
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Urban sprawl, combined with the proliferation
2 of "fake farms" and "gentlemen estates" in agricultural
3 districts, has caused an increasing number of incidents in which
4 farmers have been accused of using pesticides irresponsibly.

5 While none of these accusations have been substantiated, they
6 have significantly increased the burden on the department of
7 agriculture's pesticides branch personnel to ensure that safe
8 and permitted pesticide application and storage practices are
9 being followed.

10 The pesticides use revolving fund was established by the
11 legislature in 1996 and its authorizing statute was amended in
12 2000 to allow the fund to be used to pay for personnel costs,
13 but limited those costs to employees performing registration and
14 education services only. With the increased compliance-
15 monitoring workload and reduced staffing and funding caused by
16 the state's economic downturn, it is reasonable that this
17 revolving fund be used to pay for compliance-monitoring costs



1 incurred because of public demand for protection of the
2 environment and the public's well-being.

3 The purpose of this Act is to remove the requirement that
4 personnel costs from the pesticide use revolving fund be used
5 only for the registration and education section of the
6 pesticides branch of the department of agriculture.

7 SECTION 2. Section 149A-13.5, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) Moneys in the pesticide use revolving fund shall be
10 expended by the department to support the pesticide program's
11 registration and licensing, certification and education, and
12 compliance monitoring activities. The department shall also
13 expend revolving fund moneys on the establishment of pesticide
14 training workshops, educational programs, development of
15 integrated pest management strategies, and other services for
16 pesticide users such as the agricultural pest control industry,
17 the structural pest control industry, and consumer users of
18 pesticides, which provide pesticide instruction in areas
19 including [~~but not limited to~~] the collection, disposal, and
20 recycling of pesticide containers and all other pesticide
21 services deemed necessary by the department. Moneys from the
22 revolving fund may be used for personnel, services, materials,



1 and equipment for the purposes of this section[~~; provided that~~
2 ~~the use of moneys from the revolving fund for personnel costs~~
3 ~~shall be limited to those employees under the registration and~~
4 ~~education section of the department's pesticides branch].~~

5 Moneys expended by the department from the pesticide use
6 revolving fund for training workshops, educational programs, and
7 other services for the agricultural pest control industry, the
8 structural pest control industry, and consumer groups shall be
9 expended in a manner that appropriately addresses the needs of
10 each category of pesticide user."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken.

13 SECTION 4. This Act shall take effect on July 1, 2010;
14 provided that this Act shall be repealed on June 30, 2015, and
15 section 149A-13.5(b), Hawaii Revised Statutes, shall be
16 reenacted in the form in which it read on June 30, 2010.



Report Title:

Pesticide Use Revolving Fund; Personnel Costs

Description:

Authorizes an expansion of the permissible uses of the pesticide use revolving fund by removing the requirement that personnel costs from the fund be used only for employees in the registration and education section of the pesticides branch of the department of agriculture. Sunsets June 30, 2015. (SD1)

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