

STAND. COM. REP. NO.

3073

Honolulu, Hawaii

MAR 13 2024

RE: H.B. No. 2136
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred H.B. No. 2136, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Agriculture to establish and implement a pesticide inspection program that:

- (1) Increases compliance with proper use of restricted use pesticides by agricultural producers;
- (2) Ensures the continued prohibition on the use of chlorpyrifos; and
- (3) Informs the public of the most recent pesticide inspection results for agricultural producers.

Your Committee received testimony in support of this measure from the Hawai'i Farmers Union United, Hawai'i Alliance for Progressive Action, Democratic Party of Hawai'i, and six individuals.



Your Committee received comments on this measure from the Department of Agriculture, Hawai'i Farm Bureau, and Hawaii Crop Improvement Association.

Your Committee finds that pesticide exposure can cause significant harm to public health and the environment, especially restricted use pesticides, as deemed by the State. This measure will protect the health of the environment and people by increasing compliance with the pesticides law through inspections and promoting transparency and accountability within the agricultural sector regarding the use of restricted use pesticides in the State.

Your Committee recognizes that the Department of Agriculture currently has a fully functional pesticide inspection program that is implemented by its Pesticides Branch. Your Committee notes that the Pesticides Branch uniformly inspect and regulates the use of restricted use and general use pesticides by all users, including those of the landscaping, ornamental and nursery, and pest control industries. Your Committee further notes that the results of the Pesticides Branch's inspections are already available to the public via a records request under Hawaii's Public Records Law or the Department of Agriculture's website.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required the pesticide inspection program to inform the public of the most recent pesticide inspection results for agricultural producers; and
- (2) Deleting references to agricultural producers, including the definition of an agricultural producer, to expand the scope of the pesticide inspection program to apply to all users of restricted use pesticides, including chlorpyrifos.

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 H.B. No. 2136, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2136,



H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.


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


MIKE GABBARD, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2136, HD2	AEN, CPN WAM	03/11/124		
<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
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)	X			
DECOITE, Lynn	X			
RHOADS, Karl	X			
AWA, Brenton	X			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes