
A BILL FOR AN ACT

RELATING TO COFFEE BERRY BORER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Act 105, Session Laws of Hawaii 2014,
2 established a pesticides subsidy program in the department of
3 agriculture for five years to assist coffee growers with
4 offsetting the costs of purchasing certain pesticides known to
5 be effective against the coffee berry borer, a highly
6 destructive coffee pest that has infested coffee crops on Hawaii
7 island, and more recently has been detected on Oahu and Maui.
8 Act 152, Session Laws of Hawaii 2015, established a
9 pesticide subsidy program manager position as a full-time,
10 temporary position exempt from chapter 76 and 89, Hawaii Revised
11 Statutes. Section 76-16(b)(17), Hawaii Revised Statutes,
12 provides that any exemption created after July 1, 2014, shall
13 expire three years after its enactment unless affirmatively
14 extended by an act of the legislature. Pursuant to section 76-
15 16(b)(17), the exemption from civil service of the pesticide
16 subsidy program manager position will expire on June 30, 2018,



1 three years after it was created by Act 152, Session Laws of
2 Hawaii 2015.

3 Because it took longer than anticipated for Act 105 to be
4 implemented, Act 65, Session Laws of Hawaii 2017, extended the
5 pesticide subsidy program from its original sunset date of June
6 30, 2019, to a new sunset date of June 30, 2021, to assist
7 coffee growers for the number of years intended when Act 105 was
8 enacted. However, Act 65 did not extend the civil service
9 exemption of the pesticide subsidy program manager position.

10 Pursuant to section 3(c) of Act 105, Session Laws of Hawaii
11 2014, to be eligible for subsidy, applications for subsidy for
12 pesticide purchases made in a fiscal year must be filed in the
13 immediately following fiscal year. For pesticide purchases made
14 in the last fiscal year of the program, from July 1, 2020, to
15 June 30, 2021, applications for the subsidy must be filed in the
16 immediately following fiscal year, anytime between July 1, 2021,
17 and July 2022. The manager position will be needed to process
18 these applications for subsidies for costs incurred in the final
19 year of the program.

20 The purpose of this Act is to extend the civil service
21 exemption of the pesticide subsidy program manager position to



1 correspond with the extension of the program pursuant to Act 65
 2 and to further extend the exemption of that position through the
 3 fiscal year immediately following the program sunset date in
 4 order to process applications for subsidies for costs incurred
 5 in the final year of the program.

6 SECTION 2. Act 105, Session Laws of Hawaii 2014, section
 7 3, as amended by Act 152, Session Laws of Hawaii 2015, and Act
 8 65, Session Laws of Hawaii 2017, is amended by amending
 9 subsection (g) to read as follows:

10 "(g) There is established within the department a
 11 pesticide subsidy program manager position, which shall be a
 12 full-time, temporary position exempt from chapters 76 and 89,
 13 Hawaii Revised Statutes. The pesticide subsidy program manager
 14 shall possess a requisite level of knowledge and expertise in
 15 the area of program management necessary to carry out the duties
 16 of the position. The pesticide subsidy program manager shall:

- 17 (1) Facilitate the efficient division and distribution of
- 18 available subsidy funds; and
- 19 (2) Manage the day-to-day coordination for the pesticide
- 20 subsidy program.



1 The pesticide subsidy program manager shall receive a
2 salary of not more than \$50,000 per year. The pesticide subsidy
3 program manager position shall expire on June 30, 2022."

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 31, 2150.



Report Title:

Coffee Berry Borer; Pesticide Subsidy Program Manager Position

Description:

Extends through June 30, 2022, the exemption from chapter 76, Hawaii Revised Statutes, of the pesticide subsidy program manager position in order to provide assistance to local coffee farmers for pesticide costs incurred through the final year of the program. (HB2305 HD1)

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