

Honolulu, Hawaii

February 16, 2017

RE: H.B. No. 790
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and
Agriculture, to which was referred H.B. No. 790 entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION,"

beg leave to report as follows:

The purpose of this measure is to protect the State's
environment and residents from the unintended impacts of large-
scale pesticide use by:

- (1) Making the reporting guidelines of the Kauai
Agricultural Good Neighbor Program mandatory for large-
scale, outdoor commercial agricultural operations across
the State; and
- (2) Establishing disclosure and public notification
requirements for outdoor applications of pesticides in,
as well as in proximity to, schools, healthcare
facilities, childcare and eldercare facilities, and
other sensitive areas.

Hawaii Farmers Union United, Progressive Democrats of Hawaii,
Democratic Party of Hawaii, Hawaii Center for Food Safety, Hawaii
Nurses Association OPEIU Local 50, GMO Free Maui, Americans for
Democratic Action, Hawaii Alliance for Progressive Action,
Pesticide Action Network North America, and numerous individuals
supported this measure. Western Plant Health Association, Hawaii
Crop Improvement Association, Ponoholo Ranch Limited, CorpLife



America, Hawaii Farm Bureau, Dole Food Company, Hawaii Cattlemen's Council, Monsanto, Hawaii Farmers & Ranchers United, and numerous concerned individuals opposed this measure. The Department of Agriculture provided comments.

Your Committees have amended this measure by:

- (1) Specifying that the disclosure and public notification requirements for outdoor applications of pesticides are applicable to annual purchases or uses of restricted use pesticides in excess of 10 pounds or 10 gallons;
- (2) Changing its effective date to January 28, 2081, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 790, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 790, 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 Agriculture

| | | |
|---------------------------------------|--|------------------------|
| Bill/Resolution No.: <i>HB 290</i> | Committee Referral: <i>EEP/AGR, FIN</i> | Date: <i>2-7-17</i> |
|---------------------------------------|--|------------------------|

The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 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. LoPRESTI, Matthew S. | ✓ | | | |
| 6. TAKAYAMA, Gregg | ✓ | | | |
| 7. THIELEN, Cynthia | ✓ | | | |
| TOTAL (7) | 6 | 1 | | |

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: *Lynn DeCorte*

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