
A BILL FOR AN ACT

RELATING TO PESTICIDES.

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

1 SECTION 1. The legislature finds that responsible
2 environmental stewardship requires management and supervision of
3 the safe collection and lawful disposal of banned, outdated, or
4 unwanted pesticides. The legislature further finds that the
5 Hawaii pesticides law prohibits the disposal of agricultural
6 pesticides in sanitary landfills, but there are currently no
7 options for the legal disposal of these substances within the
8 State. According to the Pesticide Stewardship Alliance, more
9 than forty states have pesticide disposal programs. The
10 legislature also finds that there is great urgency for the
11 establishment of a pesticide disposal program in this State so
12 that individuals and entities may legally dispose of banned,
13 outdated, or unwanted pesticides.

14 Accordingly, the purpose of this Act is to:

15 (1) Require the department of agriculture, in consultation
16 with the department of health, to develop and
17 implement a pesticide disposal amnesty program to



1 provide a one-time, affordable, and environmentally
2 accessible means for the disposal of restricted use
3 pesticides and non restricted use pesticides from a
4 bona fide agricultural entity;

5 (2) Convene a steering committee to guide and monitor the
6 pesticide disposal amnesty program; and

7 (3) Appropriate funds for purposes of the pesticide
8 disposal amnesty program.

9 SECTION 2. (a) The department of agriculture, in
10 consultation with the department of health, shall develop and
11 implement a pesticide disposal amnesty program to provide a one-
12 time, affordable, and environmentally accessible means for the
13 disposal of restricted use pesticides and non restricted use
14 pesticides from a bona fide agricultural entity.

15 For purposes of this Act, "bona fide agricultural entity"
16 means one or more individuals, a company, corporation, a
17 partnership, an association, or any other type of legal entity
18 in the State that engages or engaged in an agricultural
19 operation as defined in section 46-88(d), Hawaii Revised
20 Statutes; provided that bona fide agricultural entity shall
21 include any successor, heir, or beneficiary that received



1 ownership of any restricted use pesticide or non restricted use
2 pesticide from a bona fide agricultural entity.

3 (b) There shall be established on the islands of Hawaii,
4 Kauai, Lanai, Maui, Molokai, and Oahu disposal locations for
5 restricted use pesticides and non restricted use pesticides as
6 part of the pesticide disposal amnesty program. Each site shall
7 offer the opportunity for disposal of restricted use pesticides
8 and non restricted use pesticides for a duration of fourteen
9 consecutive calendar days during the pesticide disposal amnesty
10 program.

11 (c) The department of agriculture shall operate the
12 pesticide disposal amnesty program as a free or low-cost program
13 to encourage the safe and legal disposal of restricted use
14 pesticides and non restricted use pesticides. The department
15 shall not charge a fee for disposal of restricted use pesticides
16 or non restricted use pesticides that include an active
17 ingredient of restricted use pesticide or non restricted use
18 pesticide weighing less than fifty pounds. The department may
19 impose a fee for disposal of a restricted use pesticide or non
20 restricted use pesticide that includes an active ingredient
21 weighing fifty pounds or more.



1 (d) The department of agriculture shall implement the
2 pesticide disposal amnesty program no later than June 30, 2021,
3 for a duration of fourteen consecutive calendar days.

4 (e) No later than July 31, 2020, the department of
5 agriculture shall convene a pesticide disposal amnesty program
6 steering committee to guide and monitor the pesticide disposal
7 amnesty program. The steering committee shall comprise the
8 advisory committee on pesticides established pursuant to section
9 149A-51, Hawaii Revised Statutes, a representative of the Hawaii
10 Agriculture Research Center, and representatives from any other
11 entity deemed necessary by the chairperson of the board of
12 agriculture.

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2020-2021 for
16 the establishment and operation of the pesticide disposal
17 amnesty program.

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

20 SECTION 4. This Act shall take effect on July 1, 2150.



Report Title:

HDOA; Department of Health; Pesticides; Restricted Use
Pesticides; Non Restricted Use Pesticides; Pesticide Disposal
Amnesty Program; Steering Committee; Appropriation

Description:

Establishes the Pesticide Disposal Amnesty Program within the Department of Agriculture to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted and non restricted use pesticides from a bona fide agricultural entity. Convenes a Pesticide Disposal Amnesty Program Steering Committee to guide and monitor the program. Appropriates funds. Effective 7/1/2150. (HD1)

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

