



# **HAWAII PEST CONTROL ASSOCIATION**

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February 27, 2020

Testimony To: House Committee on Finance  
Representative Sylvia Luke, Chair

Presented By: Tim Lyons, CAE  
Executive Director

Subject: H.B. 2565, HD 2 – RELATING TO PESTICIDES.

Chair Luke and Members of the Committee:

I am Tim Lyons, Executive Director of the Hawaii Pest Control Association, an association composed of pest control operators who perform structural pest control.

We can only support part of this bill.

The discussion on this bill and its intent as introduced focused only on restricted use pesticides. Because our industry only uses one (1) restricted use pesticide and we virtually use all of it, we had no need of a pesticide disposal amnesty program however, in Decision Making the subject matter Committee expanded the scope of this bill to include non-restricted use pesticides, also known as general use pesticides. Our industry does use those and as a result we would very much want to be included in this program. The discussion in the subject matter Committee also had a great deal of concern that large agricultural users might avail themselves of this free

disposal program and as a result, Standing Committee Report 184-20 noted that it is not intended for large revenue agricultural operations. H.D. 2 also sets a limit of five (5) pounds or fifteen (15) gallons and we have no problem with that limitation. However, in order to properly include us we believe that all references to "bona fide agricultural entities" must be deleted or modified to allow structural pest control operators access to the program as well.

Lastly, we object to Part II which raises the fines and penalties. We find that the increase in the fines are drastic. The majority of pest control operators are small businesses, some which are "one man shows" or with two (2) or three (3) employees. There must be a less painful way of putting them out of business other than hitting them with a \$10,000.00 fine. The current \$5000.00 fine would be difficult enough to overcome. We realize that the language in the bill calls for "not more than" \$10,000.00 and we realize that there is language regarding considering the size of the business however, that is just general instructional language without any real structured application.

It is also important to note that these same fine amounts would apply to individual homeowners who misuse pesticides.

Lastly, we would have similar comments as to the increase in the fines from \$25,000.00 to \$35,000.00 and think that those are outrageous except for in the most outrageous of cases, however we don't find anything in this language that dictates a mitigation of this application.

We have also not heard of cases or situations where the current fines have been insufficient.

Based on the above, we support Part I, with amendments and oppose Part II entirely.

Thank you.