



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTIETH LEGISLATURE, 2019**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 131, H.D. 1, RELATING TO HEMP.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Tuesday, February 12, 2019      **TIME:** 4:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Clare E. Connors, Attorney General, or  
Andrew Goff, Deputy Attorney General

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Chair Lee and Members of the Committee:

The Department of the Attorney General makes the following comments.

The purpose of this bill is to decriminalize industrial hemp and require the Hawaii Department of Agriculture to submit a regulatory plan for United States Department of Agriculture (USDA) approval pursuant to the Agriculture Improvement Act of 2018.

The bill removes criminal violations for possession of hemp without including a penalty for production of hemp outside of a regulated program. The current industrial hemp pilot program does not include penalties for unlicensed production in its violations section. See section 141-38, Hawaii Revised Statutes (HRS). Without a penalty for unauthorized production of hemp, the Hawaii Department of Agriculture will not be able to submit a regulatory plan in compliance with section 10113 of the Agriculture Improvement Act of 2018.

To resolve these concerns, we recommend the following wording be added to part IV of the Hawaii Penal Code:

**"§712- Unauthorized production of hemp. (a) A person shall not produce hemp unless authorized pursuant to a state or federal program.**

**(b) A person who violates this section shall be subject to a monetary penalty of \$\_\_\_\_\_."**

Similar wording is included in bill H.B. No. 266.

The bill also amends section 141-35, HRS, to allow licensees of the industrial hemp pilot program to use hemp genetics from any state that meet the federal definition

of hemp. This creates an inconsistency with subsection (a), which prohibits growing hemp varieties that are not on a list approved by the Board of Agriculture. To resolve this issue, it is recommended that hemp genetics from any state that meet the federal definition of hemp be added to the list of approved hemp varieties.

With these changes, page 4, lines 1 through 9, would state:

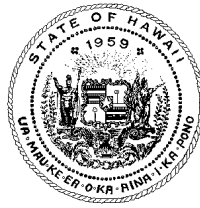
“(b) The list of approved seed cultivars shall include the following:

- (1) Industrial hemp seed cultivars that have been certified by the Organisation for Economic Co-operation and Development; [~~and~~]
- (2) Hawaii varieties of industrial hemp seed cultivars that have been certified by the board[~~;~~]; and
- (3) Hemp genetics, from any state, that meet the federal definition of hemp.”

It should also be noted that, while this bill requires submitting a plan to monitor and regulate hemp for USDA approval, the Hawaii Department of Agriculture only has statutory authority to run the current hemp pilot program. Even with USDA approval, implementing any plan that differs from the pilot program will require statutory change.

Thank you for the opportunity to testify.

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**

919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

**NOLAN P. ESPINDA**  
DIRECTOR

**Maria C. Cook**  
Deputy Director  
Administration

**Jodie F. Maesaka-Hirata**  
Deputy Director  
Corrections

**Renee R. Sonobe Hong**  
Deputy Director  
Law Enforcement

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

TESTIMONY ON HOUSE BILL (HB) 131, HOUSE DRAFT (HD) 1  
RELATING TO HEMP.

By  
Nolan P. Espinda, Director

House Committee on Judiciary  
Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Tuesday, February 12, 2019; 4:00 p.m.  
State Capitol, Conference Room 325

Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

The Department of Public Safety (PSD) opposes House Bill (HB) 131, House Draft (HD) 1, which proposes to facilitate the regulation and production of hemp by, among other things, amending the definition of "marijuana" in the state law to clarify that hemp is not marijuana.

First, law enforcement officers would have a very difficult time discerning the difference between hemp and marijuana. Hemp plants, materials, and products have identical appearance to marijuana plants, materials, and products. They look exactly the same. Under this bill, people could be unnecessarily detained, or even arrested, if they are in possession of hemp. As another example, at our airports, security personnel may not be able to determine if it is hemp or marijuana, and if marijuana, whether it is medical marijuana. This would cause unnecessary delay, inconvenience, and confusion for the travelling public.

Second, PSD further opposes HB 131, HD 1, because the proposed change to the definition of marijuana may cause unintended problems with the prosecution of

serious offenses. For example, prosecutions for operating a vehicle under the influence of an intoxicant and promoting prison contraband rely on the definition of a “drug” that is included in chapter 329 of the Hawaii Revised Statutes. This bill excludes hemp as a “drug.”

Lastly, although federal law changed the definition of marijuana to exclude hemp, pursuant to the Agriculture Improvement Act of 2018, the State of Hawaii, Department of Agriculture, the Governor, and the State’s Chief Law Enforcement Officer must confer, and the Hawaii Department of Agriculture must submit a regulatory plan to the United States Department of Agriculture (USDA) before the State can implement a commercial hemp program. As noted by the Department of the Attorney General in their prior testimony, the Department of Agriculture only has the statutory authority to run the current hemp pilot program. Even with USDA approval, any plan that differs from the current hemp pilot program may require statutory changes.

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE  
Governor

JOSH GREEN  
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER  
Acting Chairperson  
Board of Agriculture

State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF THE DEPARTMENT OF AGRICULTURE  
BEFORE THE HOUSE COMMITTEE ON JUDICIARY

FEBRUARY 12, 2019  
4:00 P.M.  
CONFERENCE ROOM 325

HOUSE BILL NO. 131 HD1  
RELATING TO HEMP

Chairperson Lee and Members of the Committee:

Thank you for the opportunity to testify on House Bill 131 HD1 which mandates the Department to submit a plan for hemp regulation to USDA, changes drug labelling laws regarding hemp, and changes the definition of marijuana to specifically exclude hemp. The Department offers comments on this measure.

The department respectfully defers Section 2 of this bill to the Department of Health. The department defers Sections 3, 4, and 5 of this bill to the Department of Public Safety but notes that Sections 3 and 5 of this bill, which seek to change the definition of marijuana to exclude hemp will almost certainly create confusion for the following reason:

1. The definition of marijuana includes all the parts of the plant (genus) Cannabis whether growing or not; "the seeds thereof..." but then defines cannabis seeds which do not have more than 0.3% delta-9 tetrahydrocannabinol concentration on a dry weight basis as hemp, effectively defining all cannabis seeds as hemp rather than marijuana since cannabis seeds themselves do not contain delta-9 tetrahydrocannabinol. Under this definition, viable cannabis seeds which could produce high THC plants could qualify as hemp simply by being a seed.



The department believes adjusting the definition of marijuana to specifically exclude hemp is unnecessary as hemp is already distinguished from marijuana by definition. If adjustments to the definition are to be made, however, a more workable definition of marijuana which does not create automatic legal friction must be devised, and at a minimum distinction must be made between viable cannabis seeds produced outside of an authorized hemp program and viable cannabis seeds produced from a plant in a licensed hemp program which passed compliance sampling.

Regarding Sections 1 and 6 of this bill, which requires that the Department submit a plan for hemp regulation to USDA, the department has the following comments:

(1) It may not be practicable to submit a plan for a new state hemp regulatory program to USDA within days of this bill's passage.

(2) No personnel or funding is granted to help run any proposed new program, and the 2018 Farm Bill requires that state hemp regulatory plan submitted contain a certification that the state has the personnel and resources to carry out its submitted plan.

The Department would like to note the support for SB1353 SD1, which allows the State to develop an industrial hemp program, as the preferred legislative vehicle this session regarding hemp.

Thank you for the opportunity to testify on this measure.

Council Chair  
Kelly T. King

Vice-Chair  
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Riki Hokama  
Alice L. Lee  
Michael J. Molina  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura



Director of Council Services  
Maria E. Zielinski

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

February 11, 2019

TO: The Honorable Chris Lee, Chair  
House Committee on Judiciary

FROM: Kelly T. King  
Council Chair

*Kelly King*

SUBJECT: **HEARING OF FEBRUARY 12, 2019; TESTIMONY IN SUPPORT OF  
HB 131, HD 1, RELATING TO HEMP**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this measure is to facilitate the regulation and production of hemp.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. Hemp has the potential to remediate our contaminated soils and is naturally resistant to most pests. After decades of growing sugar, hemp would aerate agricultural lands and boost their productivity.
2. Growing hemp could have a substantial positive impact on the economy. According to the Hemp Industries Association, the U.S. hemp industry was valued at an estimated \$500 million in annual retail sales for all hemp products in 2012. That number has only grown since that time.
3. Many farmers and business people in Maui County have recently expressed excitement for the opportunities created by hemp legalization. Hemp should be properly regulated by the State, but regulation should not restrain or restrict entrepreneurs from appropriately creating innovative products with hemp.

