
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 pesticide exposure
2 can cause significant harm to public health and the environment.
3 Restricted use pesticides have been deemed to have high
4 potential to cause harm to surrounding communities, farm
5 workers, pollinators, the environment, and other crops.
6 Comprehensive pesticide use data is therefore essential to
7 accurately assess risks and ensure that communities are
8 protected from adverse impacts.

9 The legislature further finds that Act 45, Session Laws of
10 Hawaii 2018, established requirements intended to address
11 pesticide abuse in Hawai'i, including requiring all users of
12 restricted use pesticides to annually report on their use of
13 restricted use pesticides to the department of agriculture.
14 However, robust and meaningful analysis of environmental and
15 public health impacts of pesticides is contingent on more
16 comprehensive reporting.



1 The legislature also finds that currently, pesticide users
2 are required to report the address, tax map key, and location of
3 the application site, but are not required to provide specific
4 geospatial data that could provide comprehensive mapping of
5 pesticide impacts. This poses difficulties to communities who
6 live adjacent to large tracts of agricultural land. According
7 to the state-sponsored Joint Fact Finding Study Group, Pesticide
8 Use by Large Agribusinesses on Kaua'i (2016), "more information
9 is needed about the time and place of applications along with
10 greater oversight to ensure compliance on all Islands. Again,
11 California appears to lead the nation in studies of chronic
12 health effects and/or associations with pesticide use. They are
13 able to reach this level of scientific inquiry because they
14 require careful reporting of pesticide applications that specify
15 what was sprayed, where, when, and in what quantities."
16 Improved reporting in Hawai'i can provide policymakers and public
17 health experts with important data with which to make evidence-
18 based decisions about pesticide use.

19 The purpose of this Act is to protect the health of
20 Hawai'i's environment and people and enable more informed public



1 health decision-making through improving reporting requirements
2 for restricted use pesticides by:

3 (1) Requiring quarterly rather than annual reporting of
4 all use of restricted use pesticides;

5 (2) Amending the contents of the reports to include
6 detailed geospatial information and increased detail
7 and uniformity regarding the amount of product and
8 chemicals applied; and

9 (3) Requiring the department of agriculture to develop an
10 online reporting tool for restricted use pesticides.

11 SECTION 2. Section 149A-26, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "[+]§149A-26[+] Post-application reporting of pesticide
14 use. (a) [~~Beginning January 1, 2019, every~~] Every user of
15 restricted use pesticides shall be subject to the requirement to
16 submit to the department, for departmental use, [~~an annual~~] a
17 quarterly report of all use of restricted use pesticides as
18 provided in this section.

19 (b) No later than thirty days following the end of each
20 calendar [~~year,~~] quarter, every entity that uses restricted use



1 pesticides shall provide to the department a report of all
2 restricted use pesticides used during the preceding calendar
3 [~~year.~~] quarter.

4 (c) The department shall adopt rules pursuant to chapter
5 91 requiring that the [~~annual~~] quarterly reports include the
6 following information:

7 (1) A listing, by federal and state registrations or
8 permit numbers, commercial product names, and active
9 ingredients, of all restricted use pesticides used;

10 (2) The total quantities used for each restricted use
11 pesticide~~[-]~~, listed by type in pounds of active
12 ingredient applied and percentage of active ingredient
13 found in any restricted use pesticide applied;

14 (3) A [~~general~~] detailed description of the geographic
15 location, including, at a minimum~~[-the]~~:

16 (A) Geospatial data and information up to an area of
17 one square mile; and

18 (B) The tax map key number, at which the restricted
19 use pesticides were used; and



1 (4) The date on which the restricted use pesticide
2 application occurred."

3 SECTION 3. Section 149A-27, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[~~§~~§149A-27[~~§~~] **Public reports; contents.** The department
6 shall produce a summary, for public disclosure, by county, that
7 includes:

- 8 (1) The total quantities used, by federal and state
9 registrations or permit numbers, commercial product
10 names, and active ingredients, for each restricted use
11 pesticide used[~~;~~and], including a breakdown by type
12 in pounds of active ingredient applied and percentage
13 of active ingredient found in any restricted use
14 pesticide applied;
15 (2) The amount of area in the county in which the
16 restricted use application occurred[~~;~~]; and
17 (3) Geospatial data and information up to an area of one
18 square mile where the restricted use pesticide
19 application occurred."



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1 SECTION 4. The department of agriculture shall develop an
2 online reporting tool for restricted use pesticide reporting
3 pursuant to section 149A-26, Hawaii Revised Statutes.

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.

7

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Report Title:

DOA; Pesticides; Restricted Use; Geospatial Data; Reports;
Online Reporting Tool

Description:

Requires quarterly rather than annual reporting of all use of restricted use pesticides. Amends the contents of reports to include specific geospatial data and information and increased detail on the amount of restricted use pesticides used. Requires the Department of Agriculture to develop an online reporting tool for restricted use pesticides.

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