

CONFERENCE COMMITTEE REP. NO.

156

Honolulu, Hawaii

APR 28 , 2023

RE: H.B. No. 1359  
H.D. 2  
S.D. 2  
C.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1359, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEMP,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend the existing regulatory framework for hemp production in the State by:

- (1) Repealing redundant regulations;
- (2) Amending the hemp law in a manner that recognizes the unique constraints of Hawaii farmers, while protecting human health;
- (3) Allowing licensed hemp producers to sell hemp biomass;

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- (4) Requiring transparency in labeling of hemp products to identify the percentage of Hawaii-grown hemp or hemp from outside the State in all hemp products;
- (5) Requiring and appropriating funds for the Department of Health to hire or consult a toxicologist or consultant familiar with hemp industry standards for the purpose of setting defined action limits or exposure levels for different types of hemp products;
- (6) Requiring the Department of Agriculture and Department of Health to jointly convene a Hawaii Hemp Task Force to gather data and information to understand industry needs and inform strategies and actions that support agriculture and a robust hemp industry in the State;
- (7) Requiring and appropriating funds for the Department of Agriculture to hire a third-party consultant to identify the infrastructure needs of Hawaii hemp farmers and the hemp industry on each island; and
- (8) Extending the State's hemp processor law through July 1, 2027.

Your Committee on Conference has amended this measure by:

- (1) Prohibiting hemp from being grown within three hundred feet, rather than five hundred feet, of pre-existing real property comprising a playground, childcare facility, or school, except for an individual or entity licensed to grow hemp in those areas under the state industrial hemp pilot program before August 27, 2020;
- (2) Prohibiting hemp from being grown within one hundred feet, rather than five hundred feet, of any pre-existing house, dwelling unit, residential apartment, or other residential structure that is not owned or controlled by the license holder, except for an individual or entity licensed to grow hemp in those areas under the state industrial hemp pilot program before August 27, 2020;
- (3) Amending the types of documentation that a person who applies to operate as a hemp processor must provide;



- (4) Further clarifying the labeling requirements to identify the percentage of Hawaii-grown hemp or hemp from outside the State in all hemp products;
- (5) Requiring the Hawaii Hemp Task Force to work with the Narcotics Enforcement Division of the Department of Public Safety or Department of Law Enforcement, as applicable, to streamline and harmonize definitions and regulations relating to hemp;
- (6) Inserting an appropriation amount of \$50,000 each for the hiring of the toxicologist or consultant to set defined action limits or exposure levels for different types of hemp products and for the hiring of the third-party consultant to identify the infrastructure needs of Hawaii hemp farmers and the hemp industry on each island;
- (7) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (8) Changing the effective date to July 1, 2023; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1359, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1359, H.D. 2, S.D. 2, C.D. 1.



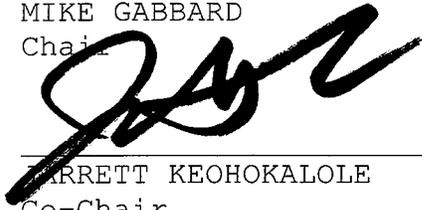
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



MIKE GABBARD  
Chair



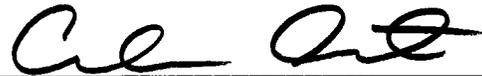
ARRETT KEOHOKALOLE  
Co-Chair



HENRY J.C. AQUINO  
Co-Chair



KARL RHOADS  
Co-Chair



CEDRIC ASUEGA GATES  
Co-Chair



DELLA AU BELATTI  
Co-Chair



MARK M. NAKASHIMA  
Co-Chair



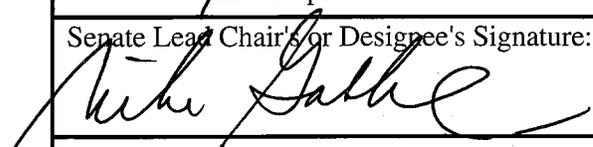
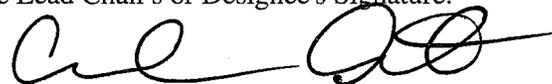
DEE MORIKAWA  
Co-Chair



**Hawaii State Legislature**  
**Record of Votes of a**  
**Conference Committee**

**CCR 156**

CG

Bill / Concurrent Resolution No.: <b>HB 1359, HD 2, SD 2</b>					Date/Time: <b>4/28/2023 2:30 pm</b>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
GABBARD, Mike, Chr.	✓				GATES, Cedric Asuega, Co-Chr.	✓			
KEOHOKALOLE, Jarrett, Co-Chr.	✓				BELATTI, Della Au, Co-Chr.				✓
AQUINO, Henry J.C., Co-Chr.	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
RHOADS, Karl, Co-Chr.				✓	MORIKAWA, Dee, Co-Chr.	✓			
					WARD, Gene	✓			
<b>TOTAL</b>		<b>3</b>		<b>1</b>	<b>TOTAL</b>		<b>4</b>		<b>1</b>
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
<b>Distribution: Original</b> File with Conference Committee Report					<b>Yellow</b> House Clerk's Office		<b>Pink</b> Senate Clerk's Office		<b>Goldenrod</b> Drafting Agency