For the foregoing reasons, I **support** this measure.



**LATE**

Board of Directors:

**House Judiciary Committee**

Gary L. Hooser  
*President*

**Hawaii Alliance for Progressive Action (HAPA)  
strongly supports: HB 131**

Andrea N. Brower  
Ikaika M. Hussey  
*Co-Vice Presidents*

Tuesday, February 12, 2019, 4:00 p.m., Conference Room 325

Kim Coco Iwamoto  
*Treasurer*

Aloha Chair Lee, Vice Chair Buenaventura and Members of the Committee,

Bart E. Dame  
*Secretary*

On behalf of the Hawaii Alliance for Progressive Action (HAPA), I am writing in support HB 131, which is designed to accelerate the process that will allow farmers in Hawai'i and market hemp products, and help diversify Hawai'i's economy.

Paul Achitoff

HAPA is a statewide environmental, social and economic justice organization. HAPA's fair and sustainable food systems work focuses on protecting Hawaii's environment and the health of its residents from potentially harmful pesticide impacts. HAPA engages over 10,000 local residents annually through its work.

Nancy Aleck

Laura Harrelson

Kaleikoa Ka'eo

The recent passage of the Farm Bill in December presents Hawai'i with a monumental opportunity to usher in a successful new hemp agricultural industry. Current industry estimates place the total retail value of hemp products sold in the U.S. in 2017 to be at least \$820 million.[1]

Michael Miranda

Walter Ritte Jr.

Pua Rossi-Fukino

While other states had the requisite ag plans prepared to submit to the feds prior to the passage of the Farm Bill, our state dragged its heels. Our economy cannot afford to delay any longer. We should pass the requisite legislation to allow the state to move forward on the opportunity to generate millions of dollars in profits, create new jobs and enable entrepreneurial opportunities.

Karen Shishido

Leslie Malulani Shizue Miki

Hemp yields three crops yearly in balmy Hawai'i, where climate provides a distinct advantage over competitors in other states. There is no reason that Hawai'i's agriculture sector should not be participating in this dynamic market. The estimated gross value of hemp production per acre is about \$21,000 from seeds and \$12,500 from stalks. And, since 2011, U.S. hemp retail sales have increased from about 10% to over 20% annually.

*The Hawaii Alliance for Progressive Action (HAPA) is a public non-profit organization under Section 501(c)(3) of the Internal Revenue Code. HAPA's mission is to catalyze community empowerment and systemic change towards valuing 'aina (environment) and people ahead of corporate profit.*



And this is just the beginning. The potential for growth of small business is exponential. Hemp is now being used for clothing, paper, building materials, foods, health supplements and a variety of other value-added products.

In addition to its potential for agricultural commerce, hemp has the potential to remediate our contaminated soils. Hemp's high biomass, long roots and short life-cycle make it a premium candidate for phytoremediation. In 1999, it was planted in the contaminated soils of the Chernobyl disaster site in the Ukraine, where it was revealed that the plant can take up considerable amounts of heavy metals, including lead, nickel, zinc, chromium, and cadmium. [2]

Further, a 2012 scientific study proved that hemp successfully absorbs cadmium from the soil.[3] Left untreated in soil, cadmium can enter the food chain, and consumption can cause severe joint and spinal pain. Another study found hemp to be the best bioaccumulator of cadmium out of eight potential energy crops.[4]

Hawai'i's soil, which has been severely compromised by the toxic legacy of pesticide-dependent agriculture, could greatly benefit from the phytoremediation properties of hemp.

Hawai'i needs to expedite the production and marketing of this valuable crop. Thank you for consideration. I urge you to support HB 131.

Mahalo,



Anne Frederick  
Executive Director

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[1] "In Kentucky, Farmers Find Hemp May Be More Profitable Than Tobacco," *Forbes*, August 28, 2018.

