

STAND. COM. REP. NO.

74

Honolulu, Hawaii

February 10, 2015

RE: H.B. No. 504
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 504 entitled:

"A BILL FOR AN ACT RELATING TO PESTICIDES,"

begs leave to report as follows:

The purpose of this measure is to enhance the ability of the Department of Agriculture (DOA) and the University of Hawaii College of Tropical Agriculture and Human Resources (CTAHR) to respond to questions about pesticide use and make recommendations for the protection of public safety and the environment by:

- (1) Increasing the pesticide licensing fee from \$75 to \$310 annually and making the term of the license expire after one, instead of three, years;
- (2) Changing the authorized uses of the Pesticide Use Revolving Fund (Revolving Fund) to include:
 - (A) Registration and technical review;
 - (B) Certification;
 - (C) Compliance monitoring activities;
 - (D) Development of an electronic data collection system for all required pesticide reporting;



- (E) Personnel costs;
 - (F) Development of pesticide-related educational materials in conjunction with CTAHR;
 - (G) Demonstration trials in conjunction with CTAHR's Cooperative Extension Service agents to develop integrated management and drift management technologies;
 - (H) A pesticide disposal program; and
 - (I) A pesticide subsidy program;
- (3) Removing the requirement that Revolving Fund moneys in excess of \$250,000 at the close of each fiscal year lapse to the general fund;
 - (4) Requiring DOA, with regard to its annual report on the Revolving Fund, to recommend how to improve pesticide education and regulatory processes within the State and to recommend budget reallocations for the subsequent fiscal year;
 - (5) Requiring DOA and CTAHR to execute a memorandum of understanding on the expenditure of moneys from the Revolving Fund;
 - (6) Establishing and funding an environmental toxicologist position within DOA and having this toxicologist enter into a memorandum of understanding with the Department Health toxicologist to define a collaborative relationship between the two positions;
 - (7) Establishing and funding a pesticide extension specialist within CTAHR to be funded by the Revolving Fund;
 - (8) Appropriating fund from the Revolving Fund for registration and technical review, certification activities, compliance monitoring expenses, the development of an electronic data collection system, the development of pesticide-related educational materials, demonstration trials to develop integrated management and drift management technologies, and the pesticide disposal program; and



- (9) Repealing the sunset date of Act 168, Session Laws of Hawaii 2010, which removed the requirement that moneys from the Revolving Fund for personnel costs are to be limited to employees under the registration and education section of DOA's Pesticides Branch.

The University of Hawaii System, Alexander & Baldwin, Inc., Hawaii Crop Improvement Association, Hawaii Farm Bureau Federation, Hawaii Cattlemens' Council, Maui County Farm Bureau, Western Plant Health Association, Dow Agrosiences, Dupont Pioneer, Kauai Coffee Company, LLC, and Monsanto Hawaii supported this measure. The Department of Agriculture supported the intent of this measure with amendments. The Consumer Specialty Products Association submitted comments.

Your Committee has amended this measure by:

- (1) Changing the appropriated sums to unspecified sums; and
- (2) Changing the effective date to January 20, 2050.

Should the Committee on Higher Education or the Committee on Finance, or both, further deliberate on this bill, your Committee respectfully requests that they consider the Department of Agriculture's recommendations that would:

- (1) Change the pesticide licensing fee from \$75 to \$150 annually and reinstate the three-year license term;
- (2) Further amend the uses of the Revolving Fund;
- (3) Remove the requirement that DOA and CTAHR execute a memorandum of understanding on the expenditure of moneys from the Revolving Fund;
- (4) Remove the requirement that the DOA and Department of Health environmental toxicologists enter into a memorandum of understanding to define a collaborative relationship between the two positions;
- (5) Remove the CTAHR pesticide extension specialist position;
- (6) Remove all other appropriations from the Revolving Fund in part IV of this bill; and



- (7) Make technical, nonsubstantive amendments for purposes of style, clarity, and consistency.

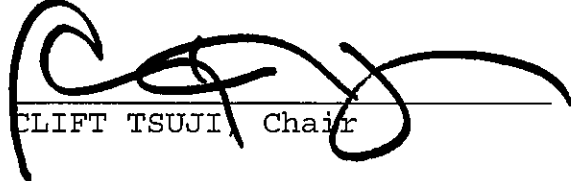
Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating the following amounts for each year of fiscal biennium 2015-2017 in parts III and IV of this bill:

- (1) \$200,000 for operating expenses and the DOA environmental toxicologist position;
- (2) \$200,000 for operating expenses and the CTAHR pesticide extension specialist;
- (3) \$25,000 for registration and technical review;
- (4) \$25,000 for certification activities;
- (5) \$300,000 for compliance monitoring expenses;
- (6) \$750,000 for the development of an electronic data collection system;
- (7) \$400,000 for the development of pesticide-related educational materials;
- (8) \$300,000 to conduct demonstration trials to develop integrated management and drift management technologies; and
- (9) \$500,000 for the pesticide disposal program.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 504, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 504, H.D. 1, and be referred to the Committee on Higher Education.



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


CLIFT TSUJI, Chair



