
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2 lawful way to dispose of banned, outdated, or unwanted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, pest control operators licensed under
3 chapter 460J, Hawaii Revised Statutes, and other entities that
4 have inherited restricted use and nonrestricted use pesticides,
5 to dispose of pesticides through a pesticide disposal collection
6 program. The advisory committee on pesticides established
7 pursuant to section 149A-51, Hawaii Revised Statutes, shall
8 serve as the steering committee to guide and monitor the
9 program.

10 (b) To effectuate the purposes of this Act, the department
11 of agriculture shall establish on the islands of Hawaii, Kauai,
12 Lanai, Maui, Molokai, and Oahu disposal locations for restricted
13 use and nonrestricted use pesticides. Each disposal location
14 shall offer bona fide agricultural entities and pest control
15 operators licensed under chapter 460J, Hawaii Revised Statutes,
16 a thirty-day opportunity to dispose of restricted use and
17 nonrestricted use pesticides.

18 (c) The department of agriculture shall operate the
19 pesticide disposal collection program as a free program to
20 encourage the safe and legal disposal of restricted use and
21 nonrestricted use pesticides; provided that the department of



1 agriculture shall not charge any entity a fee for the disposal
2 of restricted use pesticides or nonrestricted use pesticides if
3 the cumulative weight of the entity's disposed pesticides does
4 not exceed fifty pounds.

5 (d) The department of agriculture shall implement the
6 pesticide disposal collection program no later than June 30,
7 2023, and operate the program for a duration to be determined by
8 the department of agriculture.

9 (e) For purposes of this part, "bona fide agricultural
10 entity" means a group of one or more individuals, a company, a
11 corporation, a partnership, an association, or any other legal
12 entity in the State that engages in or has engaged in an
13 agricultural operation as defined in section 46-88(d), Hawaii
14 Revised Statutes; provided that a bona fide agricultural entity
15 shall include any successor, heir, or beneficiary that received
16 from a bona fide agricultural entity any restricted use or
17 nonrestricted use pesticide.

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2022-2023 for



1 establishing and operating the pesticide disposal collection
2 program.

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

5 SECTION 4. This Act shall take effect on July 1, 2050.



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 Advisory Committee on Pesticides to serve as a steering committee to guide and monitor the pesticide disposal collection program. Makes an appropriation. Effective 7/1/2050. (SD2)

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