[2] "Phytoremediation and Potential of Hemp (*Cannabis sativa* L.): Identification and Characterization of Heavy Metals Responsive Genes," *CLEAN – Soil Air Water* 44(2), August 2015.

[3] *Applied Biochemistry and Biotechnology*, "Cadmium Tolerance and Bioaccumulation of 18 Hemp Accessions," Sept. 2012, Vol. 168, pp. 163-173.

[4] "Cadmium tolerance and accumulation in eight potential energy crops," *Biotechnol Adv.* 2009 Sep-Oct;27(5):555-61.

**HB-131-HD-1**

Submitted on: 2/11/2019 3:40:21 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

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# Pratt Law Hawai‘i, LLC

Sandra Ann Kau‘ionālani Pratt-Aquino, Esq.

45-735 Wainānā St., Kāne‘ohe, Hawai‘i 96744 (by appointment only)

P: (808) 393-1948 E: kaul@prattlawhi.com W: prattlawhi.com

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February 11, 2019

## **Testimony to the House Committee on Judiciary on HB131**

Representative Chris Lee, Chair

Representative Joy A. San Buenaventura, Vice Chair

Tuesday, February 12, 2019 4:00 PM

Aloha House Committee on Judiciary:

My name is Sandra Ann K. Pratt-Aquino and I am an attorney licensed to practice law in the State of Hawai‘i. I submit this testimony in *strong opposition* to HB131, which proposes amendments to Article VI of the Constitution of the State of Hawaii to amend the manner in which Justices and Judges are appointed, consented to, and Retained.

I see this as a direct assault on our judiciary to politicize and to control this branch of government. In a worst-case scenario, the legislature could retaliate against a judge if he or she issued a decision adverse to the legislative branch by not confirming that judge. This is not how I desire for government to work. The judiciary is intended to function independently as a check on the executive and legislative branches. The current system is set in this way to promote such independence and the separation of powers. It should stay that way. Additionally, as a practicing attorney, judges are already overwhelmed in our current system and doing their best to serve Hawai‘i. To make them have to go through the reconfirmation process is not what I would like for our government.

Finally, I am very disappointed at this bill as I see the legislature over-reaching into a branch of government intended to hold legislators accountable. It appears like a power grab to reform our government to allow the legislative branch the greatest control of the judicial branch. Respectfully, I disagree with this approach and I ask you to oppose this measure.

Mahalo,

Sandra Ann K. Pratt-Aquino, Esq.

**HB-131-HD-1**

Submitted on: 2/9/2019 11:57:49 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Moran	Kihei Community Association (KCA)	Support	No

Comments:



**Akamai Cannabis Clinic**

3615 Harding Ave, Suite 304  
Honolulu, HI 96816

TESTIMONY ON HOUSE BILL 131 HD1  
RELATING TO HEMP

By  
Clifton Otto, MD

House Committee on Judiciary  
Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Tuesday, February 12, 2019; 4:00 PM  
State Capitol, Conference Room 325

Thank you for the opportunity to provide testimony on this measure. Please consider the following comments related to this bill:

1 – It is still unclear whether Cannabidiol (CBD) is a controlled substance in Hawaii, and whether the unregulated CBD products that are flowing into our state are safe or legal for human consumption. The Legislature is currently considering an amendment to our Uniform Controlled Substances Act that would place FDA-approved CBD products, such as Epidiolex, into state Schedule V, the least restrictive of our controlled substance schedules.

However, in the meantime, our Department of Public Safety (PSD) is refusing to tell us the scheduling status of non-FDA approved CBD, which makes it impossible to regulate the imported CBD products that are being sold in smoke shops, health food stores, and ink cartridge stores throughout the state. Even imported dried hemp flowers with questionable levels of THC are being sold in our smoke shops without any oversight.

While the unresolved situation with CBD in Hawaii continues to put our residents at risk, states like California are starting to take action. In July of 2018, the [California Department of Public Health](#) issued a FAQ on Industrial Hemp and CBD in food products based on federal law, which clearly prohibits the use of hemp-derived CBD as a food additive or dietary supplement in that state.

