A BILL FOR AN ACT

RELATING TO PESTICIDES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

SECTION 1. The legislature finds that responsible environmental stewardship requires management and supervision of the safe collection and lawful disposal of banned, outdated, or unwanted pesticides. The legislature finds that the Hawaii pesticides law prohibits the disposal of agricultural pesticides in sanitary landfills, but there are currently no options for the legal disposal of these substances within the State. According to the Pesticide Stewardship Alliance, more than forty states have pesticide disposal programs. The legislature finds that there is great urgency for the establishment of a pesticide disposal program in this State so that individuals and entities may legally dispose of banned, outdated, or unwanted pesticides. Accordingly, the purpose of this Act is to:

(1) Require the department of agriculture, in consultation with the department of health, to develop and implement a restricted use pesticide disposal amnesty program to provide a one-time, affordable, and
environmentally accessible means for the disposal of restricted use pesticides from a bona fide agricultural entity;

(2) Convene a steering committee to guide and monitor the restricted use pesticide disposal amnesty program; and

(3) Appropriate funds for purposes of the restricted use pesticide disposal amnesty program.

SECTION 2. (a) The department of agriculture, in consultation with the department of health, shall develop and implement a restricted use pesticide disposal amnesty program to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted use pesticides from a bona fide agricultural entity.

For purposes of this Act, "bona fide agricultural entity" means one or more individuals, a company, corporation, a partnership, an association, or any other type of legal entity in the State that engages or engaged in an agricultural operation as defined in section 46-88(d), Hawaii Revised Statutes; provided that bona fide agricultural entity shall include any successor, heir, or beneficiary that received
ownership of any restricted use pesticide from a bona fide agricultural entity.

(b) There shall be established on the islands of Hawaii, Kauai, Lanai, Maui, Molokai, and Oahu restricted use pesticide disposal locations as part of the restricted use pesticide disposal amnesty program. Each site shall offer the opportunity for disposal of restricted use pesticides for a duration of fourteen consecutive calendar days during the restricted use pesticide disposal amnesty program.

(c) The department of agriculture shall operate the restricted use pesticide disposal amnesty program as a free or low-cost program to encourage the safe and legal disposal of restricted use pesticides. The department shall not charge a fee for disposal of restricted use pesticides that include an active ingredient of restricted use pesticide weighing less than fifty pounds. The department may impose a fee for disposal of a restricted use pesticide that includes an active ingredient weighing fifty pounds or more.

(d) The department of agriculture shall implement the restricted use pesticide disposal amnesty program no later than
June 30, 2021, for a duration of fourteen consecutive calendar days.

(e) No later than July 31, 2020, the department of agriculture shall convene a restricted use pesticide disposal amnesty program steering committee to guide and monitor the restricted use pesticide amnesty program. The steering committee shall comprise the advisory committee on pesticides established pursuant to section 149A-51, Hawaii Revised Statutes, a representative of the Hawaii Agriculture Research Center, and representatives from any other entity deemed necessary by the chairperson of the board of agriculture.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $800,000 or so much thereof as may be necessary for fiscal year 2020-2021 for the establishment and operation of the restricted use pesticide disposal amnesty program.

The sum appropriated shall be expended by the department of agriculture for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2020.
Report Title:
HDOA; Department of Health; Pesticides; Restricted Use Pesticide Disposal Amnesty Program; Restricted Use Pesticide Disposal Amnesty Program Steering Committee; Appropriation

Description:
Establishes the Restricted Use Pesticide Disposal Amnesty Program within the Department of Agriculture to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted use pesticides from a bona fide agricultural entity. Convenes a Restricted Use Pesticide Disposal Amnesty Program Steering Committee to guide and monitor the program. Appropriates funds.

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