Honolulu, Hawaii

MAR 0 1 , 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

State of Hawaii
House of Representatives
The Thirty-second Legislature

HSCR 885-24

## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:  UB 2336, HD1  Committee Referral:  AGR, JHA  Date: 2-29-2+				
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)		The state of the s		
2. TAKAYAMA, Gregg (VC)				
3. EVSLIN, Luke A.				
4. GANADEN, Sonny		- Commons		
5. HOLT, Daniel				
6. ICHIYAMA, Linda		are to see that the second sections		(40)
	7.7			
7. ILAGAN, Greggor	12012-Y-7-447-7-100-04-4-1		inin ilinans see ee	
9 VONC Sam Satarus				
8. KONG, Sam Satoru				
9. MIYAKE, Tyson K.		7 (p. 1918) (P. 1916)		
10. SOUZA, Kanani			35.000	
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TOTAL (10)	8		-	~
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
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