

SB 346

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

**TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE & ENVIRONMENT &
HIGHER EDUCATION**

**FEBRUARY 15, 2017
1:45 P.M.
CONFERENCE ROOM 224**

**SENATE BILL NO. 346
RELATING TO PESTICIDES**

Chairpersons Gabbard and Kahele and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 346 that proposes to increase the pesticide licensing fee and requires annual renewal of pesticide licenses. This bill also requires a Memorandum of Understanding between the Hawaii Department of Agriculture and the University of Hawaii College of Tropical Agriculture and Human Resources, and establishes environmental toxicologist and pesticide extension specialist positions with funds appropriated out of the pesticide use revolving fund.

While the Department is in support of this measure to increase licensing fees and to establish an environmental toxicologist position, the Department has reservations about other aspects of the Bill which include:

- Elimination of support to the agricultural and structural pest control industries and support to the general public that also uses pesticides;
- Elimination of funding for conducting pesticide branch staff training workshops;



- Change from a 3-year license cycle to a 1-year license cycle for pesticide products;
- Diversion of a significant portion of the Pesticide Use Revolving Funds to support a pesticide extension specialist position outside of the Department.

The Department currently has 6 Environmental Health Specialist positions that are dedicated to providing outreach and education to the agricultural and structural pest control industries, as well as to other pesticide applicators, providing pesticide safety and Worker Protection Standard trainings. Branch staff have independently created educational materials and already work with Cooperative Extension agents in each county.

Funds in the Pesticide Use Revolving Fund have already been dedicated to environmental monitoring, groundwater studies, unwanted pesticide disposal, and outreach and education activities, in addition to supporting personnel in the Education/Certification and Registration & Technical Review Units. Specifying amounts required to be used for additional activities such as demonstration trials could potentially lead to inability to support core activities of the Branch.

The change from a three-year license period to an annual license will be a burden to current staff in the Registration & Technical Review Unit, which consists of only three specialists (2 staff members and 1 supervisor). There are approximately 9,000 products currently licensed in the state, with an average of 3,000 licenses being renewed each year taking about 2 months to process. Requiring an annual license renewal will triple this time requirement and will be an undue burden on these staff members, given that this unit also manages all environmental monitoring activities.

The development of an electronic data collection system will be cost prohibitive, as any data management system requires a large amount of time and funds. The California Department of Pesticide Regulation's costs to administer the data collection and processing of pesticide use reports is approximately \$1.8 million annually. This does not include costs to initially develop the data collection system for CA DPR, which was in excess of \$900,000 for the first couple of years, with \$30,000 per year in maintenance fees annually. It must be noted that many other states with more fiscal

resources have attempted similar systems, but have since abandoned this effort due to high resource needs involved in managing such a system.

Thank you for the opportunity to provide testimony.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Agriculture and Environment
And

Senate Committee on Higher Education
Wednesday, February 15, 2017 at 1:45 p.m.

By

Rachel Novotny, Interim Dean

And

J. Kenneth Grace, Associate Dean
College of Tropical Agriculture and Human Resources
University of Hawai'i at Mānoa

SB 346 – RELATING TO PESTICIDES

Chairs Gabbard and Kahele, Vice Chairs Riviere and Kidani, and members of the Senate Committee on Agriculture and Environment and Committee on Higher Education:

Thank you for this opportunity to testify in support of SB 346, which increases the pesticide licensing fee and amends authorized uses for moneys in the pesticide use revolving fund; and establishes an environmental toxicologist position within the department of agriculture and a pesticide extension specialist, through a contract with the department of agriculture, within the University of Hawai'i College of Tropical Agriculture and Human Resources (CTAHR).

While we defer to the Department of Agriculture on the fiscal and management implications SB 346 within the department, and have no wish to limit ongoing training efforts by the department, we strongly support the self-funded partnership proposed in this measure between the Department of Agriculture and the University of Hawai'i in order to comprehensively address pesticide education, training and monitoring in the State of Hawai'i.

As written, this bill would increase infrastructure within both the Department of Agriculture and the College of Tropical Agriculture and Human Resources, University of Hawai'i at Mānoa, to address this area of much concern to both the agricultural community and the public at large. This would be done through user fees, at no cost to the State general fund.

