

LATE

**HB154HD2
Testimony**

LATE

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: konaconnection@yahoo.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 10:11:07 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
April Lee	Individual	Support	No

Comments:

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David Swatland
3356 Francis St., Honolulu, HI 96815
dswatland@gmail.com
Senate District 10/House District 19

13 March 2013

The Honorable Clarence Nishihara, Chair,
Senate Committee on Agriculture, and
The Honorable Mike Gabbard, Chair,
Senate Committee on Energy & Environment
Hawai'i State Capitol
415 South Beretania St., Honolulu HI 96813

Dear Chairman Nishihara and Chairman Gabbard,

I am writing in support of HB 154, HD2 that authorizes the Chairperson of the Board of Agriculture to establish a two year hemp remediation pilot program. Use of industrial hemp to remove toxins from the soil through phytoremediation is an environmentally sound and fiscally responsible practice that will not only benefit the soil but will demonstrate just one of hemp's many productive uses. Passage of this bill will also indicate that Hawai'i has learned what nearly a dozen states and thirty countries already know: industrial hemp is an incredibly useful and resilient material that is NOT a dangerous drug.

The naturally occurring hemp plant grows in dense crops that are resistant to insects and weeds, resulting in higher yields and eliminating the need for pesticides and herbicides, primary causes of non-point source pollution that foul our beaches and near shore waters. In addition to soil remediation, hemp can be used for a wide variety of purposes, including the production of paper, textiles, clothing, biodegradable plastics, construction materials, and bio-fuel.

Unfortunately, the use of industrial hemp in the United States is still a federal crime, primarily for two reasons:

- Lobbying by the agricultural, textile and paper industries, who see hemp as a threat to their environmentally destructive but very lucrative current business practices; and
- Fear mongering by law enforcement agencies who continue to confuse industrial hemp with marijuana.

Industrial hemp has a THC content of between 0.1% and 1% while common recreational marijuana has a THC content of between 3% and 20%. It is virtually impossible to smoke enough hemp to get a buzz, contrary to the inaccurate testimony submitted in opposition to this bill by the Honolulu Police Department.

Passage of HB 154 is good for Hawai'i's soil, opens the door for future use of an incredibly versatile and environmentally friendly plant, and demonstrates the state's commitment to safe and sustainable agricultural practices. Please vote yes on this bill. Thank you again for the opportunity to testify.

Sincerely,



David Swatland

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: donald.v.tran@gmail.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:25:24 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
donald tran	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: akamaimom@gmail.com
Subject: Submitted testimony for HB154 on Mar 14, 2013 14:45PM
Date: Wednesday, March 13, 2013 10:34:45 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Felicia Cowden	Individual	Support	No

Comments: We need to develop and strengthen the possibilities of utilizing industrial Hemp to replace the bio-tech plantings. There is capacity for vertical industries and could replace the seed crops while bio-remediating the soil at the same time. This has the potential for healthy economic development. We need to be able to at least test its viability and impacts. I support this bill.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: garypopkin@yahoo.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:25:03 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
gary popkin	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: johnrob@gmail.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:23:56 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John connors	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: 09jjju@hotmail.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:24:11 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Julian Jiman	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: katiehorgan@me.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Thursday, March 14, 2013 6:16:01 PM

HB154

Submitted on: 3/14/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Horgan	Individual	Support	No

Comments:

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Cc: ggexcavations@hotmail.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:24:39 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kirbin	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: Matrifkin28@gmail.com
Subject: Submitted testimony for HB154 on Mar 14, 2013 14:45PM
Date: Wednesday, March 13, 2013 5:54:33 PM

HB154

Submitted on: 3/13/2013

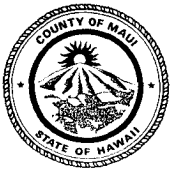
Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Rifkin	Individual	Support	No

Comments: When I go to the health food store and buy hemp based products such as hemp oil, protein powder and seeds, all of them are imported from Canada....there is no reason why hemp can't be grown in Hawaii....it will be good for the local farmers who grow it, good for the local consumes who will buy it...it will reduce the price of the goods because it will not have to travel great distances and not incur import taxes or duty. Other states are also considering allowing for the industrial production of hemp and Hawaii should be one of the first states to permit it....be bold....legalize industrial hemp.

