

Honolulu, Hawaii

FEB 13 2007

RE: S.B. No. 839
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Energy and Environment, to which was referred S.B. No. 839 entitled:

"A BILL FOR AN ACT RELATING TO PESTICIDES,"

begs leave to report as follows:

The purpose of this measure is to ensure public safety by requiring that individuals who use restricted pesticides are properly licensed.

The measure accomplishes this purpose by defining structural pest control applicator as a person who holds a license pursuant to chapter 460J, Hawaii Revised Statutes, and by making it illegal for a dealer to sell restricted use pesticides to structural pest control applicators whose license is more than one hundred twenty days delinquent.

Your Committee received testimony in support of this measure from the Hawaii Pest Control Association. The Department of Agriculture submitted comments on this measure.

Your Committee finds that formerly licensed pest control operators have continued to use restricted chemicals without proper licenses. Your Committee further finds that it is important to protect the public's health and safety, that individuals who use these often lethal chemicals are appropriately licensed to ensure the proper usage and application of these chemicals.



Your Committee amended this measure by deleting the reference to structural pesticide applicators. Your Committee has further amended the measure by clarifying that the pesticide applicator is also responsible for the unlicensed use of restricted use pesticides by requiring that a pesticide applicator be licensed pursuant to chapter 460J, Hawaii Revised Statutes, or under the supervision of persons certified in commercial pest control, unless the certified applicator or persons under their supervision are directly employed or supervised by a person licensed under chapter 460J, Hawaii Revised Statutes, and whose license is valid within one hundred twenty days of the purchase date.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 839, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 839, S.D. 1, and be referred to the Committee on Commerce, Consumer Protection, and Affordable Housing.

Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,

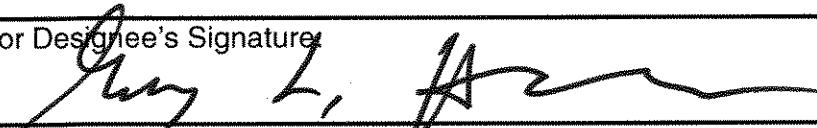


RON MENOR, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 839	Committee Referral: ENE, CPAH	Date: 2/1/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
MENOR, Ron (C)	✓			
HOOSER, Gary L. (VC)	✓			
IHARA, Jr., Les				✓
KOKUBUN, Russell S.				✓
TRIMBLE, Gordon	✓			
TOTAL	3			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature 				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes