
A BILL FOR AN ACT

RELATING TO PESTICIDES.

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

1 SECTION 1. The legislature finds that the State of Hawaii
2 has a responsibility to protect individuals from the risks of
3 exposure to pesticide drift and vapor from fields that may have
4 been exposed to pesticides. It is especially important to
5 protect our keiki from exposure to pesticide drift and to
6 preserve the right of Hawaii residents to reject pesticide
7 exposure because of health, moral, or other concerns.

8 The legislature further finds that there is a need for an
9 air testing pilot program to address whether pesticides pose
10 potential risk to the public and environment. The air testing
11 will result in a report estimating exposure to pesticide drift
12 through use of scientific sampling methods to measure pesticide
13 residues and chemicals in ambient air.

14 The purpose of this Act is to implement a pilot program for
15 air testing aimed at pesticide drift and contamination,
16 performed at Waialua High and Intermediate School.



1 SECTION 2. Chapter 342B, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§342B- Air sampling and analysis program. (a)
5 Notwithstanding any other law to the contrary, the department,
6 in consultation with the department of agriculture, the
7 department of education and any other entity as necessary to
8 effectuate the purpose of this section, shall establish and
9 implement an air testing pilot project at Waialua High and
10 Intermediate School on the island of Oahu.

11 (b) No later than December 31, 2017, the department shall
12 prepare plans for the air testing pilot project at Wailua High
13 and Intermediate School on the island of Oahu, including the
14 schedule for implementation and installation, and any other
15 relevant information required for the air testing pilot project.

16 (c) The department shall commence the operations and
17 utilization of the air testing pilot project by January 1, 2018.

18 (d) Nothing in this section shall preclude the department
19 from working with and receiving assistance from any other
20 department or agency in carrying out the purposes of this
21 section.



1 (e) For purposes of this section, an "air testing" means a
2 collection of real-time air quality data samples for testing,
3 analysis, and reporting of air contamination levels for any
4 pesticides, pollutants, and toxic chemicals no less than two
5 times per month for twenty-four consecutive months.

6 (f) The department shall report on the status of the
7 implementation of the air testing pilot project, along with any
8 proposed legislation, to the legislature no later than twenty
9 days prior to:

10 (1) The convening of the regular session of 2018; and

11 (2) The convening of every regular session thereafter
12 until completion of the pilot project.

13 (g) The department may adopt rules pursuant to chapter 91
14 to effectuate this section."

15 SECTION 3. The department shall maximize its use of
16 available public and private alternative financing contracting
17 mechanisms and available grants to fund the air testing pilot
18 project, including but not limited to financing through the
19 United States Environmental Protection Agency, or the United
20 States Department of Health and Human Services; provided that if
21 the department of health determines that such funding is not



1 adequate or feasible, the department shall include in its report
 2 to the legislature, prior to the regular session of 2018, the
 3 department's funding requirements for the air testing pilot
 4 project and submit an appropriate request for funding.

5 SECTION 4. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

Richard Lutz

Jim M. Matis
 Cal SS
 Matt Fyfe
 Cal
 SS
Greg
 Cle. Todd
 Sean Quirk
Jim Matis
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H.B. NO. 1504

Report Title:

Air-quality Study; Pesticide Drift; Pesticide; air testing

Description:

Relating to an air testing pilot program to measure pesticide drift at the Waialua High and Intermediate School on the island of Oahu, by the Department of Health.

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