

STAND. COM. REP. NO. 1709

Honolulu, Hawaii

APR 05 2023

RE: H.B. No. 973  
H.D. 2  
S.D. 1

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

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 973, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEMP,"

begs leave to report as follows:

The purpose and intent of this measure is to 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.

Your Committee received testimony in support of this measure from the Hawai'i Farmers Union United, Hawai'i Hemp Famers Association, and one individual.

Your Committee finds that under existing law, the Department of Agriculture is tasked with enforcing restrictions regarding the impact to surrounding communities from growing hemp within the State. As part of this duty, the Department of Agriculture is also tasked with adopting rules to address nuisance issues such as smell, noise, and excessive lighting arising from hemp growing. However, the Department of Health and county land use ordinances already address these issues, and thus, Department of Agriculture rules can create conflicting standards that may be imposed by the Department of Health and counties. Therefore, this measure repeals the requirement that the Department of Agriculture make



additional rules, removing any duplicative regulation that may increase the challenges to enforcement.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 973, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 973, H.D. 2, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



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JARRETT KEOHOKALOLE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>HB973 HD2</b>	Committee Referral: <b>AEN, CPN</b>	Date: <b>3/29/23</b>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.		✓		
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature:  


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\*Only one measure per Record of Votes