

JAN 19 2017

A BILL FOR AN ACT

RELATING TO THE HEALTH IMPACTS OF PESTICIDES.

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

1 SECTION 1. Chapter 149A, Hawaii Revised Statutes, is
2 amended by adding three new sections to part III to be
3 appropriately designated and to read as follows:

4 "§149A-A Establishment; program. The department shall
5 establish and administer a program relating to disclosure of
6 pesticide use by any person or entity. The department shall
7 develop a standardized reporting form.

8 §149A-B Mandatory disclosure requirements. (a) Beginning
9 July 1, 2018, all persons or entities that cultivate crops in
10 any calendar year shall disclose the use of all pesticides in
11 accordance with this section.

12 (b) For each month of the reporting year, the person or
13 entity shall report to the department the use of all pesticides
14 used in the preceding month. For each use, the report shall
15 include:

16 (1) The pesticide's trade name, federal and state
17 registration or permit number, commercial product



1 name, active and inert ingredients, and gallons or
2 pounds used;

3 (2) The method, date, and total quantity of each
4 application;

5 (3) The geographic location of each application, by
6 address and tax map key number; and

7 (4) The total acreage and the area size where the
8 pesticide was used.

9 **§149A-C Public disclosure requirements.** Beginning
10 October 1, 2018, the department shall post online on the
11 department's website a summary of each monthly report received
12 under section 149A-B and, for each month, the failure of any
13 person or entity to comply with section 149A-B."

14 SECTION 2. Section 149A-2, Hawaii Revised Statutes, is
15 amended by adding a new definition to be appropriately inserted
16 and to read as follows:

17 "Crops" means commodities produced from the earth that are
18 planted, raised, and gathered within the course of a single
19 season."

20 SECTION 3. Section 149A-13.5, Hawaii Revised Statutes, is
21 amended by amending subsection (e) to read as follows:



S.B. NO. 19

1 "(e) All unobligated, unencumbered, or unexpended funds
2 remaining in the fund in excess of [~~\$250,000~~] \$500,000 at the
3 close of each fiscal year shall lapse to the state general
4 fund."

5 SECTION 4. If any provision of this Act, or the
6 application thereof to any person or circumstance, is held
7 invalid, the invalidity does not affect other provisions or
8 applications of the Act that can be given effect without the
9 invalid provision or application, and to this end the provisions
10 of this Act are severable.

11 SECTION 5. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on July 1, 2017.

14

INTRODUCED BY: _____

J. L. H.
Kal Rhoads
Stacy



S.B. NO. 19

Report Title:

Pesticides; Disclosure; Pesticide Use Revolving Fund

Description:

Requires the department of agriculture to establish a mandatory disclosure program for pesticide use by all persons or entities under certain circumstances. Defines the term "crops" as used in chapter 149A, HRS. Increases the pesticide use revolving fund balance ceiling to \$500,000.

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