As stated in SB 346, in complementation to the pesticide applicator certification training undertaken by the Department of Agriculture, a pesticide extension specialist with the College of Tropical Agriculture and Human Resources would focus on development and dissemination of educational materials; collaborating in planning and design of projects to develop integrated pest management methods and limit pesticide drift; and exploring

other partnerships to provide funding for these activities. Beyond this, a pesticide extension specialist also addresses education of farmers and other users in proper choice of pesticides for different pests and purposes; integration of pesticides with other non-chemical pest control methods in order to minimize pesticide use and environmental exposure; extension of new research results to help farmers change and adapt their pest control practices; and education of the public on pesticide risks and benefits, and response to public concerns.

We have no doubt that the activities of the pesticide extension specialist would lead to additional federal funding to Hawai'i, and more comprehensive education and training efforts than can be accomplished by either the Department or the University in isolation. For example, prior to his retirement a decade ago, Dr. Barry Brennan held a comparable position at the University and was successful in obtaining grant funds from US EPA and USDA to found and support immigrant farmer training in pesticide safety and effective pest management. Through distribution of educational materials, Dr. Brennan was also active in public education, including mitigating public concerns during the heptachlor emergency of the 1980s.

Without a funding mechanism such as that proposed in SB 346, a university pesticide extension specialist position is now difficult to justify in a time of fiscal austerity at the University of Hawai'i. While addressing a local need, such a position may not directly contribute to student tuition revenues that are a significant part of current university budget models. Thus, we would be glad to partner with the Department of Agriculture on this comprehensive approach to pesticide education and training, if the department views SB 346 as a viable approach.

DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT
AND HIGHER EDUCATION
ON
SENATE BILL NO. 346

February 15, 2017
1:45 p.m.
Room 224

RELATING TO PESTICIDES

Senate Bill No. 346 increases the pesticide licensing fee and requires annual renewal of the license; amends the authorized uses of the Pesticide Use Revolving Fund (PURF); requires a memorandum of understanding between the Department of Agriculture (DOA) and University of Hawaii, College of Tropical Agriculture and Human Resources (University), regarding the expenditure of funds from the PURF; provides for the establishment of an environmental toxicologist position in DOA and a pesticide extension specialist position within the University through a contract with DOA; and makes an appropriation of \$2,700,000 from the PURF.

As a matter of general policy, the Department of Budget and Finance does not support the creation or use of any revolving fund which does not meet the requirements of Section 37-52.4, HRS. Revolving funds should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or

beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. Revenues are projected to be \$2,675,000 as a result of the proposed fee increase, as compared to the proposed appropriation of \$2,700,000 for the amended uses of the PURF. As such, it does not appear as though the PURF will be self-sustaining.

Thank you for your consideration of our comments.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 9, 2017 10:12 AM
To: AEN Testimony
Cc: nredfeather@kohalacenter.org
Subject: Submitted testimony for SB346 on Feb 15, 2017 13:45PM

SB346

Submitted on: 2/9/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Redfeather	Hawaii Island School Garden Network	Support	No

Comments: Adding an Environmental Toxicologist to HDOA and an Extension Pesticide Specialist to CTAHR will be most helpful to increase protection, oversight, and understanding of the complexities that exist between chemicals and the environment, most of which are unseen. The public and communities will be on the receiving end of the benefits as deeper connections are made between what we "have always done" and the new realities of science based environmental understanding. These positions can increase communication between industry and the public in positive ways.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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February 10, 2017

The Honorable Mike Gabbard
Chair, Senate Committee on Agriculture and Environment

The Honorable Kaiali'i Kahele
Chair, Senate Committee on Higher Education

The Honorable Members of the Joint Agriculture and Environment and Higher Education
Committees

RE: SB 346; RELATING TO PESTICIDES (SUPPORT)

Dear Chairman Gabbard and Chairman Kahele:

On behalf of the Western Plant Health Association (WPHA), I am writing to express our **support** of SB 346, which would increase the annual registration fee for pesticide products in Hawaii, increase the annual cap on the pesticide use revolving fund, and amend the eligible uses for the pesticide use revolving fund. WPHA represents the interests of fertilizer and pesticide manufacturers, agricultural biotechnology providers, and agricultural retailers in Hawaii, California, and Arizona.

