



GOV. MSG. NO. 1205

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 14, 2013

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 14, 2013, the following bill was signed into law:

HB673 HD2 SD2 CD1

RELATING TO PESTICIDES  
ACT 105 (13)

NEIL ABERCROMBIE  
Governor, State of Hawaii

Approved by the Governor

on JUN 14 2013

ORIGINAL

ACT 195

HOUSE OF REPRESENTATIVES  
TWENTY-SEVENTH LEGISLATURE, 2013  
STATE OF HAWAII

H.B. NO.

673  
H.D. 2  
S.D. 2  
C.D. 1

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# A BILL FOR AN ACT

RELATING TO PESTICIDES.

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

1 SECTION 1. The purpose of this Act is to better address  
2 the potential public health and environmental issues related to  
3 pesticides by requiring: the online publishing of certain  
4 restricted use pesticide records, reports, or forms; and a study  
5 of other states' reporting requirements for certain pesticides.

6 SECTION 2. Chapter 149A, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9 "§149A- Pesticide use; posting online. (a) The  
10 department shall publish on its website the public information  
11 contained in all restricted use pesticide records, reports, or  
12 forms submitted to the department, except those records,  
13 reports, or forms required by the department for restricted use  
14 pesticides used for structural pest control; provided that the  
15 department shall not post information on its website protected  
16 by section 92F-13.

17 (b) The department may prepare any forms necessary to meet  
18 the requirements of this section. In addition to any other

HB673 CD1 HMS 2013-3577



1 administrative requirements, the department may also require the  
2 persons or entities filing pesticide records, reports, or forms  
3 to furnish an additional form that shall be suitable for posting  
4 online in response to requests pursuant to chapter 92F or title  
5 5 United States Code section 552; provided that the additional  
6 form shall not require the disclosure of information protected  
7 by section 92F-13.

8 (c) For the purposes of this section, "structural pest  
9 control" means the control of wood-destroying organisms or  
10 household pests, including but not limited to moths,  
11 cockroaches, ants, beetles, flies, mosquitoes, ticks, wasps,  
12 bees, fleas, mites, silverfish, millipedes, centipedes, sowbugs,  
13 crickets, termites, or wood borers, including through any one or  
14 combination of the following:

15 (1) The identification of infestations or infections;  
16 conducting of inspections; or use of pesticides,  
17 including insecticides, repellents, attractants,  
18 rodenticides, fungicides, fumigants, and all other  
19 substances, mechanical devices, or structural  
20 modifications under whatever name known for the  
21 purposes of preventing, controlling, and eradicating  
22 insects, vermin, rodents, and other pests in household



- 1           structures, commercial buildings, other structures  
2           including household structures, commercial buildings,  
3           and other structures in all stages of construction,  
4           and outside areas;  
5       (2) All phases of fumigation, including treatment of  
6           products by vacuum fumigation; or  
7       (3) The fumigation of railroad cars, trucks, ships, and  
8           airplanes."

9           SECTION 3. (a) To the extent of any available  
10 information, the legislative reference bureau shall conduct a  
11 study on pesticides that includes: whether other states impose  
12 any type of reporting requirements on pesticides that do not  
13 fall within the definition of a restricted use pesticide; and if  
14 so, the details of the reporting requirement and any other  
15 relevant information, to the extent ascertainable.

16           (b) For purposes of this section, the term "restricted use  
17 pesticide" has the same meaning as in section 149A-2, Hawaii  
18 Revised Statutes.

19           (c) The legislative reference bureau shall submit a report  
20 to the legislature, no later than twenty days prior to the  
21 convening of the regular session of 2014, on its findings  
22 pursuant to subsection (a).

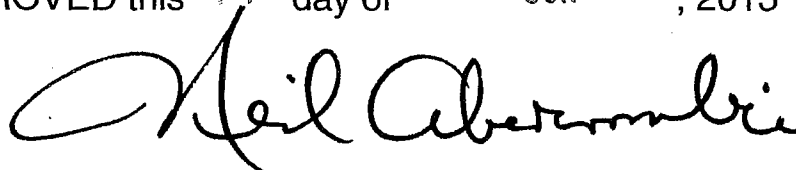


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2 SECTION 4. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2013.

APPROVED this 14 day of JUN, 2013



GOVERNOR OF THE STATE OF HAWAII