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ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411



GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

March 13, 2013

The Honorable Clarence K. Nishihara, Chair
And Members of the Committee on Agriculture
The Senate
Hawaii State Capitol
Honolulu, HI 96813

Re: House Bill No. 154, HD2, RELATING TO INDUSTRIAL HEMP

Dear Chair Nishihara and Members of the Committee:

The Maui Police Department OPPOSES the passing of House Bill No. 154, HD2. This proposed bill authorizes the Chairperson of the Board of Agriculture to establish a two-year industrial hemp remediation and biofuel crop pilot program. This bill also appropriates funds.

The main issue that the department has is the difficulty law enforcement faces when trying to determine the difference of industrial hemp and marijuana while enforcing existing marijuana laws. Though industrial hemp may have less THC (Tetrahydrocannabinol) than "street" marijuana in its dried form, industrial hemp is almost indistinguishable from dried "street" marijuana unless there is additional costly laboratory testing for the total THC content to tell the difference. This type of testing is time consuming and not readily available to all officers on the street while they are busy enforcing laws and protecting the public.

The Maui Police Department asks for your opposition for House Bill No. 154, HD2, as proliferation of hemp into an industrial crop could affect our investigative processes, resources, and operations in the future if allowed to become law.

Thank you for the opportunity to testify.

Sincerely,


GARY A. YABUTA
Chief of Police

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: silverpenny10@hotmail.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:24:33 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
penny silva	Individual	Support	No

Comments:

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To: [AGL Testimony](#)
Cc: rfreitasjr@hotmail.com
Subject: Submitted testimony for HB154 on Mar 14, 2013 14:45PM
Date: Thursday, March 14, 2013 4:58:40 PM

HB154

Submitted on: 3/14/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Freitas Jr.	Individual	Support	No

Comments: I support this bill.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: tammui@sbcglobal.net
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:23:29 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tam Mui	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: ti_health@hotmail.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:23:11 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tia Kent	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: tjsimms2000@hotmail.com
Subject: *Submitted testimony for HB154 on Mar 14, 2013 14:45PM*
Date: Wednesday, March 13, 2013 8:22:44 PM

HB154

Submitted on: 3/13/2013

Testimony for AGL/ENE on Mar 14, 2013 14:45PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
tj simms	Individual	Support	No

Comments:

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March 13, 2013

Testimony of Vote Hemp for HB 154
Hemp in Hawaii
Testimony of Tom Murphy
Vote Hemp National Outreach Coordinator
in support of HB 154

Senator Clarence K. Nishihara, Chair
Senate Committee on Agriculture
Hawaii State Legislature
House of Representatives

Vote Hemp recommends that the Committee vote to pass HB 154, to authorize the Chairperson of the Board of Agriculture to establish a two-year industrial hemp remediation and biofuel crop pilot program.

- Industrial hemp is an agricultural crop.
- Industrial hemp is varieties of *Cannabis* that are low in THC and high in CBD.
- Oilseed and fiber varieties of *Cannabis* are also known as industrial hemp.
- You can not get drugs from oilseed or fiber varieties of *Cannabis*.
- Oilseed, fiber, and drug varieties of *Cannabis* are grown at different densities.
- Drug varieties of *Cannabis* can not be grown with oilseed or fiber varieties without being easily spotted.
- Drug varieties are grown much like a Christmas tree farm, with its spacing, pruning and early harvest, whereas the oilseed and fiber varieties are grown more like pulp wood trees.
- Drug varieties grown in the middle of a fiber hemp crop would become seeded. A fiber crop is harvested when the males shed their pollen, so the pot grower would be left with a seeded buds (the female flowers) in the middle of a field of stubble.
- Drug varieties grown in the middle of an oilseed hemp crop would become seeded as well. The female help plants would become pollinated, along with the pot, and the male hemp plants would die. As the seeds ripen in the hemp the pot would become more obvious because it's still green and a much lower density.

So far in the 2013 legislative season industrial hemp legislation has been introduced in fifteen states: California, Hawaii, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Missouri, New Hampshire, New Jersey, Vermont, and Washington. Industrial hemp legislation is expected to be introduced in at least one more state as well: Colorado. You can keep track of all state hemp legislation on Vote Hemp's State Hemp Legislation Page:

<http://www.votehemp.com/state.html>

Two industrial hemp bills have been introduced in the 113th Congress so far. H.R. 525, the "Industrial Hemp Farming Act of 2013," was introduced in the U.S. House on February 6, 2013 by Rep. Tom Massie. A companion bill, S. 359, was introduced in the

U.S. Senate on February 14, 2013 by Senator Ron Wyden. Senate Republican Leader Mitch McConnell is an original cosponsor. The bills define industrial hemp, exclude it from the definition of "marihuana" in the Controlled Substances Act, and gives states the exclusive authority to regulate the growing and processing of industrial hemp under state law. Full details of both bills are here:

<http://www.votehemp.com/federal.html>

In late 2012 the Hemp Industries Association (HIA), a non-profit trade association consisting of hundreds of hemp businesses, released final estimates of the size of the U.S. retail market for hemp products in 2011. Data supporting the estimates shows that retail sales of hemp food and body care products in the United States continued to set records in 2011, reaching \$43.5 million. Sales of popular hemp items like non-dairy milk, shelled hemp seed, soaps and lotions have occurred against the backdrop of increasing grassroots pressure to allow hemp to be grown domestically once again for U.S. processors and manufacturers. Sales in conventional retailers in particular are estimated to have grown by 11% in 2011.

The sales data, collected by the market research firm SPINS, was obtained from natural and conventional food retailers, excluding Whole Foods Market and certain other establishments, who do not provide sales data — and thus underestimates actual sales by a factor of at least three. According to the SPINS data, combined U.S. hemp food and body care sales grew in the sampled stores by 7.3%, or \$2.98 million, over the previous year ending December 26, 2011 to a total of \$43.5 million.

Due to significant sales excluded from the SPINS data, such as The Body Shop, Whole Foods Market and restaurants, as well as the fact that many unreported leading mass-market brands of suntan lotion and sunscreen products include hemp oil, the HIA estimates the total retail value of hemp food, supplement and body care sales in the U.S. to be in the range of \$130-152 million for 2011.

The HIA is confident that the total U.S. hemp food and body care market over the last year, 2011, accounted for at least \$130 million in retail sales. According to data released by the Canadian government, hemp production in Canada almost doubled in 2011, with total acreage growing to 38,828 acres. In 2012 about 52,650 acres of hemp were licensed in Canada. The HIA estimates the total retail value of hemp products sold in the U.S. at \$452 million, when including clothing, auto parts, building materials and various other products. Late last month the HIA released that the total retail value of hemp products sold in the U.S. is estimated to be \$500 million for 2012, when including clothing, auto parts, building materials and various other products. Data supporting the estimate also shows that retail sales of hemp food and body care products in the United States continued to set records in 2012, reaching \$156 million.

Steady growth in hemp product sales, combined with a substantial increase in acreage in Canadian hemp fields, further validates U.S. farmers' concerns that they are being shut

out of the lucrative hemp market that Canadian farmers have cashed in on for over a decade now.

Industrial hemp would make a great addition to Hawaii's rural economy.

There is an international exemption for industrial hemp:

The United Nations Single Convention on Narcotic Drugs, 1961 as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961 states in Article 28:

"2. This Convention shall not apply to the cultivation of the cannabis plant exclusively for industrial purposes (fibre and seed) or horticultural purposes."

The United States is a party to the Single Convention.

There are exemptions for hemp products in the U.S as well:

In the Controlled Substances Act, 21 USC Section 802 - Definition (16) states:

"The term "marihuana" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin. Such term does not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination."

In writing the Controlled Substances Act, and its predecessor the Marihuana Tax Act, it was the clear intent of Congress to exempt the products stated. It was also the intention of Congress that hemp would continue to be grown in the U.S.

