



**GOV. MSG. NO. 1156**

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

April 30, 2014

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 30, 2014, the following bill was signed into law:

SB2175 SD2 HD2

RELATING TO INDUSTRIAL HEMP  
**ACT 056 (14)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

14 APR 30 2014

RECEIVED  
THE SENATE  
CLERK'S OFFICE  
STATE OF HAWAII

'14 APR 30 P4:21

RECEIVED  
SENATE  
OFFICE OF THE PRESIDENT

'14 APR 30 P3:32

Approved by the Governor

on APR 30 2014

THE SENATE  
TWENTY-SEVENTH LEGISLATURE, 2014  
STATE OF HAWAII

ACT 056  
S.B. NO. 2175  
S.D. 2  
H.D. 2

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# A BILL FOR AN ACT

RELATING TO INDUSTRIAL HEMP.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Section 7606 of the  
2 United States Agricultural Act of 2014 authorizes institutions  
3 of higher education and state departments of agriculture to  
4 conduct industrial hemp research. The legislature also finds  
5 that industrial hemp can be grown or cultivated for research  
6 purposes.

7           The legislature further finds that the State will benefit  
8 from research for phytoremediation, which is the  
9 environmentally-friendly science of using plants and trees to  
10 remove toxins in the soil, such as metals, pesticides, solvents,  
11 explosives, and crude oil. These toxins can be reduced by  
12 planting specific plants and trees, called hyperaccumulators, in  
13 polluted areas. Specifically, these plants and trees draw in  
14 the toxins, along with beneficial nutrients, through their roots  
15 as nourishment and concentrate them in their stems, shoots, and  
16 leaves, which can then be harvested and disposed of safely. The  
17 nutrient uptake process leaves a clean, balanced, and nutrient



1 rich soil, which can then be safely used for agriculture or  
2 improving conservation habitats.

3 The legislature additionally finds that hemp is a superior  
4 phytoremediator because it grows quickly and can extract toxins  
5 without the need to remove any of the contaminated topsoil.  
6 Other factors that make hemp a superior phytoremediator are its  
7 ability to grow unaffected by the toxins it accumulates, its  
8 fast rate of absorption, and its ability to bind compound  
9 contaminants from the air and the soil. A factor that makes the  
10 State a particularly compelling candidate for hemp-based  
11 phytoremediation is that the State's extensive agricultural  
12 operations in the past have left toxins in vast tracts of land.  
13 Phytoremediation will remove those toxins.

14 The legislature also finds that industrial hemp is an  
15 environmentally friendly and efficient feedstock for biofuel.  
16 Biodiesel plants already in existence in the State are capable  
17 of meeting eight per cent of the State's biodiesel needs for  
18 ground transportation. These biodiesel plants could increase  
19 their efficiency by utilizing industrial hemp as a feedstock,  
20 thus reducing the State's reliance on imported fuel.

21 The purpose of this Act is to authorize the dean of the  
22 college of tropical agriculture and human resources at the



1 University of Hawaii at Manoa to establish a two-year industrial  
2 hemp remediation and biofuel crop research program.

3 SECTION 2. (a) The dean of the college of tropical  
4 agriculture and human resources at the University of Hawaii may  
5 establish a two-year industrial hemp remediation and biofuel  
6 crop research program that shall include the authority to grow  
7 or cultivate industrial hemp in accordance with the requirements  
8 established under section 7606 of the federal Agricultural Act  
9 of 2014 (Public Law 113-79), provided that the authority to grow  
10 or cultivate industrial hemp under this Act shall only apply to  
11 industrial hemp grown or cultivated for the research program  
12 established under this Act. Through the research program, the  
13 dean may determine how soils and water may be made more pristine  
14 and healthy by phytoremediation, removal of contaminants, and  
15 rejuvenation through the growth of industrial hemp, as well as  
16 the viability of industrial hemp as a biofuel feedstock. The  
17 dean may work in collaboration with the United States Army Corps  
18 of Engineers, its affiliates, and the department of molecular  
19 biosciences and bioengineering at the University of Hawaii John  
20 A. Burns school of medicine to determine the viability of  
21 industrial hemp as a biofuel feedstock.



1 (b) The department of agriculture shall certify that the  
2 seed stock to be used in the research program is for growing  
3 industrial hemp. The research program established under  
4 subsection (a) shall only use industrial hemp seed stock that is  
5 certified by the department of agriculture. If the seed stock  
6 cannot be verified by the department of agriculture as  
7 industrial hemp seed stock, the dean shall not commence the  
8 growing or cultivation of industrial hemp for the research  
9 program.

10 (c) The research program shall use only one test site to  
11 grow and cultivate industrial hemp.

12 (d) The dean of the college of tropical agriculture and  
13 human resources at the University of Hawaii shall submit a final  
14 report, including any proposed legislation, to the legislature,  
15 no later than twenty days prior to the convening of the regular  
16 session of 2016 on the following:

- 17 (1) The rate of contamination uptake from soil and water;
- 18 (2) The mode of efficient uptake from soil and water;
- 19 (3) The rate of carbon fixation in the Calvin cycle;
- 20 (4) The locations in the roots, stems, leaves, and flowers  
21 of the plants at which contaminants are fixated;
- 22 (5) What contaminants are stabilized in the plants;



1 (6) What contaminants on the site need additional  
2 treatment in order to make the soil or water healthy  
3 and pristine;

4 (7) A baseline for plants cultivated in a clean soil;

5 (8) The viability of industrial hemp as a biofuel  
6 feedstock; and

7 (9) Any other data deemed important by the dean.

8 (e) For purposes of this Act, the term "industrial hemp"  
9 means the plant *Cannabis sativa L.* and any part of that plant,  
10 whether growing or not, with a delta-9 tetrahydrocannabinol  
11 concentration of not more than 0.3 per cent on a dry weight  
12 basis. Any plant that meets the definition of "industrial hemp"  
13 under this Act shall not constitute "marijuana" as defined in  
14 section 329-1 or 712-1240, Hawaii Revised Statutes.

15 SECTION 3. (a) No person shall be subject to any civil or  
16 criminal sanctions in this State for growing or possessing  
17 industrial hemp; provided that the person's growing or  
18 possession of industrial hemp is part of the person's  
19 participation in the two-year industrial hemp remediation and  
20 biofuel crop research program and the person's participation is  
21 in full compliance with the requirements of the program.



1 (b) The department of agriculture shall test and monitor  
2 the plants growing on the test site to ensure that no marijuana  
3 is grown on the site. If marijuana is found to be growing or  
4 being cultivated on the test site, then the research project  
5 shall cease immediately.

6 SECTION 4. This Act shall take effect on July 1, 2014, and  
7 shall be repealed on July 1, 2016.

APPROVED this 30 day of APR, 2014



GOVERNOR OF THE STATE OF HAWAII