

Honolulu, Hawaii

MAY 02 2023

RE: S.B. No. 743  
S.D. 1  
H.D. 1  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 743, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COFFEE PEST CONTROL,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Extend the Coffee Berry Borer and Coffee Leaf Rust Pesticide Subsidy Program to June 30, 2025, and to reestablish it as the Pesticide and Fertilizer Subsidy Program to encompass fertilizers in addition to pesticides;
- (2) Extend the program manager position, including the position's civil service and collective bargaining laws exemption, to June 30, 2026;



- (3) Require the Department of Agriculture to report to the Legislature; and
- (4) Appropriate funds for the operation and implementation of the Pesticide and Fertilizer Subsidy Program.

Your Committee on Conference finds that the Coffee Berry Borer Pesticide Subsidy Program was established by Act 105, Session Laws of Hawaii 2014 (Act 105), and has since undergone several legislative updates, continuations, and improvements to combat the effects of coffee berry borer as well as coffee leaf rust that threaten the coffee plant in Hawaii. Therefore, this measure further extends and improves upon the ongoing statewide coffee disease control and mitigation effort by appropriating funds for protection of the threatened coffee plant in Hawaii and extending funding for the program positions related to this effort.

Your Committee on Conference have amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Reverting the Pesticide and Fertilizer Subsidy Program to the program's preexisting name, the Pesticide Subsidy Program;
- (3) Removing references to fertilizer from the measure;
- (4) Inserting an appropriation amount of \$150,000 for fiscal year 2023-2024 into and out of the Pesticide Use Revolving Fund for the Pesticide Subsidy Program;
- (5) Amending section 2 to reflect its amended purpose;
- (6) Making it effective upon its approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 743, S.D. 1, H.D. 1, as amended herein, and recommends that



it pass Final Reading in the form attached hereto as S.B. No. 743,  
S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

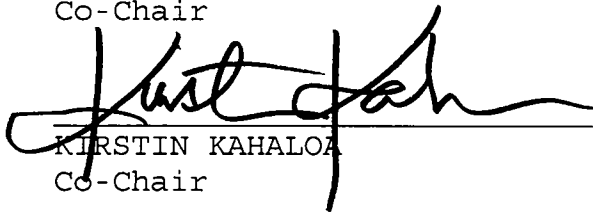
ON THE PART OF THE SENATE



\_\_\_\_\_  
CEDRIC ASUEGA GATES  
Co-Chair



\_\_\_\_\_  
MIKE GABBARD  
Chair



\_\_\_\_\_  
KIRSTIN KAHALOHA  
Co-Chair



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HENRY J.G. AQUINO  
Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 743, SD 1, HD 1</b>					Date/Time: <b>April 28 2023 , 4:30pm</b>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
GABBARD, Mike, Chr.		✓	/			GATES, Cedric Asuega, Co-Chr.		✓	/		
AQUINO, Henry J.C., Co-Chr.		✓	/			KAHALOA, Kirstin, Co-Chr.		✓	/		
RICHARDS, III, Herbert M. "Tim"		✓	/			COCHRAN, Elle		✓	/		
						MORIKAWA, Dee		✓	/		
						WARD, Gene		✓	/		
TOTAL		3				TOTAL		5			
A = Aye		WR = Aye with Reservations			N = Nay			E = Excused			
Senate Recommendation is:						House Recommendation is:					
<input checked="" type="checkbox"/> Adopted <input checked="" type="checkbox"/> Not Adopted						<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature:						House Lead Chair's or Designee's Signature:					
Distribution: Original				Yellow				Pink			
File with Conference Committee Report				House Clerk's Office				Senate Clerk's Office			
								Goldenrod			
								Drafting Agency			