescribe the issuance to the
 11 violator of a copy of the summons or citation and provide for
 12 the disposition of the original and any other copies. Every
 13 summons or citation shall be consecutively numbered, and each
 14 copy shall bear the number of its respective original.

15 § -7 **Failure to obey a summons.** Any person who fails to
 16 appear at the place and within the time specified in the summons
 17 or citation issued by the officers or their agents or
 18 subordinates, upon that person's arrest for violation of the
 19 offense of theft of an agricultural product or commodity
 20 pursuant to sections 708-830, 708-830.5, 708-831, 708-832,
 21 708-833, or 708-835.5, or any other matters as determined by the



1 board of agriculture, shall be guilty of a petty misdemeanor
2 and, upon conviction, shall be fined not more than \$500 or be
3 imprisoned not more than thirty days, or both.

4 If any person fails to comply with a summons or citation
5 issued, or if any person fails or refuses to deposit bail as
6 required and within the time permitted, the officers shall cause
7 a complaint to be entered against the person and secure the
8 issuance of a warrant for the person's arrest.

9 When a complaint is made to any prosecuting officer of the
10 violation of the offense of theft of an agricultural product or
11 commodity pursuant to sections 708-830, 708-830.5, 708-831,
12 708-832, 708-833, or 708-835.5, or any other matters as
13 determined by the board of agriculture, the officer who issued
14 the summons or citation shall subscribe to it under oath
15 administered by another official or officials of the department
16 of agriculture whose names have been submitted to the
17 prosecuting officer and who have been designated by the
18 chairperson of the board of agriculture to administer the same.

19 § -8 Search and seizure; forfeiture of property. (a)
20 Any police officer or agent of the department of agriculture
21 upon whom the board of agriculture has conferred powers of



1 police officers shall have the authority to conduct searches on
2 probable cause as provided by law and to seize any equipment,
3 article, instrument, aircraft, vehicle, vessel, business
4 records, or agricultural product or commodity used or taken in
5 violation of the provisions contained in sections 708-830,
6 708-830.5, 708-831, 708-832, 708-833, or 708-835.5, or any other
7 matters as determined by the board of agriculture.

8 (b) Any equipment, article, instrument, aircraft, vehicle,
9 vessel, business records, or agricultural product or commodity
10 seized is subject to forfeiture pursuant to chapter 712A.
11 Unless otherwise directed by the court pursuant to chapter 712A,
12 any item, other than an agricultural product or commodity,
13 seized shall be ordered forfeited to the State for disposition
14 as determined by the department of agriculture, or may be
15 destroyed, or may be kept and retained and utilized by the
16 department of agriculture or any other state agency. If not
17 needed or required by the department of agriculture or other
18 state agency, the forfeited items shall be disposed of as
19 provided by chapter 712A. Notwithstanding any other law to the
20 contrary, any live agricultural product or commodity, including
21 livestock, seized may be immediately returned to its owner or



1 may be disposed of as determined by the department of
2 agriculture; provided that if the agricultural product or
3 commodity disposed of was unlawfully seized, the department of
4 agriculture shall be liable to the owner for the fair market
5 value of the items disposed of.

6 (c) The department of agriculture shall compile a list of
7 all equipment, articles, instruments, aircraft, vehicles,
8 vessels, or any agricultural products or commodities forfeited
9 as provided in this section and shall publish the list in its
10 annual report.

11 (d) Notwithstanding any other law to the contrary, the
12 department of agriculture may sell or take actions to cause the
13 sale of any perishable agricultural product or commodity that is
14 seized to prevent the waste of the agricultural product or
15 commodity and to ensure the economic value of the agricultural
16 product or commodity. The department of agriculture may require
17 the person or persons who took the agricultural product or
18 commodity to sell the seized agricultural product or commodity
19 at fair market value. The department of agriculture may require
20 any person purchasing any seized agricultural product or
21 commodity to deliver the proceeds of the sale to the department



1 of agriculture or its authorized representative. Any person who
2 refuses to sell the seized agricultural product or commodity at
3 fair market value or any person who fails to deliver the
4 proceeds of the sale, as directed by the department of
5 agriculture, shall be in violation of this subsection and
6 punishable as provided by law.

7 The department of agriculture shall deposit and keep the
8 proceeds of the sale in an interest bearing account until the
9 suspected violation is settled between the person or persons who
10 took the agricultural product or commodity, consignee or
11 consignees, if any, and the department of agriculture. Should a
12 settlement not be reached, the department of agriculture shall
13 submit the proceeds of the sale to the court. The proceeds of
14 the sale, after deducting any reasonable costs of the sale
15 incurred by the department of agriculture, shall be subject to
16 any administrative or judicial proceedings in the same manner as
17 the seized agricultural product or commodity would have been,
18 including an action in rem for the forfeiture of the proceeds.
19 Seizure and sale of an agricultural product or commodity is
20 without prejudice to any other remedy or sanction authorized by
21 law."



