

STAND. COM. REP. NO.

893

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 1037
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1037, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HEALTH IMPACTS OF PESTICIDES,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Health to establish a mandatory disclosure program for all persons or entities that use pesticides under certain circumstances.

Your Committee received written comments in support of this measure from a Kauai County Councilmember, a Maui County Councilmember, Hawaii Island School Garden Network, Babes Against Biotech, Planned Parenthood of Hawaii, Surfrider Foundation, EcoTipping Points, Pesticide Action Network-North America, American Academy of Pediatrics Hawaii Chapter, and one hundred two individuals. Your Committee received written comments in opposition to this measure from Hawaii Cattlemen's Council, Maui County Farm Bureau, Hawaii Farm Bureau, Monsanto, CropLife America, Dow Agro Sciences, Molokai Chamber of Commerce, Larry Jefts, LLC, Hawaii Crop Improvement Association, Western Plant Health Association, Hawaii Farmers and Ranchers United, DuPont Pioneer, Maui Cattlemen's Association, and two hundred thirty-three individuals. The Department of Health, the Department of Agriculture, and Alexander and Baldwin submitted written comments on this measure.



Your Committee finds that Hawaii's economy relies heavily on agriculture, and due to our year-round growing climate, pesticides have traditionally been used to control disease and insect infestation.

Your Committee understands the public's desire to know where pesticides are being used and recognizes that there is a need to identify the most effective implementing agency to fulfill this desire. To address these issues, your Committee has taken the course of action to provide additional resources to the Department of Agriculture to provide education and enforcement, and has amended this measure by:

- (1) Establishing the program under the authority of the Department of Agriculture, rather than under the Department of Health;
- (2) Applying the pesticide disclosure requirements to all persons or entities that cultivate crops rather than only to those who cultivate crops on two hundred or more acres within a single county;
- (3) Deleting the requirement to include the field number in the pesticide use report;
- (4) Adding a definition for "crops" to section 149A-2, Hawaii Revised Statutes, and deleting all other definitions in the measure, since those terms are already defined in section 149A-2;
- (5) Increasing the balance ceiling on the pesticide use revolving fund to \$500,000; and
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

Your Committee respectfully suggests that as this measure moves forward, subsequent Committees hearing the measure consider whether required rulemaking should be included as part of the program relating to disclosure of pesticide use.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1037, S.D. 1, as amended herein, and recommends that it pass



Third Reading in the form attached hereto as S.B. No. 1037,
S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

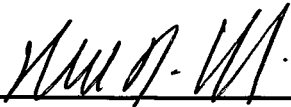


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB1037 SDI	Committee Referral: HTH/AGL/ENE WAM	Date: 3/2/15		
<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
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene				✓
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam	✓			
TOTAL	10	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes