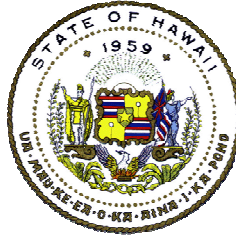


NEIL ABERCROMBIE  
GOVERNOR



**LATE**

TED SAKAI  
DIRECTOR

Martha Torney  
Deputy Director  
Administration

Max Otani  
Deputy Director  
Corrections

Keith Kamita  
Deputy Director  
Law Enforcement

STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**

919 Ala Moana Blvd. 4<sup>th</sup> Floor  
Honolulu, Hawaii 96813

No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL (HB) 154, House Draft (HD) 2  
A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP

By

Ted Sakai, Director  
Department of Public Safety

House Committee on Finance  
Representative Sylvia Luke, Chair  
Representative Scott Y. Nishimoto, Vice Chair  
Representative Aaron Ling Johanson, Vice Chair

Monday, February 25, 2013, 11:00 a.m.  
State Capitol, Room 308

Chair Luke, Vice Chairs Nishimoto and Johanson, and Members of the  
Committee:

The Department of Public Safety (PSD) would like to **comment** on HB 154 HD2 which would authorize the Chair of the Board of Agriculture to establish an industrial hemp pilot program provided that the USDOJ, Drug Enforcement Administration, issues the chair a Federal Controlled Substance Registration for the pilot program.

The Department would like to bring to attention that anyone seeking to do research with marijuana/cannabis hemp must apply for a controlled substance registration with both the State's Narcotics Enforcement Division and the Federal Drug Enforcement Administration as a "researcher." A person registered to conduct research with a basic class of controlled substances listed in Schedule I shall be authorized to manufacture or import such class if and to the extent that such manufacture or importation is set forth in the research protocol submitted at the time of registration.

The term “manufacturer” means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own use or the preparation, compounding, packaging, or labeling of a controlled substance:

- (1) By a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice, or
- (2) By a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

In order to complete the process of registration as a researcher of controlled substances, the DEA and State considers certain criteria. These criteria include:

- (1) Maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific, or industrial channels;
- (2) Compliance with applicable state and local law;
- (3) Any convictions of the applicant under any federal and state laws relating to any controlled substance;
- (4) Past experience in the manufacture or distribution of controlled substances, and the existence in the applicant's establishment of effective controls against diversion;
- (5) Furnishing by the applicant of false or fraudulent material in any application filed under this chapter;

- (6) Suspension or revocation of the applicant's federal registration to manufacture, distribute, prescribe or dispense controlled substances as authorized by federal law; and
- (7) Any other factor relevant to and consistent with the public health and safety.

Controlled substance registration under Federal and State law does not entitle a registrant to manufacture, dispense, prescribe, and distribute controlled substances in Schedule I or II other than those specified in the registration.

A controlled substance registration is necessary due to the fact that under Chapter 329-1 of the Hawaii Revised Statutes there is no distinction made between the plant genus Cannabis which both hemp and Marijuana are part of. State law defines "Marijuana" as all parts of the plant (genus) Cannabis whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from), fiber, oil, or cake, or the sterilized seed of the plant that is incapable of germination. The law focuses on the THC content of the plant genus Cannabis with a level over 0%.

Under present federal and state law, any cannabis plant with a tetrahydrocannabinol level over zero percent is considered marijuana a hallucinogenic Schedule I controlled substance and cannot be manufactured for sale to the public if there is any amount of THC contained in the product.

It should be noted that all previous research undertaken in Hawaii utilizing "hemp/marijuana" was conducted by private researchers utilizing no general funds or State employees.

Thank you for the opportunity to testify on this matter.

HOUSE OF REPRESENTATIVES  
Committee on Finance  
Rep. Sylvia Luke, Chair  
Rep. Scott Y. Nishimoto, Vice Chair  
Rep. Aaron Ling Johanson, Vice Chair  
State Capitol, Conference Room 308  
Monday, February 25, 2013; 11:00 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 154, HD2  
RELATING TO INDUSTRIAL HEMP**

The ILWU Local 142 supports the intent of H.B. 154, HD2, which authorizes the chairperson of the Board of Agriculture to establish a two-year pilot project to determine the feasibility of promoting industrial hemp for soil remediation and as biofuel feedstock.

On all of the major islands in Hawaii, considerable land remains fallow due to the closure of all but one sugar plantation and all but two pineapple plantations. For some time in Hawaii, sugar was “king,” with thousands of acres of land in cultivation and thousands of workers employed. The crop helped many families raise their children to be productive citizens in our community and encouraged the value of hard work and diversity. Today, with the demise of the plantations, communities have changed and land that was once cultivated is now ripe for development of residential homes, condominiums, commercial buildings, and more concrete.

The beauty of Hawaii is in its beaches, good weather, and people, but it is also in the open vistas that are uncluttered by buildings. Agriculture is one way to preserve those open vistas, but the industry is seen as one struggle after another over land costs, water disputes, and competing interests. Corporations, looking to make a quicker and more stable dollar, eschew agriculture for land development.

Through H.B. 154, SD2, the State can be in a position to assist and encourage corporations to get back into agriculture with a crop that has potentially significant benefits and uses. Hemp is grown in many parts of the world and used to produce textiles, food, mulch, plastics, and other products. These products may be legally sold in the U.S., but because hemp is a variety of the same species of plant as marijuana (cannabis), growing hemp is illegal in the U.S. and regulated as a controlled substance.

But hemp is not the same as marijuana. While they are of the same family, the THC content in hemp is significantly lower than in marijuana. THC is the psychoactive drug component of marijuana. Producing hemp to develop marijuana is said to be far more costly and time-consuming than growing marijuana itself.

H.B. 154, SD2 seeks to authorize the chairperson of the Department of Agriculture to seek approval from the federal government to establish a pilot project to determine the feasibility of growing industrial hemp in Hawaii. Hemp has been proven to be an effective soil remediation agent and is fast-growing, environmentally friendly, and a good feedstock for biofuel production.

The ILWU supports the intent of developing a pilot project to determine if hemp might be the next crop to allow agriculture to flourish in Hawaii again. We urge the committee to allow further discussion of this bill. Thank you for the opportunity to share our views on this matter.

**FINTestimony**

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 4:21 PM  
**To:** FINTestimony  
**Cc:** Robin.S.Knox@gmail.com  
**Subject:** \*Submitted testimony for HB154 on Feb 25, 2013 11:00AM\*

**HB154**

Submitted on: 2/24/2013

Testimony for FIN on Feb 25, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robin Knox	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 9:46 PM  
**To:** FINTestimony  
**Cc:** pjk@mauiwatershed.org  
**Subject:** Submitted testimony for HB154 on Feb 25, 2013 11:00AM

**HB154**

Submitted on: 2/24/2013  
Testimony for FIN on Feb 25, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pamela Kantarova	Individual	Support	No

Comments: Why is the date 2112-99 years from now?? Might need proofreading. Best to start growing hemp, it could also be tried out for clothing, paper, etc.

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