1 SECTION 2. Section 28-151, Hawaii Revised Statutes, is
2 amended by amending the definition of "law enforcement officer"
3 to read as follows:

4 "Law enforcement officer" means a sheriff, deputy sheriff,
5 police officer, enforcement officer within the department of
6 land and natural resources conservation and resources
7 enforcement program, enforcement officer within the department
8 of agriculture agricultural enforcement program, enforcement
9 officer within the department of transportation harbors
10 division, and any other employee of a state or county public
11 body who carries a badge and firearm and has powers of arrest."

12 SECTION 3. Section 134-16, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§134-16 Restriction on possession, sale, gift, or**
15 **delivery of electric guns.** (a) It shall be unlawful for any
16 person, including a licensed manufacturer, licensed importer, or
17 licensed dealer, to possess, offer for sale, hold for sale,
18 sell, give, lend, or deliver any electric gun.

19 (b) Any electric gun possessed, offered for sale, held for
20 sale, sold, given, lent, or delivered in violation of subsection
21 (a) shall be confiscated and disposed of by the chief of police.



- 1 (c) This section shall not apply to:
- 2 (1) Law enforcement officers of county police departments;
- 3 (2) Law enforcement officers of the department of public
- 4 safety;
- 5 (3) Conservation and resources enforcement officers of the
- 6 department of land and natural resources;
- 7 (4) Members of the Army or Air National Guard when
- 8 assisting civil authorities in disaster relief,
- 9 emergency management, or law enforcement functions,
- 10 subject to the requirements of section 121-34.5;
- 11 (5) Law enforcement officers appointed by the director of
- 12 transportation pursuant to section 266-24; and
- 13 (6) Vendors providing electric guns to the individuals
- 14 described in paragraphs (1) through (5); and
- 15 (7) Agricultural enforcement officers of the department of
- 16 agriculture;

17 provided that electric guns shall at all times remain in the
18 custody and control of the law enforcement officers of the
19 county police departments, the law enforcement officers of the
20 department of public safety, the conservation and resources
21 enforcement officers of the department of land and natural



1 resources, the members of the Army or Air National Guard, [~~or~~]
2 law enforcement officers appointed by the director of
3 transportation[~~-~~], or the agricultural enforcement officers of
4 the department of agriculture.

5 (d) The county police departments of this State, [~~the~~]
6 department of public safety, [~~the~~] department of land and
7 natural resources, [~~the~~] army and air national guard, [~~and the~~]
8 department of transportation, and department of agriculture
9 shall maintain records regarding every electric gun in their
10 custody and control. The records shall report every instance of
11 usage of the electric guns; in particular, records shall be
12 maintained in a similar manner as for those of discharging of
13 firearms. The county police departments, [~~the~~] department of
14 public safety, [~~the~~] department of land and natural resources,
15 [~~the~~] army and air national guard, [~~and the~~] department of
16 transportation, and department of agriculture shall annually
17 report to the legislature regarding these records no later than
18 twenty days before the beginning of each regular session of the
19 legislature.

20 (e) The department of agriculture, department of land and
21 natural resources, [~~the~~] department of public safety, and [~~the~~]



1 department of transportation shall ensure that each of its
2 conservation and resources enforcement officers and law
3 enforcement officers who is authorized to use an electric gun
4 and related equipment shall first receive training from the
5 manufacturer or from a manufacturer-approved training program,
6 as well as by manufacturer-certified or approved instructors in
7 the use of electric guns prior to deployment of the electric
8 guns and related equipment in public. Training for agricultural
9 enforcement officers of the department of agriculture,
10 conservation and resources enforcement officers of the
11 department of land and natural resources, law enforcement
12 officers of the department of public safety, and law enforcement
13 officers of the department of transportation may be done
14 concurrently to ensure cost savings.

15 (f) No later than June 30, 2018, the conservation and
16 resources enforcement program of the department of land and
17 natural resources shall meet the law enforcement accreditation
18 or recognition standards of the Commission on Accreditation for
19 Law Enforcement Agencies, Inc., in the use of electric guns.

20 (g) No later than June 30, 2024, the law enforcement
21 officers appointed by the director of transportation shall meet



1 the law enforcement accreditation or recognition standards of
2 the Commission on Accreditation for Law Enforcement Agencies,
3 Inc., in the use of electric guns.

4 (h) No later than , the agricultural enforcement
5 program of the department of agriculture shall meet the law
6 enforcement accreditation or recognition standards of the
7 Commission on Accreditation for Law Enforcement Agencies, Inc.,
8 in the use of electric guns."

