

MAR 18 2008

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF
EDUCATION TO CONDUCT A FULL INVESTIGATION INTO THE CAUSES
OF ILLNESSES REPORTED BY STUDENTS AND TEACHERS AT WAIMEA
CANYON MIDDLE SCHOOL DURING OCCASIONS IN 2006, 2007, AND
2008.

1 WHEREAS, on January 25, 2008, ten students and one teacher
2 at Waimea Canyon Middle School on Kauai were sent to the
3 emergency room with symptoms of headaches, nausea, and dizziness
4 due to a noxious odor; and
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6 WHEREAS, while the source of the odor has not been
7 ascertained, the spraying of pesticide on adjacent farm lands
8 that are being cultivated by Syngenta Seeds, Incorporated, is a
9 potential source, as well as the possible presence of cleome
10 gynandra (stinkweed); and
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12 WHEREAS, the commercial application of agricultural
13 pesticides has been suspected in other incidents of students and
14 teachers becoming ill while on the Waimea Canyon Middle School
15 campus in November 2006 and January 2007, and most recently the
16 incident on January 25, 2008; and
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18 WHEREAS, on February 12, 2008, the Kauai Director of the
19 Hawai'i State Teachers Association requested by letter that the
20 Department of Health (DOH) test the students and teachers for
21 toxic levels of pesticides after the January 25, 2008 incident,
22 and noted that the DOH did not take samples or conduct tests
23 after the incident; and
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25 WHEREAS, S.B. No. 3170, Regular Session of 2008, which
26 would establish a pesticide-free buffer zone around elementary
27 schools and impose a seventy-two hour written notice to all
28 schools in the immediate area of spraying requirement, was
29 amended on February 15, 2008, to establish a working group to
30 develop an action plan for addressing incidents of pesticide



1 exposure at public schools and a monitoring program for affected
2 schools; and

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4 WHEREAS, it is imperative that the source of ongoing
5 occurrences of student and teacher illnesses at Waimea Canyon
6 Middle School be determined with certainty as soon as possible;
7 now, therefore,

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9 BE IT RESOLVED by the Senate of the Twenty-fourth
10 Legislature of the State of Hawaii, Regular Session of 2008, the
11 House of Representatives concurring, that the Department of
12 Health and the Department of Education are requested to conduct
13 a full investigation into the causes of illnesses reported by
14 students and teachers at Waimea Canyon Middle School on Kauai
15 during occasions in 2006, 2007, and 2008, which are suspected to
16 be a result of pesticide applications near or adjacent to the
17 schools; and

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19 BE IT FURTHER RESOLVED that this investigation is requested
20 to include a systematic and scientific approach, toxicology
21 testing, and a comparative study of students, teachers, and
22 staff at Waimea Canyon Middle School and a "control group" at
23 another school that is not adjacent to agricultural operations
24 and therefore not regularly exposed to pesticide spraying; and

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26 BE IT FURTHER RESOLVED that, if current departmental
27 funding does not allow for a full scientific investigation, the
28 departments are requested to develop a comprehensive plan for
29 the investigation and a detailed estimate of the resources
30 necessary to complete the plan; and

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32 BE IT FURTHER RESOLVED that the Department of Health and
33 the Department of Education are requested to submit a report to
34 the Legislature no later than twenty days prior to the Regular
35 Session of 2009, on their findings and recommendations,
36 including:

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38 (1) The results of their investigation as aforescribed;
39 or

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41 (2) The proposed plan and the funding required to
42 determine with certainty whether the students and
43 teachers at Waimea Canyon Middle School on Kauai have
44 incurred any increased health risks as a result of the



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close proximity to agricultural pesticide sprayings,
when compared to schools outside of areas subject to
similar conditions.

BE IT FURTHER RESOLVED that certified copies of this
Concurrent Resolution be transmitted to the Director of Health
and the Superintendent of Education.

OFFERED BY:

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