

SUBJECT: Creating a fund and outlining a program for pesticide disposal

COMMITTEE: Agriculture and Livestock — committee substitute recommended

VOTE: 6 ayes — T. King, González, C. Anderson, Burrows, Cyrier, Stucky
1 nay — Rinaldi

WITNESSES: For — (*Registered, but did not testify:* Cyrus Reed, Lone Star Chapter Sierra Club; Sarah Floerke Gouak, Lower Colorado River Authority; Donnie Dippel, Texas Ag Industries Association; Jim Reaves, Texas Farm Bureau; Ron Hufford, Texas Forestry Association; Patrick Wade, Texas Grain Sorghum Association; Jeff Stokes, Texas Nursery & Landscape Association; Todd Kercheval, Texas Pest Control Association; Robert Turner, Texas Poultry Federation)

Against — None

On — Leslie Smith and Philip Wright, Texas Department of Agriculture; (*Registered, but did not testify:* Travis Miller, Texas A&M AgriLife Extension Service)

BACKGROUND: Agriculture Code, sec. 76.044 requires the Texas Department of Agriculture to charge a fee for each new pesticide registration or renewal of a previous pesticide registration.

DIGEST: CSHB 572 would require the Texas Department of Agriculture (TDA), in coordination with Texas Commission on Environmental Quality (TCEQ) and the Texas A&M AgriLife Extension Service, to organize pesticide waste and container collection activities statewide and facilitate the collection of canceled, unregistered, or otherwise unwanted pesticide products and containers. TDA, TCEQ, and the Texas A&M AgriLife Extension Service could contract for services to implement these collection activities.

The bill would create a pesticide disposal fund outside of the general

revenue fund to pay for these collection activities. The fund would consist of money generated through pesticide registration and renewal fees and the interest earned on the investment of money in the fund. TDA would be required annually to deposit to the credit of the pesticide disposal fund an amount of money sufficient to cover administrative costs for pesticide waste and pesticide container collection activities, not to exceed \$400,000

This bill would take effect on September 1, 2017.

**SUPPORTERS
SAY:**

CSHB 572 would provide an avenue for proper and lawful disposal of unwanted and expired pesticides. Disposing of these pesticides is difficult and expensive, and storing expired pesticides is against the law. The program would allow individuals to dispose of pesticides properly at no cost, while ensuring these pesticides did not harm water supplies or the land.

The bill would reinstate a previous, successful program without increasing current registration fees. The previous program was in effect for nearly 20 years before it ended due to budget cuts. The program authorized by the bill would be funded with registration fees paid by companies selling pesticides in Texas, and it is anticipated that the Texas Department of Agriculture (TDA) could fund and administer the program without increasing registration fees.

TDA would operate the program similarly to the previous program. The previous program was able to operate 10 program sites at a cost of \$300,000. Sites were chosen on a rolling basis throughout the state, catching every major farming area at least once every few years. Flyers were sent out within a 100-mile radius of the program site informing people of the program and the collection times. While the program did not gather all of the unwanted and expired pesticides in the state, it did gather a substantial amount that could have harmed the environment through improper storage or disposal.

**OPPONENTS
SAY:**

CSHB 572 would create another unnecessary government program. In addition, dealing with these pesticides and pesticide containers likely

would be an immense task that could cost more than the \$400,000 set aside to fund the program.

NOTES:

In its fiscal note, the Legislative Budget Board estimates no fiscal impact through fiscal 2018-19, using the assumption that TDA would raise pesticide product registration fees to offset a reduction caused by depositing funds into the pesticide disposal fund.