

JAN 23 2020

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3 the safe collection and lawful disposal of banned, outdated, or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 finds that the Hawaii
5 pesticides law prohibits the disposal of agricultural pesticides
6 in sanitary landfills, but there are currently no options for
7 the legal disposal of these substances within the State.

8 According to the Pesticide Stewardship Alliance, more than forty
9 states have pesticide disposal programs. The legislature finds
10 that there is great urgency for the establishment of a pesticide
11 disposal program in this State so that individuals and entities
12 may legally dispose of banned, outdated, or unwanted pesticides.

13 Accordingly, the purpose of this Act is to:

14 (1) Require the department of agriculture, in consultation
15 with the department of health, to develop and
16 implement a restricted use pesticide disposal amnesty
17 program to provide a one-time, affordable, and



1 environmentally accessible means for the disposal of
2 restricted use pesticides from a bona fide
3 agricultural entity;

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

6 (3) Appropriate funds for purposes of the restricted use
7 pesticide disposal amnesty program.

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

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



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

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

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

19 (d) The department of agriculture shall implement the
20 restricted use pesticide disposal amnesty program no later than



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1 June 30, 2021, for a duration of fourteen consecutive calendar
2 days.

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

12 SECTION 3. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$800,000 or so much
14 thereof as may be necessary for fiscal year 2020-2021 for the
15 establishment and operation of the restricted use pesticide
16 disposal amnesty program.

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

19 SECTION 4. This Act shall take effect on July 1, 2020.

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Report Title:

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

Description:

Establishes the Restricted Use Pesticide Disposal Amnesty Program within the Department of Agriculture to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted use pesticides from a bona fide agricultural entity. Convenes a Restricted Use Pesticide Disposal Amnesty Program Steering Committee to guide and monitor the program. Appropriates funds.

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

