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Governor

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Lt. Governor



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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON JUDICIARY

TUESDAY, FEBRUARY 27, 2024
10:00 AM
CONFERENCE ROOM 016 & VIDEOCONFERENCE

SENATE BILL NO. 3025
RELATING TO HEMP

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 3025. This bill repeals the requirement for additional rules by the Department of Agriculture (DOA) to address nuisance issues, including smell, noise, and excessive lighting arising out of the activities of hemp growers. Clarifies that the Department of Agriculture will not require testing or sampling of hemp that duplicates testing and sampling required by the United States Department of Agriculture, but retain the authority to enforce other applicable state laws, such as Hawaii Pesticides Law. The DOA strongly supports this measure.

DOA does not find it necessary or appropriate to create additional rules under section 141-43 (a), Hawaii Revised Statutes (HRS) to address nuisance issues, including smell, noise, and excessive lighting arising out of the activities of hemp growers. Pre-existing regulations and authority under the Department of Health and county land use ordinances already address (and are the appropriate method of addressing) the areas of nuisance referenced. DOA has serious concerns regarding the



creation of a duplicative enforcement framework that may result in confusion and challenge due to incompatible oversight and conflicting actions and decisions.

Additionally, this bill amends section 142-42 (c), HRS which currently prohibits the State from imposing any forms of penalties for the production of hemp which would also prohibit penalties against hemp growers for the illegal use of pesticides or the production of hemp within buffer zones. The DOA would like to strengthen the State's ability to enforce such penalties.

Thank you for the opportunity to testify on this measure.