9 SECTION 4. Section 139-1, Hawaii Revised Statutes, is
10 amended by amending the definition of "law enforcement officer"
11 to read as follows:

12 "Law enforcement officer" means:

- 13 (1) A police officer employed by a county police
- 14 department;
- 15 (2) A public safety officer employed by the department of
- 16 public safety; or
- 17 (3) An employee of the department of transportation,
- 18 department of land and natural resources, department
- 19 of taxation, [eæ] department of the attorney general,
- 20 or department of agriculture' who is conferred by law
- 21 with general police powers."



1 SECTION 5. Section 139-7, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) No person shall be appointed or employed as a law
4 enforcement officer by any county police department, the
5 department of public safety, the department of transportation,
6 the department of land and natural resources, the department of
7 taxation, ~~[or]~~ the department of the attorney general, or the
8 department of agriculture, unless the person possesses a valid
9 certification issued by the board pursuant to section 139-6(b)."

10 SECTION 6. Section 291-31.5, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) No person shall knowingly operate, affix or cause to
13 be affixed, display, or possess any lamp, reflector, or
14 illumination device that appears to be the color blue, or colors
15 blue and red, upon any motor vehicle, motorcycle, motor scooter,
16 bicycle, or moped except for:

- 17 (1) County law enforcement vehicles authorized and
18 approved by the chief of police of the county in which
19 the vehicle is operated;
- 20 (2) Department of public safety law enforcement vehicles
21 with blue and red lamps, reflectors, or illumination



1 devices authorized and approved by the director of
2 public safety;

3 (3) Department of land and natural resources division of
4 conservation and resources enforcement vehicles with
5 blue and red lamps, reflectors, or illumination
6 devices authorized and approved by the chairperson of
7 the board of land and natural resources; [~~or~~]

8 (4) Department of transportation division of harbors law
9 enforcement vehicles with blue and red lamps,
10 reflectors, or illumination devices authorized and
11 approved by the director of transportation[-]; or

12 (5) Department of agriculture agricultural enforcement
13 vehicles with blue and red lamps, reflectors, or
14 illumination devices authorized and approved by the
15 chairperson of the board of agriculture.

16 This prohibition shall not apply to factory-installed instrument
17 illumination."

18 SECTION 7. Section 291C-27, Hawaii Revised Statutes, is
19 amended by amending subsection (b) to read as follows:

20 "(b) As used in this section, "emergency vehicle" means a
21 police or fire department vehicle, ocean safety vehicle,



1 emergency medical services vehicle, freeway service patrol
 2 vehicle, sheriff division vehicle, Hawaii emergency management
 3 agency vehicle, county emergency management vehicle, civil
 4 defense vehicle, department of transportation harbors division
 5 vehicle, department of land and natural resources division of
 6 conservation and resources enforcement vehicle, department of
 7 agriculture agricultural enforcement vehicle, or a tow truck."

8 SECTION 8. Section 386-181, Hawaii Revised Statutes, is
 9 amended to read as follows:

10 "C. Public Board Members, Reserve Police Officers, Police
 11 Chaplains, Volunteer Agricultural Enforcement Officers,
 12 Volunteer Firefighters, Volunteer Boating
 13 Enforcement Officers, and Volunteer
 14 Conservation and Resources Enforcement Officers

15 §386-181 Generally. (a) As used in this section:

16 "Police chaplain" means a member of an authorized
 17 chaplaincy program of a county police department who performs
 18 services in a voluntary and unpaid capacity under the authorized
 19 direction of an officer of the department.

20 "Public board" means a governmental body, regardless of its
 21 designation, duly created under authority vested by law for the



1 purposes of performing quasi-judicial, administrative, or
2 advisory functions.

3 "Reserve police officer" means a member of an authorized
4 reserve force of a county police department who performs
5 services in a voluntary and unpaid capacity under the authorized
6 direction of an officer of the department.

7 "Sheriffs' chaplain" means a member of an authorized
8 chaplaincy program of the department of public safety who
9 performs functions similar to a police chaplain in a voluntary
10 and unpaid capacity for the sheriff division.

11 "Volunteer agricultural enforcement officer" means a person
12 who performs services for the department of agriculture in the
13 agricultural enforcement program in a voluntary and unpaid
14 capacity under the authorized direction of an officer of the
15 department of agriculture.

16 "Volunteer boating enforcement officer" means a member of
17 the authorized volunteer enforcement force of the harbors
18 division, department of transportation, who performs services in
19 a voluntary and unpaid capacity under the authorized direction
20 of an officer of the department.



1 "Volunteer conservation and resources enforcement officer"
2 means a member of the authorized volunteer enforcement force of
3 the division of conservation and resources enforcement,
4 department of land and natural resources, who performs services
5 in a voluntary and unpaid capacity under the authorized
6 direction of an officer of the department.

7 "Volunteer firefighter" means a person who performs
8 services for a county fire department in a voluntary and unpaid
9 capacity under the authorized direction of an officer of the
10 department.

