

Honolulu, Hawaii

FEB 14 , 2020

RE: H.B. No. 1854
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1854 entitled:

"A BILL FOR AN ACT RELATING TO LITTLE FIRE ANTS,"

begs leave to report as follows:

The purpose of this measure is to control the spread of little fire ants in the State by:

- (1) Requiring the use of best practices, as identified by the Department of Agriculture (Department) and Hawaii Ant Lab, for the treatment of little fire ants by pest control operators;
- (2) Authorizing the Department and Pest Control Board to adopt rules to carry out the requirement; and
- (3) Requiring the posting of the best practices, and any rules that may be adopted by the Department and Pest Control Board, on the websites of the Department and Pest Control Board.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs Pest Control Board, Hawaii Pest Control



Association, and Able Pest Management, LLC. Your Committee received comments on this measure from the Department of Agriculture and Office of the Mayor of the County of Hawaii.

Your Committee finds that little fire ants threaten human health, wildlife, agriculture, and tourism. Since first discovered on the island of Hawaii in 1999, little fire ants have been spreading rapidly throughout the State. There are now little fire ant populations on Kauai, Maui, and Oahu.

Your Committee further finds that the Hawaii Ant Lab's methods for treating little fire ants have been successful in controlling infestations on properties of homeowners and farmers. The method targets the source of the infestation, kills the queen, and causes colony collapse. Using less effective methods that do not completely eradicate the infestation allow nests to grow, and little fire ants to spread to surrounding properties. Requiring pest control operators in the State to use the Hawaii Ant Lab's approach when treating little fire ants reduces the likelihood that this invasive species will spread.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, the Department, in conjunction with the Hawaii Ant Lab, to identify best practices for the treatment of little fire ants;
- (2) Deleting references to the adoption of rules by the Department or the Pest Control Board;
- (3) Deleting language that would have amended the powers and duties of the Pest Control Board;
- (4) Inserting language to require applicants for a pest control operator license to be tested on the written examination for knowledge of the current best practices identified by the Department for any pest, including the little fire ant, designated for eradication by emergency rule, and for which a pest control operator might reasonably be expected to treat;
- (5) Subjecting a pest control operator to potential licensing sanctions for failure to report known or suspected cases of little fire ants;



- (6) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1854, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1854, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



NICOLE E. LOWEN, Chair