Pesticides provide an important tool in protecting agricultural commodities, as well as the homes and health of the citizens of Hawaii. Without these tools, pests can destroy crops, damage dwellings, and introduce serious diseases like asthma, salmonella, and allergic rhinitis which affect the most sensitive population groups. To assure that Hawaii Department of Agriculture (HDOA) has the resources available to oversee and enforce regulations that help assure the safe use of products we believe raising the registration fees to increase the pesticide revolving fund is needed. HDOA assesses products for Hawaii specific concerns, regulates their safe application and use, investigates concerns of potential miss-use, and educates users and other interested parties on their safe and legal use. SB 364 will provide HDOA increased funding so that it may effectively carry out its regulatory responsibilities.

WPHA **supports** the goals of SB 364 to enhance the efforts of HDOA in assuring that all pesticide products are assessed and used safely. We would defer to the HDOA as to the changes to the eligible uses for the pesticide revolving fund in support of its efforts to educate pesticide users, enforce safe handling and application of products, and investigate complaints. We thank the committee for its commitment to helping HDOA fulfill its mandate. For these reasons WPHA supports SB 346 and asks the committees for a **yes** vote. We thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Pinel", written in a cursive style.

Renee Pinel
President/CEO



HCIA 2016 - 2018 Board of Directors

President

Alan Takemoto

Vice-President

Joshua Uyehara

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Treasurer

Laurie Yoshida

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Adolf Helm

Richard McCormack

Dan Clegg

President Emeritus

Kirby Kester

Executive Director

Bennette Misalucha

OUR MISSION

HCIA is a Hawaii-based non-profit organization that promotes modern agriculture to help farmers and communities succeed. Through education, collaboration and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices and build a healthy economy.

TESTIMONY FROM BENNETTE MISALUCHA, EXECUTIVE DIRECTOR

In Support of SB 346 with Comments

Relating to Pesticides

Increases the pesticide licensing fee and requires annual renewal of the license; amends authorized uses for moneys in pesticide use revolving fund and appropriates funds out of the pesticide use revolving fund for specific purposes

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON HIGHER EDUCATION

February 15, 2017, 1:45 p.m.

Conference Room 224

Chairs Gabbard and Kahele and members of the committees:

The Hawaii Crop Improvement Association (HCIA) is a Hawaii-based non-profit organization that promotes modern agriculture to help farmers and communities succeed. Through education, collaboration, and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices, and build a healthy economy.

HCIA **supports SB 346**, which seeks to increase the annual registration fee for pesticide products in Hawaii and appropriate funds out of the pesticide use revolving fund for specific purposes.

HCIA recognizes the importance of pesticides as a tool to protect both agricultural product and Hawaii's citizenry. We support efforts that help maintain and assess the proper regulation and enforcement of these tools. We believe that raising the registration fees to increase the pesticide revolving fund is needed to assure that the Hawaii Department of Agriculture (HDOA) has the resources available to enforce pesticide laws and to ensure that the public is protected.

We have confidence in the ability of the HDOA to effectively carry out its regulatory responsibilities and recognize that increased funding will strengthen the Department and help it address community concerns. We defer to HDOA's comments regarding any funding amendments.

Thank you for the opportunity to testify in support of this bill.

Respectfully submitted,

Bennette Misalucha
Executive Director

Re: Support for SB 346

Pesticide Action Network North America is a national & international organization with over 2,000 members in Hawai'i. On behalf of our members, we express strong support of SB 346 because we believe that it will strengthen the infrastructure of both the Department of Agriculture and the University of Hawai'i College of Tropical Agriculture and Human Resources, without adding to taxpayer burden or to State costs. Raising the amount and frequency of the pesticide licensing fee is a good step towards holding the extremely well-resourced pesticide industry accountable for the costs it usually externalizes onto taxpayers, the state, and neighboring communities.

