

STAND. COM. REP. NO.

3774

Honolulu, Hawaii

JUL 02 2020

RE: H.B. No. 2565  
H.D. 2  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 2565, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PESTICIDES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Pesticide Disposal Collection Program within the Department of Agriculture to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted and nonrestricted use pesticides from a bona fide agricultural entity;
- (2) Convene a Pesticide Disposal Collection Program Steering Committee to guide and monitor the program; and
- (3) Increase fines for pesticide use violations.

Your Committees received testimony in support of this measure from the Department of Health; one member of the Maui County Council; Hawaii Crop Improvement Association; Young Progressives Demanding Action; Greener Hawaii, Hawai'i Center for Food Safety; Larry Jefts Farms, LLC; Hawaii Alliance for Progressive Action; Beyond Organic Consulting, Inc.; Mahana Weddings Maui; We Are One, Inc.; Hawai'i Farm Bureau; Conscious Riddims Records; and dozens of



individuals. Your Committees received testimony in opposition to this measure from the Western Plant Health Association and one individual. Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that responsible environmental stewardship requires management and supervision of the safe collection and lawful disposal of banned, outdated, or unwanted pesticides. Your Committees further find that legal disposal options for pesticides are limited in Hawaii and that the longer pesticides are left unmanaged, the more likely it is that containment measures for those pesticides will fail. This measure addresses this need by establishing a one-time, affordable, and environmentally accessible means for the disposal of pesticides.

Your Committees note that funding for the Pesticide Disposal Collection Program is intended to draw from the \$800,000 allocated to the Department of Agriculture pursuant to the November 21, 2019, plea agreement in U.S.A. v. Monsanto Company. Your Committees additionally find that the \$800,000 settlement payment was deposited into the general revenues of the State. Appropriating those monies to the Pesticide Disposal Collection Program will allow the Department of Agriculture to fulfil its obligations as set forth in the settlement.

Your Committees have amended this measure by:

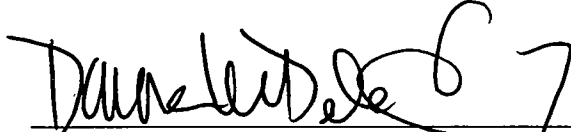
- (1) Allowing the Department of Agriculture to determine the duration of the Pesticide Disposal Collection Program;
- (2) Allowing the Department of Agriculture to determine the maximum amount of pesticide that can be disposed of without incurring a fee through the program;
- (3) Inserting an appropriation amount of \$800,000; and
- (4) Changing the effective date to September 1, 2020.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2565, H.D. 2, S.D. 1, as amended herein, and



recommend that it pass Third Reading in the form attached hereto as H.B. No. 2565, H.D. 2, S.D. 2.

Respectfully submitted on behalf of the members of the Committees on Judiciary and Ways and Means,


  
DONOVAN M. DELA CRUZ, Chair

  
KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

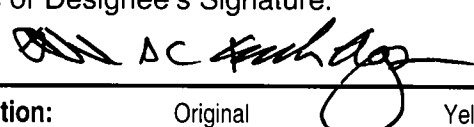
**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2565 HD2 SD1	AEN, JDL/WAM	07/02/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
FEVELLA, Kurt	/			
<b>TOTAL</b>	5			
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2565, HD2, SD1	AEN, JDC.   WAM	7/2/20		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene				
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	12			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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