

Column

Lawmaker May Lose Committee Chair Over Pesticide Bill

Hawaii Rep. Angus McKelvey's effort to push through a contentious pesticide disclosure bill could lead to his ouster as head of Consumer Protection and Commerce.

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By Chad Blair    / March 12, 2017

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It hasn't happened in years, but members of the Hawaii House of Representatives say the chairman of a committee is close to being ousted from his position smack dab in the middle of a session.

Rep. Angus McKelvey, a Democrat from Maui, heads the [Consumer Protection and Commerce Committee](#). But some of his colleagues are not pleased with the way he's been doing his job.

The proverbial last straw came last week, when McKelvey attempted to push three bills out of the House without getting the necessary consent from some of his colleagues.

Instead of receiving what's known as "prior concurrence" from other committee chairs that heard the bills, McKelvey changed the dates in which the bills would become law.



Rep. Angus McKelvey during conference committee hearings in April 2016.

Had they passed the House as written before last Thursday’s “first crossover” deadline, the bills — having to do with [medical savings plans](#), the [residential landlord-tenant code](#) (which was also stuffed with new language members found unacceptable) and [pesticide disclosure](#) — could have been quickly approved in the Senate and been enacted this year.

But that didn’t happen.

On Tuesday House leaders proposed changing the dates in all three bills to July 1, 2050, a tactic known as giving a bill a “defective date” so that it doesn’t fast-track too quickly through the Legislature.

Then, 48 hours later, members approved the changes for the insurance and tenant bills but sent the pesticide bill back to McKelvey’s committee where it [is dead for this year](#).

Reservations? We’ve Got Reservations

It was an awkward moment for the House, but the pesticide measure was already in trouble when it passed out of McKelvey's committee March 1.

Five of its nine members expressed their uneasiness with the bill by voting for it "with reservations."

That's because [House Bill 790](#) had been amended heavily by McKelvey to favor the concerns of groups that complain the chemicals used by seed companies such as Monsanto could be harmful to humans.

The legislation called for major agricultural companies to inform the public when restricted use pesticides and insecticides are to be sprayed near sensitive areas such as schools, hospitals and care homes.

Opponents told lawmakers that the proposed regulations were burdensome and would make it harder for Hawaii to produce more of its own food.

Depending on one's view, the demise of HB 790 demonstrated either backroom maneuvering or sensible legislating.

But for McKelvey, a Democrat who has served Lahaina, Kaanapali, Kapalua, Maalaea and Kihei [for over a decade](#), it could result in demotion.

A \$2,000 Campaign Spending Fine

Dissatisfaction with McKelvey is not confined to recent legislation.

He embarrassed the chamber in November 2015 [when he pleaded no contest](#) in district court for failing to file "a complete and accurate" candidate committee report and allowing an unauthorized person to receive and spend campaign funds.

Under a plea deal, McKelvey paid a \$2,000 fine and published an apology in [The Maui News](#).

McKelvey could not be reached for comment Sunday.

But more than a half-dozen reps spoke with me this weekend after being [granted anonymity](#) so as not to harm their relationships at the Capitol.

On Monday, a resolution calling for change in the leadership of Consumer Protection and Commerce is expected to be introduced. Twenty-six signatures are needed for that to happen.

It's not clear if there are enough votes to boot McKelvey, who is from the same island as House Speaker Joe Souki. But if he is removed, his replacement could be the chair of another committee, thus opening up a second chair position.

To many Hawaii residents, the McKelvey affair is inside political baseball.

But it does illustrate how things at the Big Square Building on Beretania sometimes swerve in unexpected directions when interest groups lobby for legislation, lawmakers jockey for power and factions struggle to stay united.

All this, and the work to do what's best for the people of Hawaii.



House Majority Leader Scott Saiki asked that his members to recommit the pesticide disclosure bill Thursday, killing the measure for the session.

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About the Author



Chad Blair [✈](#) [✉](#) [📡](#)

Chad Blair is a reporter for Civil Beat. You can reach him by email at cblair@civilbeat.org or follow him on Twitter at [@chadblairCB](https://twitter.com/chadblairCB).

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