

JAN 27 2016

S.B. NO. 2157

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 Agricultural Act of 2014 (Public Law 113-79) authorizes
3 institutions of higher education and state departments of
4 agriculture to conduct industrial hemp research. The
5 legislature also finds that industrial hemp can be grown or
6 cultivated for research purposes.

7 The legislature further finds that Act 56, Session Laws of
8 Hawaii 2014, authorizes the dean of the college of tropical
9 agriculture and human resources at the University of Hawaii at
10 Manoa to establish a two-year industrial hemp remediation and
11 biofuel research program. At the conclusion of the research
12 program, a report submitted to the legislature reported that
13 there is "significant potential for a successful hemp
14 agricultural industry in Hawaii based on the preliminary
15 findings of the 2015 Industrial Hemp Research Project". The
16 report additionally looked at industrial hemp, in a minimal
17 capacity, as a building material through "hempcrete".



1 Hempcrete is known to be termite resistant, recyclable, and
2 breathable, which makes it a viable building material that could
3 be home-grown in the State. The findings from the research
4 program indicated that hempcrete could be made in Hawaii without
5 specialized knowledge of chemicals, as three crops of a
6 subtropical fiber hemp could be grown per year, yielding about
7 thirty tons of stalks per acre. However, the research program's
8 goal was to learn whether there was a hemp plant that would grow
9 in Hawaii, rather than to perform a full grow-out trial or to
10 determine the potential of industrial hemp as a building
11 material.

12 The purpose of this Act is to authorize the department of
13 agriculture to establish a three-year industrial hemp research
14 program to investigate the viability of industrial hemp as a
15 building material for housing in the State.

16 SECTION 2. (a) The department of agriculture may
17 establish a three-year industrial hemp research program that
18 shall include the authority to grow or cultivate industrial hemp
19 in accordance with the requirements established under section
20 7606 of the Agricultural Act of 2014 (Public Law 113-79);
21 provided that the authority to grow or cultivate industrial hemp



1 under this Act shall only apply to industrial hemp grown or
2 cultivated for the research program established under this Act.
3 Through the research program, the department of agriculture, in
4 collaboration with building and construction industry
5 consultants, may determine the viability of industrial hemp as a
6 building material for housing, particularly affordable housing
7 in the State. The department of agriculture may work in
8 collaboration with the United States Army Corps of Engineers,
9 its affiliates, and the department of molecular biosciences and
10 bioengineering at the University of Hawaii John A. Burns school
11 of medicine to determine the viability of industrial hemp as a
12 building material.

13 (b) The department of agriculture shall certify that the
14 seed stock to be used in the research program is for growing
15 industrial hemp. The research program established under
16 subsection (a) shall only use industrial hemp seed stock that is
17 certified by the department of agriculture. If the seed stock
18 cannot be verified by the department of agriculture as
19 industrial hemp seed stock, the department shall not commence
20 the growing or cultivation of industrial hemp for the research
21 program.



1 (c) The research program shall use up to test sites
2 to grow and cultivate industrial hemp.

3 (d) The department of agriculture shall submit an interim
4 report, including any proposed legislation, to the legislature
5 no later than twenty days prior to the convening of the regular
6 session of 2019 and a final report prior to the regular session
7 of 2020 on the following:

8 (1) The viability of industrial hemp as a building
9 material for affordable housing, including techniques
10 for processing industrial hemp into building material;

11 (2) The viability of industrial hemp to replace other
12 building materials, such as wood;

13 (3) Other uses for which industrial hemp may be used in
14 the building and construction industry; and

15 (4) Any other data deemed important by the department.

16 (e) For purposes of this Act, the term "industrial hemp"
17 means the plant *Cannabis sativa L.* and any part of that plant,
18 whether growing or not, with a delta-9 tetrahydrocannabinol
19 concentration of not more than 0.3 per cent on a dry weight
20 basis. Any plant that meets the definition of "industrial hemp"



1 under this Act shall not constitute "marijuana" as defined in
2 section 329-1 or 712-1240, Hawaii Revised Statutes.

3 SECTION 3. (a) No person shall be subject to any civil or
4 criminal sanctions in this State for growing or possessing
5 industrial hemp; provided that the person's growing or
6 possession of industrial hemp is part of the person's
7 participation in the three-year industrial hemp research program
8 and the person's participation is in full compliance with the
9 requirements of the program.

10 (b) The department of agriculture shall test and monitor
11 the plants growing on test sites to ensure that no marijuana is
12 grown on any sites. If marijuana is found to be growing or
13 being cultivated any test site, then the research project shall
14 cease immediately.

15 SECTION 4. This Act shall take effect on July 1, 2016, and
16 shall be repealed on July 1, 2019.

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S.B. NO. 2757

Report Title:

Industrial Hemp; Research Program; Building Material; Department of Agriculture

Description:

Authorizes the department of agriculture to establish a three-year industrial hemp research program to investigate the viability of industrial hemp as a building material for housing in the State. Requires a final report to the legislature prior to the convening of the regular session of 2019. Defines "industrial hemp". Repeals 7/1/2019.

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