

STAND. COM. REP. NO.

3034

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 3316
S.D. 1

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

Sir:

Your Committees on Commerce and Consumer Protection and Ways and Means, to which was referred S.B. No. 3316 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) Require monthly rather than annual reporting of restricted use pesticides;
- (2) Amend the contents of reports to include specific geospatial data and information, specific site information including commodity or crop information, and increased detail on the amount of restricted use pesticides used; and
- (3) Require the Department of Agriculture to develop an online reporting tool for restricted use pesticides.

Your Committees received testimony in support of this measure from the Green Party of Hawai'i, Kauai Climate Action Coalition, When We Shine Foundation, Kanalani Ohana Farm, Hawai'i Alliance for Progressive Action, Hawai'i Farmers Union United, Greener Hawaii, and forty-seven individuals.



Your Committees received testimony in opposition to this measure from the Department of Agriculture, Hawaii Pest Control Association, Hawai'i Farm Bureau, National Pest Management Association, and one individual.

Your Committees received comments on this measure from Sugarland Farms, Inc. and CropLife America.

Your Committees find that restricted use pesticide exposure can cause significant harm to public health and the environment. Act 45, Session Laws of Hawaii 2018, established certain requirements intended to address and curb restricted use pesticide abuse in Hawaii, and required all users of restricted use pesticides to annually report their use to the Department of Agriculture. However, your Committees find that the infrequency of these reports and the lack of detailed information provided therein have made it difficult for policymakers, environmental experts, and the residents who reside near large tracts of agricultural land where restricted use pesticides are commonly sprayed, to determine what was sprayed, where, when, and in what quantities. This measure updates the Hawaii Pesticides Law by improving the reporting requirements relating to restricted use pesticides to allow policymakers and public health experts to better monitor and make evidence-based decisions regarding its use.

However, your Committees recognize the concerns raised in testimony regarding the challenges that monthly reporting would place on small farm operations and other small agricultural businesses that use restricted use pesticides. Your Committees also recognize the concerns regarding the reporting of specific site information, including commodity or crop information as the disclosure can lead to an increase in trespassing, vandalism, and theft.

Accordingly, your Committees have amended this measure by:

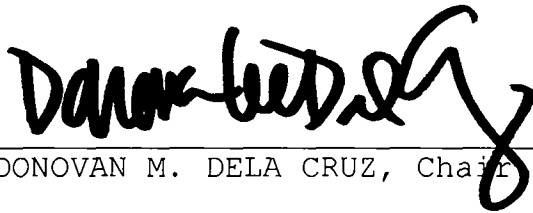
- (1) Deleting language that would have required monthly reporting of pesticide use and replacing it with language that requires quarterly reporting of restricted pesticide use to the Department of Agriculture;



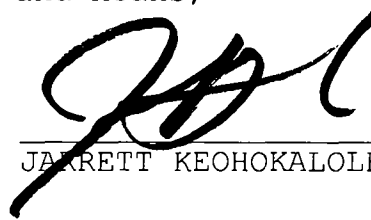
- (2) Deleting language that would have required the contents of the reports to include, and the Department of Agriculture to disclose to the public, specific site information including commodity or crop information where the restricted use pesticide application occurred;
- (3) Inserting an effective date of July 1, 2040, to encourage further discussion;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3316, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3316, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and Ways
and Means,



DONOVAN M. DELA CRUZ, Chair



JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

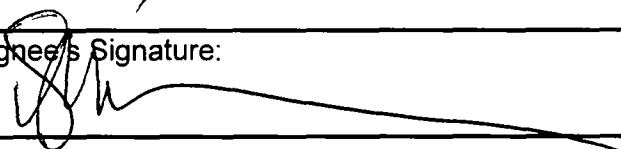
Record of Votes
 Committee on Commerce and Consumer Protection
 CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3316	AEN, CPN/W&M	3/1/2024		
<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
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.		WR		✓
RICHARDS, III, Herbert M. "Tim"		✓		
AWA, Brenton	✓			
TOTAL	3	1		1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Carol Fukunaga</i>				
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
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3310	AEN, CPN/WAM	3/1/24		
<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			
MORIWAKI, Sharon Y. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn		X		
HASHIMOTO, Troy N.	X			
INOUE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
SHIMABUKURO, Maile S.L.				X
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	11	1	0	1
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