We believe that the Department of Agriculture would benefit greatly from having an environmental toxicologist on staff, and it will be important to make sure that this toxicologist is an independent expert. An independent and qualified environmental toxicologist will be able to inform the Department's analysis and decision-making from a data-driven and scientific perspective, which is critical to protecting public health and the environment.

At the same time, a pesticide extension specialist within the University of Hawai'i would be a huge benefit to the farming and non-farming population of Hawai'i. They would be able to enhance public education about pesticide use and integrated pest management, thereby mitigating some of the risk inherent in pesticide use; and would also be able to expand agricultural research and innovation in Hawai'i, likely leading to the earning of more federal funding for the State.

We think that SB 346 is a commonsense bill that will enhance state infrastructure, improve public safety, protect public health, and position Hawai'i as a leader in agricultural innovation – all at no cost to the state.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2017 3:09 PM
To: AEN Testimony
Cc: sylvialitchfield@gmail.com
Subject: Submitted testimony for SB346 on Feb 15, 2017 13:45PM

SB346

Submitted on: 2/14/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
sylvia litchfield	Green Party of Hawaii	Support	No

Comments: Public health before profit! Keep children and residents safe from experimental pesticide spraying.

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February 15, 2017

TIM VANDEVEER
Chair

MARGARET WILLE
SEAN SMITH
Legislation Committee Co-Chairs

Support for SB346 “Relating to Pesticides”

Committee on Agriculture and Environment

Senator Mike Gabbard, Chair

Senator Gil Riviere, Vice Chair

February 15, 2017 1:45 p.m. State Capitol Conference Room 224

Submitted on Behalf of the Democratic Party of Hawai‘i

The Democratic Party of Hawai‘i supports SB346 “Relating to Pesticides” which addresses various issues related to pesticide licensing, including establishing an environmental toxicologist position in the Department of Agriculture and raising the amount of the licensing fees. **One of the Democratic Party of Hawai‘i’s priorities for the 2017 legislative session is to restrict the use of toxic herbicides, and therefore enacting these additional ways to address the issues surrounding the use registered pesticides generally is supported by the DPH.**

Respectfully submitted,

/s/ Tim Vandever (tim@hawaiidemocrats.org)
Chair of the Democratic Party of Hawai‘i

/s/ Margaret Wille (margaretwille@mac.com)
/s/ Sean Smith (simashang@yahoo.com)
Legislative Committee Co-Chairs

DEMOCRATIC PARTY OF HAWAII

PO Box 2041 Honolulu, HI 96805 ☐ (808) 596-2980 ☐ www.hawaiidemocrats.org ☐ info@hawaiidemocrats.org

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 6:35 PM
To: AEN Testimony
Cc: warrenmcfb@gmail.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/13/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Warren Watanabe	Maui County Farm Bureau	Support	No

Comments:

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Testimony from Jeff Case, Senior Director Government Affairs, CropLife America

In support of SB 346 – Relating to Pesticides

Wednesday, Feb. 15, 1:45 pm – Senate Committee on Agriculture and Environment

Aloha Chair Gabbard and members of the committee,

CropLife America (CLA) represents the manufactures and registrants of pesticide products that are used for agriculture production. We and our farmers are committed to using these valuable crop protection products in a manner that is safe for agricultural community as well as our neighbors. We support SB 346.

There are a number of pesticide measures introduced this legislative session which puts additional financial burden on the State Department of Agriculture, and specifically on the Pesticide Division. SB 346 would provide the HDOA with the necessary funds to do more including monitoring, enforcement, and outreach and education. It is not often that an industry is open to a fee increase. But it is important to provide the public peace of mind in the work that we do as farmers and the pesticides that we use to put food on their tables.

