

Honolulu, Hawaii

FEB 12 2021

RE: S.B. No. 719
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 719 entitled:

"A BILL FOR AN ACT RELATING TO PESTICIDES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture, in consultation with the Department of Health, to develop and implement a restricted use pesticide disposal collection program;
- (2) Convene a steering committee to guide and monitor the restricted use pesticide disposal collection program; and
- (3) Increase the monetary penalties for violating the Hawaii pesticides law.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Health; Imua Alliance; Hawai'i Alliance for Progressive Action; Larry Jefts Farms, LLC; Pesticide Action Network; Hawai'i SEED; Hawaii Crop Improvement Association; Hawai'i Farm Bureau; Down to Earth Organic & Natural, and twenty-three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Pest Control Association.



Your Committee finds that many residents of the State are very concerned about the long-term health effects and potential impacts of pesticide drift, especially as the number of large-scale, outdoor, commercial agricultural operations in the State continues to increase. A pesticide disposal program for household pesticide products exists in most counties, but those programs are limited to certain commercial and similar types of pesticide products. The disposal program proposed by this measure would benefit the health and well-being of residents and the environment by removing unused and unwanted pesticide products from the State. The introduction of this measure is timely, as legal disposal options for pesticides are limited in Hawaii.

Your Committee further finds that responsible environmental stewardship requires management and supervision of the safe collection and lawful disposal of banned, outdated, or unwanted pesticides. The existing Hawaii pesticides law prohibits the disposal of agricultural pesticides in sanitary landfills, but there are currently no options for the legal disposal of these substances within the State. Your Committee finds that there is great urgency to establish a pesticide disposal program to enable individuals and entities to legally dispose of banned, outdated, or unwanted pesticides.

Your Committee also finds that the maximum possible fines as currently set in statute have not deterred certain violators of pesticide use abuses and only apply to the business and individuals who repeatedly violate pesticide laws without any attempt to better their practices. Therefore, your Committee finds it appropriate to increase the schedule of fines to deter violations of the State's pesticide laws.

Your Committee has heard concerns about how location sites will be selected for collection and disposal. Historically, disposal sites have been placed near economically disadvantaged communities and native Hawaiian communities.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 719, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 719, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



