

JAN 21 2022

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 providing a safe and
2 lawful way to dispose of banned, outdated, or unwanted
3 pesticides is critical to the State's environmental management
4 efforts. While Hawaii prohibits the disposal of agricultural
5 pesticides in sanitary landfills, no safe or legal alternatives
6 for their disposal are currently offered.

7 The legislature recognizes that more than forty states have
8 successfully created low-cost pesticide disposal collection
9 programs to ensure that unwanted agricultural pesticides are
10 safely discarded.

11 Accordingly, the purpose of this Act is to require the
12 department of agriculture, in consultation with the department
13 of health, to develop and implement a one-time, low-cost
14 pesticide disposal collection program.

15 SECTION 2. (a) The department of agriculture, in
16 consultation with the department of health, shall develop and
17 implement a pesticide disposal collection program to provide a



1 one-time, affordable, and accessible means for bona fide
2 agricultural entities and those that have inherited restricted
3 use and nonrestricted use pesticides to dispose of pesticides
4 through a no-questions asked amnesty bin.

5 (b) The department of agriculture shall establish on the
6 islands of Hawaii, Kauai, Lanai, Maui, Molokai, and Oahu
7 disposal locations for restricted use and nonrestricted use
8 pesticides to effectuate the purposes of this Act. Each
9 disposal location shall offer the opportunity for bona fide
10 agricultural entities to dispose of restricted use and
11 nonrestricted use pesticides for thirty days.

12 (c) The department of agriculture shall operate the
13 pesticide disposal collection program as a free program to
14 encourage the safe and legal disposal of restricted use and
15 nonrestricted use pesticides; provided that the department of
16 agriculture shall not charge a fee for the disposal, up to a
17 maximum weight of fifty pounds, of restricted use pesticides or
18 nonrestricted use pesticides.

19 (d) The department of agriculture shall implement the
20 pesticide disposal collection program no later than June 30,
21 2023, and operate the program for thirty days.



1 (e) For purposes of this part, "bona fide agricultural
2 entity" means one or more individuals or a company, corporation,
3 partnership, association, or other legal entity in the State
4 that engages in or has engaged in an agricultural operation as
5 defined in section 46-88(d), Hawaii Revised Statutes, provided
6 that a bona fide agricultural entity shall include any
7 successor, heir, or beneficiary that received from a bona fide
8 agricultural entity any restricted use or nonrestricted use
9 pesticide.

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$800,000 or so much
12 thereof as may be necessary for fiscal year 2022-2023 for
13 establishing and operating the pesticide disposal collection
14 program.

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

17 SECTION 4. This Act shall take effect on July 1, 2022.

18
INTRODUCED BY: Lyn D. Smith



S.B. NO. 2629

Report Title:

Pesticide Disposal Program; Steering Committee; Appropriation

Description:

Requires the Department of Agriculture, in consultation with the Department of Health, to develop and implement a one-time pesticide disposal collection program, for a duration to be determined by the department. Requires the Department of Agriculture to convene a steering committee to guide and monitor the pesticide disposal collection program. Makes an appropriation.

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