Mahalo for your consideration.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 8:44 PM
To: AEN Testimony
Cc: dale@hicattle.org
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/13/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Dale Sandlin	Hawaii Cattlemens Council	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 9, 2017 1:33 PM
To: AEN Testimony
Cc: wao-hsl@WeAreOne.cc
Subject: Submitted testimony for SB346 on Feb 15, 2017 13:45PM

SB346

Submitted on: 2/9/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments: Protect People, Health, and 'Āina before toxic corporate profits and encourage corporations to act transparently, cooperatively, and responsibly (which is ultimately even more profitable). www.WeAreOne.cc

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 10, 2017 10:59 AM
To: AEN Testimony
Cc: lho@hawaiiublicpolicy.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/10/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Stuart	Dow Agroscience	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 10:36 AM
To: AEN Testimony
Cc: alan@prloffice.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/13/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Ponoholo Ranch Limited	Oppose	No

Comments:

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Representing Household & Institutional Products

Aerosol - Air Care - Cleaners - Polishes
Automotive Care - Antimicrobial - Pest Management

Testimony of Kristin Power
Vice President, State Affairs, Consumer Specialty Products Association
to the Senate Committee on Agriculture and Environment
Wednesday, February 15, 2017
1:45 pm

In consideration of Senate Bill 346 – Relating to Pesticides

Chair Gabbard, Vice Chair Riviere and Members of the Senate Committee on Agriculture and Environment:

Thank you for the opportunity to comment on Senate Bill 346, a proposal to increase pesticide registration fees to support the Department of Agriculture pesticide registration functions.

The Consumer Specialty Products Association (CSPA) is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$100 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. CSPA member companies employ hundreds of thousands of people globally. Products CSPA represents include disinfectants that kill germs in homes, hospitals and restaurants; air fresheners, room deodorizers and candles that eliminate odors; pest management products for home, lawn and garden, and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day. Through its product stewardship program, Product Care[®], and scientific and business-to-business endeavors, CSPA provides its members a platform to effectively address issues regarding the health, safety and sustainability of their products.

Consumer protection and health benefit products include disinfectants, sanitizers, germicides, antibacterial products, and insect and rodent control products. Consumers use these products to protect themselves, their children and their residential premises. Institutions such as hospitals, schools, restaurants, hotels and others use these products to protect the public's health. Under federal and state law, consumer protection and health benefit products are defined, registered and regulated as pesticides.

CSPA does not oppose reasonable pesticide registration fees that fund the cost of administering state registration programs and services which equally benefit all pesticide registrants. However, CSPA does oppose pesticide registration fees that are dedicated to funding special programs that are unrelated to consumer protection and health benefit products.

Testimony to Senate Committee on Agriculture and Environment

RE: SB 346

We appreciate the Department of Agriculture's dedicated review of pesticide products to ensure the protection of Hawaii's residents and environment. While there may be appropriate justification of a fee increase to support the Department's registration activities, and the identified uses may be worthwhile, we are not aware of current financial needs of the Department and question whether the amount of the fee increase is appropriate and not in excess of the needs of the Department and identified uses equally benefit all pesticide registrants. In addition, we believe the current triennial registration period remains functional and request that the registration period not be reduced.

Thank you for the opportunity to comment on the proposal to increase the pesticide registration fee. Please contact me if you have questions regarding the Association's position on HB 889 at (916) 838-3587.

cc: CSPA Antimicrobial Products Division
CSPA Pest Management Products Division
CSPA State Government Affairs Advisory Committee

**SB 346
RELATING TO PESTICIDES**

**PAUL T. OSHIRO
MANAGER – GOVERNMENT RELATIONS
ALEXANDER & BALDWIN, INC.**

FEBRUARY 15, 2017

Chair Gabbard, Chair Kahele, and Members of the Senate Committees on Agriculture & Environment and Higher Education:

I am Paul Oshiro, testifying on behalf of Alexander & Baldwin, Inc. (A&B) on SB 346, A BILL FOR AN ACT RELATING TO PESTICIDES. We support this bill.

Pesticide use in Hawaii is extensively regulated by both the Federal Environmental Protection Agency and the State Department of Agriculture under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Hawaii Pesticide Law (Chapter 149A, HRS). Depending upon the pesticide and its intended use, the EPA and the State impose mandatory conditions and requirements that are science based and designed to protect the pesticide applicator, the general public, and the environment. These requirements may include, but are not limited to, maximum application rates, using only specified application methods and equipment, application only under specified weather conditions, the observation of buffer zones, and, in the case of restricted use pesticides, allowing use only by or under the direct supervision of certified pesticide applicators.