11 (b) If a member of a public board, a reserve police
12 officer, a police chaplain, sheriffs' chaplain, a volunteer
13 agricultural enforcement officer, a volunteer firefighter, a
14 volunteer boating enforcement officer, or a volunteer
15 conservation and resources enforcement officer is injured while
16 performing services for the board, county police department,
17 county fire department, department of agriculture, department of
18 public safety, harbors division of the department of
19 transportation, or division of conservation and resources
20 enforcement of the department of land and natural resources,
21 under the conditions specified in section 386-3, the person or



1 the person's dependents shall be entitled to all compensation in
2 the manner provided by this chapter and, for the purposes of
3 this chapter, the person shall, in every case, be deemed to have
4 earned wages for the services.

5 (c) In computing the average weekly wages of an injured
6 public board member, reserve police officer, police chaplain,
7 sheriffs' chaplain, volunteer agricultural enforcement officer,
8 volunteer firefighter, volunteer boating enforcement officer, or
9 volunteer conservation and resources enforcement officer:

- 10 (1) The person's income from self-employment shall be
11 considered wages;
- 12 (2) The person shall, in no event, be considered to have
13 earned less than the minimum hourly wage prescribed in
14 chapter 387;
- 15 (3) Wages of other employees in comparable employment
16 shall not be considered; and
- 17 (4) All provisions of section 386-51 not inconsistent with
18 this section shall apply; provided that section
19 386-51(5) shall not apply."

20 PART II

1 SECTION 9. Section 141-10, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Subject to legislative appropriation, moneys in the
4 special fund may be expended for the following purposes:

- 5 (1) The awarding of grants to farmers for agricultural
6 production or processing activity;
- 7 (2) The acquisition of real property for agricultural
8 production or processing activity;
- 9 (3) The improvement of real property, dams, reservoirs,
10 irrigation systems, and transportation networks
11 necessary to promote agricultural production or
12 processing activity, including investigative studies
13 to identify and assess necessary improvements to dams,
14 reservoirs, irrigation systems, and transportation
15 networks;
- 16 (4) The purchase of equipment necessary for agricultural
17 production or processing activity;
- 18 (5) The conduct of research on and testing of agricultural
19 products and markets;
- 20 (6) The funding of agricultural inspector positions within
21 the department of agriculture;



1 (7) The promotion and marketing of agricultural products
2 grown or raised in the State;

3 (8) Water quality testing and improvement; and

4 (9) Any other activity intended to [~~increase~~]:

5 (A) Increase agricultural production or processing
6 that may lead to reduced importation of food,
7 fodder, or feed from outside the State[-]; or

8 (B) Otherwise protect agricultural resources."

9 SECTION 10. (a) There is established one full-time
10 equivalent (1.0 FTE) chief enforcement officer position within
11 the agricultural enforcement program of the department of
12 agriculture.

13 (b) There is established two full-time equivalent
14 (2.0 FTE) enforcement officer positions within the agricultural
15 enforcement program of the department of agriculture, one each,
16 for the islands of Hawaii and Oahu.

17 SECTION 11. There is appropriated out of the agricultural
18 development and food security special fund the sum of
19 \$ or so much thereof as may be necessary for fiscal
20 year 2020-2021 to be deposited into the agricultural enforcement
21 special fund.



1 SECTION 12. There is appropriated out of the agricultural
2 enforcement special fund the sum of \$ or so much
3 thereof as may be necessary for fiscal year 2020-2021 for the
4 following:

5 (1) The establishment of the following positions within
6 the agricultural enforcement program of the department
7 of agriculture:

8 (A) One full-time equivalent (1.0 FTE) chief
9 enforcement officer position; and

10 (B) Two full-time equivalent (2.0 FTE) enforcement
11 officer positions, one each, for the islands of
12 Hawaii and Oahu; and

13 (2) Other operating expenditures of the agricultural
14 enforcement program of the department of agriculture.

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

17 PART III

18 SECTION 13. This Act does not affect rights and duties
19 that matured, penalties that were incurred, and proceedings that
20 were begun before its effective date.



1 SECTION 14. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 15. This Act shall take effect on July 1, 2020.



Report Title:

HDOA; Agricultural Enforcement Program; Agricultural Enforcement Special Fund; Law Enforcement; Appropriation

Description:

Establishes the agricultural enforcement program and agricultural enforcement special fund within the Department of Agriculture. Authorizes the Board of Agriculture and agricultural enforcement officers to exercise police powers. Extends to the agricultural enforcement program the applicability of certain statutory provisions relating to the law enforcement officer independent review board; possession of electric guns; the law enforcement standards board; emergency vehicles; and worker's compensation for volunteer emergency response personnel. Authorizes the use of funds in the agricultural development and food security special fund for protection of agricultural resources. Appropriates funds.
(SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

