

STAND. COM. REP. NO.

3439

Honolulu, Hawaii

MAY 12 2020

RE: H.B. No. 1854
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred H.B. No. 1854, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LITTLE FIRE ANTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Agriculture, in conjunction with the Hawaii Ant Lab, to identify best practices for the treatment of little fire ants by pest control operators;
- (2) Require the posting of any best practices identified by the Department of Agriculture on its website;
- (3) Require applicants for a pest control operator license to be tested, through a written examination, on the current best practices, as identified by the Department of Agriculture, on treatment of pests, including the little fire ant; and
- (4) Subject a pest control operator to potential licensing sanctions for failure to report known or suspected cases of little fire ants.



Your Committee received testimony in support of this measure from the Mayor of the County of Hawaii and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Pest Control Association. Your Committee received comments on this measure from the Department of Agriculture and State Pest Control Board.

Your Committee finds that several testifiers raised concerns about language in the bill that relates to written examinations to obtain a pest control operator license and mandated reporting requirements for pest control operators. Your Committee further finds that pest control technology changes, and insects can also evolve over time to develop resistance to chemicals after repeated exposures. The language in this measure ensures the evolution of best management practices with any observed changes in the little fire ant populations in the State.


Your Committee has amended this measure by:

- (1) Removing language requiring applicants for a pest control operator license to be tested, through a written examination, on the current best practices, as identified by the Department of Agriculture, on the treatment of pests, including the little fire ant;
- (2) Removing language subjecting a pest control operator to potential licensing sanctions for failure to report known or suspected cases of little fire ants;
- (3) Clarifying that it is unlawful to apply pesticides when it defeats the best practices for the treatment of little fire ants, as identified by the Department of Agriculture;
- (4) Clarifying that training for invasive species be based on the best available technology and best practices in a manner consistent with state and federal laws;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1854, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1854, H.D. 1, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* HB 1854, HDI	Committee Referral: AEN, CPH	Date: 03/11/2020		
<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
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)	X			
RHOADS, Karl	X			
THIELEN, Laura H.	X			
FEVELLA, Kurt				X
TOTAL	4	0	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