
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 **Definitions.** As used in this chapter, "the offense
8 of theft of an agricultural product or commodity" means any
9 theft of an agricultural product or commodity pursuant to
10 sections 708-830, 708-830.5, 708-831, 708-832, 708-833, or
11 708-835.5.

12 § -2 **Board of agriculture; powers and duties.** The board
13 of agriculture shall establish within the department of
14 agriculture an agricultural enforcement program and shall employ
15 or appoint, and remove, the following persons, subject to
16 chapter 76 and section 78-1, who shall be provided with suitable
17 badges or insignia of office by the department of agriculture:



1 (1) An enforcement chief of the department of agriculture,
2 who shall be the head of the agricultural enforcement
3 program and shall have charge, direction, and control,
4 subject to the direction and control of the board of
5 agriculture, of all matters relating to the
6 enforcement of the offense of theft of an agricultural
7 product or commodity, and any other matters as
8 determined by the board of agriculture. The
9 enforcement chief shall be an administrator
10 experienced in addressing agricultural theft; and

11 (2) Personnel and enforcement officers of the agricultural
12 enforcement program, including but not limited to
13 enforcement officers serving on a voluntary basis
14 without pay.

15 **§ -3 Agricultural enforcement special fund; established.**

16 (a) There is established in the state treasury the agricultural
17 enforcement special fund to be administered by the department of
18 agriculture.

19 (b) The following shall be deposited into the agricultural
20 enforcement special fund:



- 1 (1) Grants, awards, donations, gifts, transfers, or moneys
- 2 derived from public or private sources for the
- 3 purposes of enforcing the offense of theft of an
- 4 agricultural product or commodity, or any other
- 5 matters as determined by the board of agriculture;
- 6 (2) Fees, reimbursements, administrative charges, and
- 7 penalties collected for activities related to the
- 8 enforcement of laws and rules protecting agricultural
- 9 products or commodities, except as otherwise provided
- 10 by any law that requires deposit of these moneys into
- 11 other special funds administered by the department of
- 12 agriculture;
- 13 (3) Moneys derived from any interest, dividends, or other
- 14 income from the above-mentioned sources; and
- 15 (4) Appropriations by the legislature to the special fund.
- 16 (c) The agricultural enforcement special fund shall be
- 17 used for expenditures relating to the agricultural enforcement
- 18 program, including:
- 19 (1) Training;
- 20 (2) Research;
- 21 (3) Equipment;



- 1 (4) Preparation and dissemination of information to the
- 2 public;
- 3 (5) Data collection and development;
- 4 (6) Information technology;
- 5 (7) Safety;
- 6 (8) Wireless communication;
- 7 (9) Management;
- 8 (10) Travel;
- 9 (11) Equipment rental;
- 10 (12) Repairs;
- 11 (13) Planning;
- 12 (14) Information;
- 13 (15) Education;
- 14 (16) Operations;
- 15 (17) Maintenance functions authorized and deemed necessary
- 16 by the department of agriculture;
- 17 (18) Funding for consultants or contractual hires related
- 18 to the enforcement of the offense of theft of an
- 19 agricultural product or commodity, or any other
- 20 matters as determined by the board of agriculture; and



1 (19) Work performed in cooperation with enforcement
2 authorities of the State, the counties, and the
3 federal government.

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

13 § -4 Board of agriculture; delegation of authority. The
14 board of agriculture may delegate to enforcement officers within
15 the agricultural enforcement program any authority that may be
16 required for enforcement of the offense of theft of an
17 agricultural product or commodity, or any other matters as
18 determined by the board of agriculture.

19 § -5 Duties of agricultural enforcement officers; other
20 law enforcement officers. (a) Agricultural enforcement
21 officers shall:



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



1 safety, and each county police department as necessary to
2 effectuate the purposes of this section.

3 **§ -6 Board of agriculture; police powers.** (a) The
4 board of agriculture shall have police powers and may appoint
5 and commission enforcement officers within the agricultural
6 enforcement program. Persons appointed and commissioned under
7 this section shall have and may exercise all of the powers and
8 authority of a police officer, including the power of arrest.
9 In addition to enforcing the offense of theft of an agricultural
10 product or commodity, and any other matters as determined by the
11 board of agriculture, enforcement officers appointed or
12 commissioned under this section may enforce all other state laws
13 and rules and county ordinances within all lands and waters of
14 the State; provided that any power granted pursuant to this
15 section shall remain in force and effect only while in actual
16 performance of their duties, which shall include off-duty
17 employment when that employment is for other state departments
18 or agencies. These enforcement officers shall consist of
19 personnel whose primary duty is the enforcement of the offense
20 of theft of an agricultural product or commodity, and any other
21 matters as determined by the board of agriculture.