All certified pesticide applicators are presently required to keep records of all restricted use pesticide applications and to make these records available for inspection

by the State Department of Agriculture for two years. In addition, records of all restricted use pesticide sales must be submitted, and made available to the State Department of Agriculture. These disclosures enable the State Department of Agriculture to cross check applicator inventory and use records with vendor sales records.

Pesticide labels contain specific instructions such as what the pesticide may be used on, how much of the pesticide may be used, how often the pesticide can be used, and worker protection requirements. Federal Law states that the pesticide label is the law, and that use of the pesticide that is not in conformance with the label is a violation of Federal Law.

This bill increases pesticide licensing fees, modifies authorized uses for the pesticide use revolving fund, and appropriates funds for various pesticide related positions and activities. We support this bill as it provides additional non-general fund revenue to enhance the ability of the State Department of Agriculture and the U.H. College of Tropical Agriculture & Human Resources to monitor and regulate pesticide use throughout the State of Hawaii. In that pesticide distribution, sales, and use are presently heavily regulated at both the Federal and the State levels of government, the establishment of new positions for an environmental toxicologist and pesticide extension specialist along with additional appropriations for certification activities, compliance monitoring, electronic data collection, educational materials, integrated management technologies, and pesticide disposal will further strengthen the State's pesticide oversight and enforcement capabilities. Thus, we believe that this bill will further protect

and safeguard employees, the general public, and the environment from negative impacts resulting from improper pesticide use.

Based on the foregoing, we respectfully request your favorable consideration on this bill. Thank you for the opportunity to testify.



Warren Mayberry
Sr. Manager of Government Affairs
DuPont Pioneer
1005 Congress Ave.
Austin, TX 78701

SB 346, Relating to Pesticides
Senate Committee on Agriculture and Environment
Senate Committee on Higher Education
Wednesday February 15, 2017
Room 224 at 1:45 p.m.

Position: Support

Chair Gabbard, Vice Chair Riviere, and Members of the Senate Committee Agriculture and Environment,

Chair Kahele, Vice Chair Kidani, and Members of the Senate Committee Higher Education

DuPont Pioneer is a seed company with farming operations in four locations in Hawaii. DuPont Pioneer employs approximately 300 people in a wide range of types of jobs on Oahu and Kaua'i. Our farm management practices include the application of science and technology, and innovative farming techniques that include the responsible use of pesticides. Farmers understand the importance of good stewardship practices, including judicious use of pesticides and management practices that reduce pests.

DuPont Pioneer supports SB 346, which increases the pesticide licensing fee and requires annual renewal of the license. SB 346 also increases the annual cap on the pesticide use revolving fund, and amends the eligible uses for the pesticide use revolving fund. Pesticides are an important tool used to protect both agricultural products and Hawaii's residents. The Hawaii Department of Agriculture (HDOA) assesses pesticide products, regulates their safe application and use, investigates concerns of potential miss-use, and educates users and other interested parties on their safe and legal use.

DuPont Pioneer supports efforts to increase the pesticide revolving fund, as needed, to make sure HDOA has enough resources available to carry out their responsibilities. We are confident in the HDOA's ability to enforce pesticide laws and to ensure that the public is protected.

Thank you for the opportunity to submit testimony for SB 346.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 9, 2017 8:03 PM
To: AEN Testimony
Cc: jamesjtz@aol.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/9/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
James Gauer	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 9, 2017 11:00 AM
To: AEN Testimony
Cc: launahele@yahoo.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/9/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Benton	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 9, 2017 10:30 AM
To: AEN Testimony
Cc: ELITEHAWAII@AOL.COM
Subject: Submitted testimony for SB346 on Feb 15, 2017 13:45PM

SB346

Submitted on: 2/9/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
DONNIE BECKER	Individual	Support	No

Comments: no-brainer...!!!!

