

Honolulu, Hawaii
February 9, 2018

RE: H.B. No. 1756
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and
Agriculture, to which was referred H.B. No. 1756 entitled:

"A BILL FOR AN ACT RELATING TO PESTICIDES,"

beg leave to report as follows:

The purpose of this measure is to ban the distribution, sale,
use, storage, and manufacturing of chlorpyrifos within the State.

The Hawaii Nurses Association, OPEIU Local 50, GMO Free
Kaua'i, 'Ohana O Kaua'i, Patients Without Time, Kuaiwi Farm, Ka
Ohana O Na Pua, Hawai'i Alliance for Progressive Action, Oahu
County Committee on Legislative Priorities of the Democratic Party
of Hawaii, Animal Rights Hawai'i, We Are One, Inc., Maui Farmers
Union United, Hawaii Center for Food Safety, Cuddle Party,
StressFreeSouls, Sierra Club of Hawai'i, Beyond Pesticides,
IMUAlliance, Life of the Land, Hawaii Children's Action Network,
Pesticide Action Network, Pono Hawai'i Initiative, Civic Education
Council, Hawaii Psychological Association, and numerous concerned
individuals supported this measure. The University of Hawai'i
College of Tropical Agriculture and Human Resources, Department of
Agriculture, Hawaii Crop Improvement Association, Western Plant
Health Association, The Society for Hawaii Heritage Animals,
Hawai'i Farm Bureau, Hawaii Aquaculture & Aquaponics Association,
Dow DuPont, Hawaii Cattlemen's Council, Inc., and many concerned



individuals opposed this measure. The Department of Health provided comments.

Your Committee finds that an Environmental Protection Agency (EPA) risk assessment found that there are no safe levels of exposure to chlorpyrifos. Your Committee further finds that the EPA found that all workers who mix and apply chlorpyrifos are exposed to unsafe levels of the pesticide even with maximum personal protective equipment and engineering controls. The EPA found that there are also no safe levels of chlorpyrifos in drinking water, and all food exposures to chlorpyrifos exceed safe levels., and that the pesticide drift of chlorpyrifos itself reaches unsafe levels at 300 feet of field edge. Your Committee notes that the EPA found that the toxicity of chlorpyrifos results in more than 10,000 human deaths a year. Several European countries have banned the use of chlorpyrifos.

Your Committee further notes that the Department of Health (DOH) states in its testimony, "[b]ased on the science presented in the U.S. Environmental Protection Agency's most recent human health risk assessment in 2016, DOH supports a ban or implementation of additional restrictions, including protective buffer zones to protect pregnant women and their children."

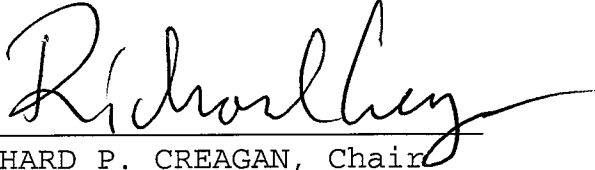
Your Committees have amended this measure by:

- (1) Changing its effective date to January 28, 2045, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1756, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1756, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Agriculture,



RICHARD P. CREAGAN, Chair



CHRIS LEE, Chair



Record of Votes of the Committee on Energy & Environmental Protection

| Bill/Resolution No.: HB 1796 | Committee Referral: EEP/AGR, CPC, FIN | Date: 2/8/2018 | | |
|---|---|--------------------------|----------|----------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| EEP Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. LEE, Chris (C) | / | | | |
| 2. LOWEN, Nicole E. (VC) | / | | | |
| 3. CULLEN, Ty J.K. | / | | | |
| 4. KONG, Sam Satoru | | / | | |
| 5. McKELVEY, Angus L.K. | / | | | |
| 6. TODD, Chris | / | | | |
| 7. YAMANE, Ryan I. | / | | | |
| 8. MCDERMOTT, Bob | | / | | |
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| TOTAL (8) | 6 | 2 | 0 | 0 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div> | | | | |
| Vice Chair's or designee's signature: <u><i>Nicole E. Lowen</i></u> | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |

Record of Votes of the Committee on Agriculture

| Bill/Resolution No.: HB 1756 | Committee Referral: EEPIAGR, CPC, FIN | Date: 2-8-18 | | |
|--|---|------------------------|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| AGR Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. CREAGAN, Richard P. (C) | ✓ | | | |
| 2. DeCOITE, Lynn (VC) | | ✓ | | |
| 3. GATES, Cedric Asuega | ✓ | | | |
| 4. ING, Kaniela | | | | ✓ |
| 5. SAY, Calvin K.Y. | | | | ✓ |
| 6. TAKAYAMA, Gregg | | ✓ | | |
| 7. THIELEN, Cynthia | | ✓ | | |
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| TOTAL (7) | 2 | 3 | | 2 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| If joint referral, _____ did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature: <i>Lynn DeCorte</i> | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |