

Honolulu, Hawaii

MAR 01, 2024

RE: H.B. No. 2336
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2336, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEMP,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Make imposition of the fine penalty applicable to any violation of the commercial hemp production licensure requirement as well as restrictions on growing and transporting hemp;
- (2) Repeal the requirement for additional rules by the Department of Agriculture to address nuisance issues, including smell, noise, and excessive lighting, arising out of the activities of hemp growers; and
- (3) Clarify that the Department of Agriculture shall not require testing or sampling of hemp that duplicates testing and sampling required by the United States Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture.



Your Committee finds that, under the existing laws regulating commercial hemp production, the Department of Agriculture is only authorized to impose penalties for failing to hold a license issued by the United States Department of Agriculture and is explicitly prohibited from imposing penalties for any other conduct with respect to the production of hemp. This explicit prohibition constrains the Department of Agriculture from enforcing other laws, including the Hawaii Pesticides Law. This measure will provide the Department with greater authority to enforce the laws of the State.

Your Committee further finds that regulations by other governmental agencies, including the Department of Health and county land use ordinances, adequately address nuisance issues and any effort by the Department of Agriculture would likely be duplicative. Therefore, this measure also repeals the requirement for the Department to adopt rules addressing nuisance issues.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2336, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