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 9, 2017 10:17 AM
To: AEN Testimony
Cc: djf991960@hotmail.com
Subject: Submitted testimony for SB346 on Feb 15, 2017 13:45PM

SB346

Submitted on: 2/9/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
David Fukuzawa	Individual	Oppose	No

Comments: I oppose this bill. The increase of the fees would be taxing on my mother-in-law's agricultural business. Since she does not make much money in her business, \$310 is considerably large increase, when the current fee is \$75.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2017 2:52 AM
To: AEN Testimony
Cc: bmurphy420@mail.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/12/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2017 4:56 PM
To: AEN Testimony
Cc: bethhaiku@gmail.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/12/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Beth Savitt	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2017 11:49 AM
To: AEN Testimony
Cc: ablukens@yahoo.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/14/2017

Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Lukens	Individual	Support	Yes

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2017 7:42 AM
To: AEN Testimony
Cc: legechair@gmail.com
Subject: *Submitted testimony for SB346 on Feb 15, 2017 13:45PM*

SB346

Submitted on: 2/15/2017
Testimony for AEN/HRE on Feb 15, 2017 13:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Simon Russell	Hawaii Farmers Union United	Support	No

Comments:

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Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

February 15, 2017

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON HIGHER EDUCATION

TESTIMONY ON SB 346
RELATING TO PESTICIDES

Room 224
1:45 PM

Aloha Chairs Gabbard and Kahele, Vice Chairs Riviere and Kidani, and Members of the Committees:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

The Hawaii Farm Bureau supports SB 346, to substantially increase the pesticide licensing fee and amend authorized uses for moneys in the pesticide use revolving fund.

We also support a memorandum of understanding between the department of agriculture and the University of Hawaii CTAHR regarding the expenditure of funds from the pesticide use revolving fund. HFB also supports the establishment of an environmental toxicologist position within DOA and a pesticide extension specialist position within UH CTAHR to assist DOA in fulfilling its duties to regulate and ensure the safe use of pesticides in Hawaii.

HFB supports a robust state pesticide regulatory and education program and believes that, in order to carry out its duties, DOA must be funded adequately.

Thank you for the opportunity to provide these comments and for your support of Hawaii's farmers and ranchers.



Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the Senate Committee on Agriculture and Environment and
the Senate Committee on Higher Education
Wednesday, February 15, 2017 at 1:45 P.M.
Conference Room 224, State Capitol**

LATE

RE: SENATE BILL 346 RELATING TO PESTICIDES

Chair Gabbard, Vice Chair Riviere, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports** SB 346, which increases the pesticide licensing fee and requires annual renewal of the license. Amends authorized uses for moneys in the pesticide use revolving fund. Requires memorandum of understanding between the department of agriculture and the University of Hawaii college of tropical agriculture and human resources regarding the expenditure of funds from the pesticide use revolving fund and a report to the legislature. Establishes an environmental toxicologist position within the department of agriculture and a pesticide extension specialist, through a contract with the department of agriculture, within the University of Hawaii college of tropical agriculture and human resources. Appropriates funds out of the pesticide use revolving fund for specific purposes.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 1,600+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

We support this bill that would substantially increase the pesticide licensing fee and amend authorized uses for moneys in the pesticide use revolving fund. We also support a memorandum of understanding between the department of agriculture and the University of Hawaii CTAHR regarding the expenditure of funds from the pesticide use revolving fund. Furthermore, we also supports the establishment of an environmental toxicologist position within DOA and a pesticide extension specialist position within UH CTAHR to assist DOA in fulfilling its duties to regulate and ensure the safe use of pesticides in Hawaii.

Thank you for the opportunity to testify.

From: [Steve Paselk](#)
To: [AEN Testimony](#)
Subject: Support SB 346 testimony
Date: Tuesday, February 14, 2017 5:13:25 PM

I am in support of increasing licensing fees of pesticides and funding the position of a Pesticide toxicologist. I would say that the fees need to be high enough to fund more than one AG Dept agent per island so that drift monitoring can be done. Also environmental monitoring of soil, runoff water, and ocean reef testing near large agriculture operations should be funded as well, especially where RU pesticides and experimental pesticide tolerance on Gmo test fields is being done. For too long the chemical industry and industrial agriculture has threatened the publics health with impunity. Those of us in areas of heavy exposure areas are tired of the Dept of Ag and the Dept of Health ignoring us and claiming theres nothing we can do- we don't have the funding. Another way to do this would be to establish a higher Get tax rate on commercial pesticide dealers as compared to hardware store.
Stephen Paselk, Paia, Maui, Hawaii

LATE