

Coordinating statewide pesticide disposal activities

HB 572 by Stephenson (Kolkhorst)

DIGEST:	<p>HB 572 would have required the Texas Department of Agriculture (TDA), in coordination with the Texas Commission on Environmental Quality (TCEQ) and Texas A&M AgriLife Extension Service, to organize pesticide waste and container collection activities statewide. The bill would have allowed TDA, TCEQ, and the AgriLife Extension Service to contract for services to implement these collection activities and facilitate the collection of canceled, unregistered, or otherwise unwanted pesticide products and containers.</p> <p>The bill would have created a pesticide disposal fund outside of the general revenue fund to pay for these collection activities. The fund would have consisted of money from pesticide registration and renewal fees and the interest earned on the investment of money in the fund. TDA would have had to deposit annually to the credit of the pesticide disposal fund an amount of money sufficient to cover administrative costs for pesticide waste and container collection activities, not to exceed \$400,000.</p>
GOVERNOR'S REASON FOR VETO:	<p>“According to the fiscal note on House Bill 572, the program created by the bill will either result in a cost to the state budget of \$2 million over five years, or will result in the Texas Department of Agriculture raising fees to offset the cost. Neither outcome is desirable.”</p>
RESPONSE:	<p>Rep. Phil Stephenson, the bill’s author, said: “HB 572 passed without impediments through both the House and Senate. The entirety of agriculture supported the bill without reservation, as can be referenced from the witness testimony list. HB 572 had enthusiastic support from a variety of producers, the Farm Bureau, the Lower Colorado River Authority, as well as pesticide manufacturers, the very industry that in effect would be underwriting the program through pesticide registration fees. These fees total \$9.6 million biannually. HB 572 needed \$400,000 from these fees before the remaining funds were swept into general revenue, an amount that was determined to be not only feasible but cost effective.</p> <p>“From 1992 through 2010, the Texas Commission on Environmental Quality (TCEQ) administered agricultural pesticide waste collection events. The program was designed to collect and properly dispose of unused, unwanted, banned, or suspended pesticides from rural Texas. According to TCEQ, the program properly disposed of 2,284 tons of agricultural waste pesticides. The program at that point was paid for by fees levied at pesticide manufacturers. The program was discontinued due to the Great Recession. The Texas Department of Agriculture was determined a good fit for the reinstatement of the program because of the availability of fee revenue.</p>

“There is currently no program to dispose of these pesticides. What is available is a tedious website that provides information on disposal. It is up to the respective farmer or rancher to negotiate the logistics and pay for it, which is expensive. It should be added that it is unlawful to keep or store expired pesticides.

“HB 572 is sound, responsible public policy. The bill was re-filed during the special session as HB 103.”

Sen. Lois Kolkhorst, the Senate sponsor, had no comment on the veto.

NOTES:

The HRO analysis of [HB 572](#) appeared in Part One of the April 27 *Daily Floor Report*.