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# 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 Hawaii, 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 and  
14 biosecurity. However, robust and meaningful analysis of  
15 environmental and public health impacts of pesticides is  
16 contingent on more 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's report,  
8 Pesticide Use by Large Agribusinesses on Kaua'i (2016), "more  
9 information is needed about the time and place of applications  
10 along with greater oversight to ensure compliance on all  
11 Islands. Again, California appears to lead the nation in  
12 studies of chronic health effects and/or associations with  
13 pesticide use. They are able to reach this level of scientific  
14 inquiry because they require careful reporting of pesticide  
15 applications that specify what was sprayed, where, when, and in  
16 what quantities." Improved reporting in Hawaii can provide  
17 policymakers and public health experts with important data with  
18 which to make evidence-based decisions about pesticide use.

19           The purpose of this Act is to protect the health of  
20 Hawaii'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 certain uses 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;

9 (3) Exempting wood preservative pesticides from reporting  
10 requirements; and

11 (4) Requiring the department of agriculture and  
12 biosecurity to develop an online reporting tool for  
13 restricted use pesticides.

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

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



1 provided in this section~~(-)~~; provided that this section shall  
2 not apply to:

3 (1) The application of a wood preservative pesticide; and

4 (2) The application of any restricted use pesticide by the  
5 department of health.

6 (b) No later than thirty days following the end of each  
7 calendar [~~year,~~] quarter, every entity that uses restricted use  
8 pesticides shall provide to the department a report of all  
9 restricted use pesticides used during the preceding calendar  
10 [~~year.~~] quarter.

11 (c) The department shall adopt rules pursuant to chapter  
12 91 requiring that the [~~annual~~] quarterly reports include the  
13 following information:

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

17 (2) The total quantities used for each restricted use  
18 pesticide~~(-)~~, listed by type in pounds of active  
19 ingredient applied and percentage of active ingredient  
20 found in any restricted use pesticide applied;



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

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

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

7 (4) The date on which the restricted use pesticide  
8 application occurred."

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

11 "[~~§~~149A-27[~~]~~] **Public reports; contents.** The department  
12 shall produce a summary, for public disclosure, by county, that  
13 includes:

14 (1) The total quantities used, by federal and state  
15 registrations or permit numbers, commercial product  
16 names, and active ingredients, for each restricted use  
17 pesticide used[~~, and~~], including a breakdown by type  
18 in pounds of active ingredient applied and percentage  
19 of active ingredient found in any restricted use  
20 pesticide applied;



- 1           (2) The amount of area in the county in which the
- 2                   restricted use application occurred~~[ ]~~; and
- 3           (3) Geospatial data and information up to an area of one
- 4                   square mile where the restricted use pesticide
- 5                   application occurred."

6           SECTION 4. The department of agriculture and biosecurity  
7 shall develop an online reporting tool for restricted use  
8 pesticide reporting pursuant to section 149A-26, Hawaii Revised  
9 Statutes.

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

12           SECTION 6. This Act shall take effect on July 1, 2050.



**Report Title:**

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

**Description:**

Requires quarterly rather than annual reporting of certain uses 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. Exempts wood preservative pesticides from reporting requirements. Requires the Department of Agriculture and Biosecurity to develop an online reporting tool for restricted use pesticides. Effective 7/1/2050. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

