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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 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3 the safe collection and lawful disposal of banned, outdated, or  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12 may legally dispose of banned, outdated, or unwanted pesticides.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 pesticide disposal collection program to  
17           provide a one-time, affordable, and environmentally



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

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

6 (3) Appropriate funds for purposes of the pesticide  
7 disposal collection program.

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

14 (b) There shall be established on the islands of Hawaii,  
15 Kauai, Lanai, Maui, Molokai, and Oahu pesticide disposal  
16 locations as part of the pesticide disposal collection program.  
17 Each site shall offer the opportunity for disposal of non-  
18 restricted and restricted use pesticides during the pesticide  
19 disposal collection program.

20 (c) The department of agriculture shall operate the  
21 pesticide disposal collection program as a free or low-cost



1 program to encourage the safe and legal disposal of non-  
2 restricted and restricted use pesticides. The department shall  
3 not charge a fee for disposal of restricted use pesticides that  
4 include an active ingredient of restricted use pesticide  
5 weighing less than fifty pounds. The department may impose a  
6 fee for disposal of a restricted use pesticide that includes an  
7 active ingredient weighing fifty pounds or more.

8 (d) The department of agriculture shall implement the  
9 pesticide disposal collection program no later than June 30,  
10 2021, for a duration to be determined by the department of  
11 agriculture.

12 (e) No later than July 31, 2020, the department of  
13 agriculture shall convene a pesticide disposal collection  
14 program steering committee to guide and monitor the pesticide  
15 collection program. The steering committee shall comprise the  
16 advisory committee on pesticides established pursuant to section  
17 149A-51, Hawaii Revised Statutes, a representative of the pest  
18 control board, a representative of the Hawaii Agriculture  
19 Research Center, a representative from the Hawaii Farm Bureau, a  
20 representative from the Hawaii Farmers Union United, and



1 representatives from any other entity deemed necessary by the  
2 chairperson of the board of agriculture.

3 (f) For purposes of this Act, "bona fide agricultural  
4 entity" means one or more individuals, a company, corporation, a  
5 partnership, an association, or any other type of legal entity  
6 in the State that engages or engaged in an agricultural  
7 operation as defined in section 46-88(d), Hawaii Revised  
8 Statutes; provided that bona fide agricultural entity shall  
9 include any successor, heir, or beneficiary that received  
10 ownership of any restricted use pesticide from a bona fide  
11 agricultural entity.

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 pesticide disposal collection  
16 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.



**Report Title:**

HDOA; Department of Health; Pesticides; Pesticide Disposal  
Collection Program; Pesticide Disposal Collection Program  
Steering Committee; Appropriation

**Description:**

Establishes the Pesticide Disposal Collection Program within the  
Department of Agriculture to provide a one-time, affordable, and  
environmentally accessible means for the disposal of non-  
restricted and restricted use pesticides from a bona fide  
agricultural entity. Convenes a Pesticide Disposal Collection  
Program Steering Committee to guide and monitor the program.  
Appropriates funds. (SD1)

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