Hemp was grown in the United States until 1957, with the last crop being grown in Wisconsin for the Matt Rens Hemp Company as documented in Dennis Rens' self published book "America's Hemp King."

In December 1999 the first hemp seeds were planted in the Hawaii Industrial Hemp Project managed by Dr. Dave West of GamETec. Hemp was grown on a research basis in this project until 2003.

The National Farmers Union (NFU) passed a resolution in 2010 urging "the President, Attorney General and Congress to direct the U.S. Drug Enforcement Agency (DEA) to differentiate between industrial hemp and marijuana and adopt policy to allow American farmers to grow industrial hemp under state law without requiring DEA licenses."

The National Association of State Departments of Agriculture (NASDA) passed a resolution in 2003 urging the U.S. Department of Agriculture, the Drug Enforcement Administration and the White House Office of National Drug Control Policy (ONDCP or Drug Czar's office) to collaboratively develop and adopt an official definition of industrial hemp, and urged Congress to statutorily distinguish between industrial hemp and marijuana and to adopt policies which would allow U.S. farmers to grow industrial hemp.

The National Conference of State Legislatures (NCSL) adopted a resolution in 2000 strongly urging the U.S. Department of Agriculture, the Drug Enforcement Administration and the Office of National Drug Control Policy (Drug Czar's office) to collaboratively develop and adopt an official definition of industrial hemp. This is a strong statement for common sense as the NCSL is widely respected and regarded for its conservative and prudent approach on a variety of issues.

With its multiple growing seasons, Hawaii is in a unique position to do research on hemp for phytoremediation. Learning more about which varieties of hemp work the best to clean up contaminated soil is in the vital interests of the state and the country as a whole. Varieties developed here in Hawaii could be of benefit to clean up sites across the U.S. and the world.

Hawaii should be a leader in the research and development of industrial hemp. I hope that this legislation is passed for the good of all people in the state of Hawaii and to help bring back hemp farming to the U.S.

Vote Hemp recommends that the Committee vote to pass HB 154.

Thank you very much for the opportunity to present my testimony to the Committee. If I may provide any other information to help in the passage of this bill please feel free to contact me and I will do what I can to help.

Sincerely,

Tom Murphy
National Outreach Coordinator
Vote Hemp
<http://www.votehemp.com/>
tom@votehemp.com
207-542-4998 cellular
207-236-3137 office

Additional resources:

Vote Hemp <http://www.votehemp.com>

Download Center http://www.votehemp.com/download_center.html
State Hemp Legislation <http://www.votehemp.com/state.html>
Hawaii State Page <http://www.votehemp.com/state/hawaii.html>
Resolutions Page <http://www.votehemp.com/resolution.html>
Canadian Federal Regulation & Legislation Information
<http://www.votehemp.com/canada.html>
State Hemp Study Bills <http://www.votehemp.com/study.html>
Farmers Introduction to Industrial Hemp Farming and Hemp Economics
<http://www.votehemp.com/farmers.html>

Hemp Industries Association
<http://thehia.org/>

TestPledge
<http://www.testpledge.com/>

Canadian Industrial Hemp regulations
<http://laws-lois.justice.gc.ca/eng/regulations/SOR-98-156/FullText.html>

Alberta Agriculture and Rural Development - Industrial Hemp Production in Canada
[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/econ9631](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/econ9631)

Alberta Agriculture and Rural Development - Alberta Hemp Cost of Production and
Market Assessment - Final Report
[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/econ14086](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/econ14086)

Health Canada
List of Approved Cultivars for the 2012 Growing Season
http://www.hc-sc.gc.ca/hc-ps/pubs/precurs/list_cultivars-liste2012/index-eng.php

Hemp as an Agricultural Commodity
by Renée Johnson
Congressional Research Service (CRS)
order code RL32725
December 18, 2012
(PDF file 483k)
<http://www.nationalaglawcenter.org/assets/crs/RL32725.pdf>

America's Hemp King
by Dennis Rens, Grandson of Matt Rens
1995
(PDF file 631k)
http://votehemp.com/PDF/Americas_Hemp_King.pdf