1 (b) An enforcement officer, upon arresting any person for
2 violation of the offense of theft of an agricultural product or
3 commodity, or any other matter as determined by the board of
4 agriculture, may immediately:

5 (1) Take the person arrested to a police station or before
6 a district judge; or

7 (2) Take the name and address of the person, note the
8 violation of the law or rule by the person, and issue
9 the person a summons or citation, printed in the form
10 described in section -7, warning the person to
11 appear and to answer to the charge against the person
12 at a certain place and time within seven days after
13 the arrest.

14 Any person failing to obey a summons issued pursuant to this
15 section shall be subject to section -8.

16 **§ -7 Summons or citation.** There shall be a form of
17 summons or citation for use in citing violators of the offense
18 of theft of an agricultural product or commodity, or any other
19 matters as determined by the board of agriculture, that does not
20 mandate the physical arrest of the violators. The summons or
21 citation shall be printed in a form commensurate with the form



1 of other summons or citation used in modern methods of arrest
2 and shall be designed to include all necessary information to
3 make it valid and legal within the laws and rules of the State.
4 The form and content of the summons or citation shall be adopted
5 or prescribed by the district courts.

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

13 **§ -8 Failure to obey a summons.** Any person who fails to
14 appear at the place and within the time specified in a summons
15 or citation issued by an officer or their agent or subordinate,
16 upon that person's arrest for violation of the offense of theft
17 of an agricultural product or commodity, or any other matters as
18 determined by the board of agriculture, shall be guilty of a
19 petty misdemeanor and upon conviction, shall be fined no more
20 than \$500 or be imprisoned no more than thirty days, or both.



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

6 When a complaint is made to any prosecuting officer of the
7 violation of the offense of theft of an agricultural product or
8 commodity, or any other matters as determined by the board of
9 agriculture, the officer who issued the summons or citation
10 shall subscribe to it under oath administered by another
11 official or officials of the department of agriculture whose
12 names have been submitted to the prosecuting officer and who
13 have been designated by the chairperson of the board of
14 agriculture to administer the oath.

15 **§ -9 Search and seizure; forfeiture of property. (a)**

16 Any police officer or agent of the department of agriculture
17 upon whom the board of agriculture has conferred police powers
18 shall have the authority to:

- 19 (1) Conduct searches on probable cause as provided by law;
20 (2) Seize any equipment, article, instrument, aircraft,
21 vehicle, vessel, business records, or agricultural



1 product or commodity used or taken in the course of
2 committing the offense of theft of an agricultural
3 product or commodity; or

4 (3) Enforce any other matters as determined by the board
5 of agriculture.

6 (b) Any equipment, article, instrument, aircraft, vehicle,
7 vessel, business records, or agricultural product or commodity
8 seized is subject to forfeiture pursuant to chapter 712A.

9 Unless otherwise directed by the court pursuant to chapter 712A,
10 any item, other than an agricultural product or commodity,
11 seized shall be ordered forfeited to the State for disposition
12 as determined by the department of agriculture, or may be
13 destroyed, or may be kept and retained and utilized by the
14 department of agriculture or any other state agency. If not
15 needed or required by the department of agriculture or other
16 state agency, the forfeited items shall be disposed of as
17 provided by chapter 712A. Notwithstanding any other law to the
18 contrary, any live agricultural product or commodity seized,
19 including livestock, may be immediately returned to its owner or
20 may be disposed of as determined by the department of
21 agriculture; provided that if the agricultural product or



1 commodity disposed of was unlawfully seized, the department of
2 agriculture shall be liable to the owner for the fair market
3 value of any disposed items.

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

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



1 fair market value or any person who fails to deliver the
2 proceeds of the sale, as directed by the department of
3 agriculture, shall be in violation of this subsection and
4 punishable as provided by law.

5 The department of agriculture shall deposit and keep the
6 proceeds of any sale made pursuant to this section in an
7 interest bearing account until the suspected violation is
8 settled between the person or persons who took the agricultural
9 product or commodity, consignee or consignees, if any, and the
10 department of agriculture. Should a settlement not be reached,
11 the department of agriculture shall submit the proceeds of the
12 sale to the court. The proceeds of the sale, after deducting
13 any reasonable costs of the sale incurred by the department of
14 agriculture, shall be subject to any administrative or judicial
15 proceedings in the same manner as the seized agricultural
16 product or commodity would have been, including an action in rem
17 for the forfeiture of the proceeds. Seizure and sale of an
18 agricultural product or commodity is without prejudice to any
19 other remedy or sanction authorized by 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, [øæ] 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. Chapter 386, Hawaii Revised Statutes, is
9 amended by amending the title of subpart C of part III to read
10 as follows:

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

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

18 "**§386-181 Generally.** (a) As used in this section:

19 "Police chaplain" means a member of an authorized
20 chaplaincy program of a county police department who performs



1 services in a voluntary and unpaid capacity under the authorized
2 direction of an officer of the department.

3 "Public board" means a governmental body, regardless of its
4 designation, duly created under authority vested by law for the
5 purposes of performing quasi-judicial, administrative, or
6 advisory functions.

7 "Reserve police officer" means a member of an authorized
8 reserve force of a county police department who performs
9 services in a voluntary and unpaid capacity under the authorized
10 direction of an officer of the department.

11 "Sheriffs' chaplain" means a member of an authorized
12 chaplaincy program of the department of public safety who
13 performs functions similar to a police chaplain in a voluntary
14 and unpaid capacity for the sheriff division.

15 "Volunteer agricultural enforcement officer" means a person
16 who performs services for the department of agriculture in the
17 agricultural enforcement program in a voluntary and unpaid
18 capacity under the authorized direction of an officer of the
19 department of agriculture.

20 "Volunteer boating enforcement officer" means a member of
21 the authorized volunteer enforcement force of the harbors



1 division, department of transportation, who performs services in
2 a voluntary and unpaid capacity under the authorized direction
3 of an officer of the department.

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

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

14 (b) If a member of a public board, a reserve police
15 officer, a police chaplain, sheriffs' chaplain, a volunteer
16 agricultural enforcement officer, a volunteer firefighter, a
17 volunteer boating enforcement officer, or a volunteer
18 conservation and resources enforcement officer is injured while
19 performing services for the board, county police department,
20 county fire department, department of agriculture, department of
21 public safety, harbors division of the department of



1 transportation, or division of conservation and resources
2 enforcement of the department of land and natural resources,
3 under the conditions specified in section 386-3, the person or
4 the person's dependents shall be entitled to all compensation in
5 the manner provided by this chapter and, for the purposes of
6 this chapter, the person shall, in every case, be deemed to have
7 earned wages for the services.

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

- 13 (1) The person's income from self-employment shall be
14 considered wages;
- 15 (2) The person shall, in no event, be considered to have
16 earned less than the minimum hourly wage prescribed in
17 chapter 387;
- 18 (3) Wages of other employees in comparable employment
19 shall not be considered; and



1 (4) All provisions of section 386-51 not inconsistent with
2 this section shall apply; provided that section
3 386-51(5) shall not apply."

4 PART II

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

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

- 9 (1) The awarding of grants to farmers for agricultural
10 production or processing activity;
- 11 (2) The acquisition of real property for agricultural
12 production or processing activity;
- 13 (3) The improvement of real property, dams, reservoirs,
14 irrigation systems, and transportation networks
15 necessary to promote agricultural production or
16 processing activity, including investigative studies
17 to identify and assess necessary improvements to dams,
18 reservoirs, irrigation systems, and transportation
19 networks;
- 20 (4) The purchase of equipment necessary for agricultural
21 production or processing activity;



- 1 (5) The conduct of research on and testing of agricultural
- 2 products and markets;
- 3 (6) The funding of agricultural inspector positions within
- 4 the department of agriculture;
- 5 (7) The promotion and marketing of agricultural products
- 6 grown or raised in the State;
- 7 (8) Water quality testing and improvement; and
- 8 (9) Any other activity intended to [~~increase~~]:
- 9 (A) Increase agricultural production or processing
- 10 that may lead to reduced importation of food,
- 11 fodder, or feed from outside the State[-]; or
- 12 (B) Otherwise protect agricultural resources."

13 SECTION 11. (a) There is established one full-time
 14 equivalent (1.0 FTE) chief enforcement officer position within
 15 the agricultural enforcement program of the department of
 16 agriculture.

17 (b) There is established two full-time equivalent
 18 (2.0 FTE) enforcement officer positions within the agricultural
 19 enforcement program of the department of agriculture, one each,
 20 for the islands of Hawaii and Oahu.



1 SECTION 12. There is appropriated out of the agricultural
2 development and food security special fund the sum of
3 \$ or so much thereof as may be necessary for fiscal
4 year 2020-2021 to be deposited into the agricultural enforcement
5 special fund.

6 SECTION 13. There is appropriated out of the agricultural
7 enforcement special fund the sum of \$ or so much
8 thereof as may be necessary for fiscal year 2020-2021 for:

9 (1) The establishment of the following positions within
10 the agricultural enforcement program of the department
11 of agriculture:

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

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

17 (2) Other operating expenditures of the agricultural
18 enforcement program of the department of agriculture.

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



1 PART III

2 SECTION 14. This Act does not affect rights and duties
3 that matured, penalties that were incurred, and proceedings that
4 were begun before its effective date.

5 SECTION 15. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 16. This Act shall take effect on July 1, 2050.



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. Effective 7/1/2050. (SD2)

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