“An Accepted Medical Use Supporter”

New York's [Department of Health and Mental Hygiene](#) has also started prohibiting the addition of CBD to food products, a signal that other states are starting to recognize that regulation in this area is necessary in order to protect consumers and comply with federal law.

The [Food and Drug Administration](#) (FDA) is very clear about the status of CBD and THC as food additives or dietary supplements:

“Under the FD&C Act, it’s illegal to introduce drug ingredients like these into the food supply, or to market them as dietary supplements. This is a requirement that we apply across the board to food products that contain substances that are active ingredients in any drug.”

For us to insure that Hawaii’s future hemp program will comply with the Agricultural Improvement Act of 2018 and provide for the safe marketing of hemp-derived CBD products, the Legislature needs to address this issue. Perhaps a good place to start is by requiring that PSD provide testimony on this matter in order to answer the following question before this bill is allowed to pass through your committee.

Is Cannabidiol (CBD) a tetrahydrocannabinol or a derivative of a tetrahydrocannabinol ?

[HRS 329-14. Schedule I.](#) (a) The controlled substances listed in this section are included in Schedule I.

(g) Any of the following cannabinoids, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Tetrahydrocannabinols; meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. or synthetic substances, **derivatives**, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers; and Delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions, are covered);

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6154432/pdf/can.2018.0030.pdf>

Delta-8-THC (Delta-6-THC):

<https://pubchem.ncbi.nlm.nih.gov/compound/2977#section=Top>

Delta-9 THC (Delta-1-THC):

<https://pubchem.ncbi.nlm.nih.gov/compound/Dronabinol#section=Top>

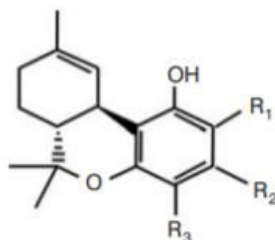
8

*JOURNAL OF CANNABIS THERAPEUTICS*

TABLE 1. Cannabinoids of the  $\Delta^9$ -*trans*-tetrahydrocannabinol Type (Turner et al. 1980)

Cannabinoid	Abbreviation	R <sub>1</sub>	R <sub>2</sub>	R <sub>3</sub>
$\Delta^9$ - <i>trans</i> -tetrahydrocannabinolic acid A	$\Delta^9$ -THCA	COOH	C <sub>5</sub> H <sub>11</sub>	H
$\Delta^9$ - <i>trans</i> -tetrahydrocannabinolic acid B	$\Delta^9$ -THCA	H	C <sub>5</sub> H <sub>11</sub>	COOH
$\Delta^9$ - <i>trans</i> -tetrahydrocannabinol	$\Delta^9$ -THC	H	C <sub>5</sub> H <sub>11</sub>	H
$\Delta^9$ - <i>trans</i> -tetrahydrocannabinolic acid-C <sub>4</sub>		COOH or H	C <sub>4</sub> H <sub>9</sub>	H or COOH
$\Delta^9$ - <i>trans</i> -tetrahydrocannabinol-C <sub>4</sub>	$\Delta^9$ -THC-C <sub>4</sub>	H	C <sub>4</sub> H <sub>9</sub>	H
$\Delta^9$ - <i>trans</i> -tetrahydrocannabivarinic acid		COOH	C <sub>3</sub> H <sub>7</sub>	H
$\Delta^9$ - <i>trans</i> -tetrahydrocannabivarin	$\Delta^9$ -THCV	H	C <sub>3</sub> H <sub>7</sub>	H
$\Delta^9$ - <i>trans</i> -tetrahydrocannabiorcolic acid		COOH or H	CH <sub>3</sub>	H or COOH
$\Delta^9$ - <i>trans</i> -tetrahydrocannabiorcol	$\Delta^9$ -THC-C <sub>1</sub>	H	CH <sub>3</sub>	H

FIGURE 3. Cannabinoids of the  $\Delta^9$ -THC type. The most widespread cannabinoids are the phenolic  $\Delta^9$ -THC with 21 carbon atoms and a C<sub>5</sub> side chain (R<sub>2</sub> = C<sub>5</sub>H<sub>11</sub>) and its two corresponding carboxylic acids A and B (see Table 1).



<https://cannabis-med.org/data/pdf/2003-01-1.pdf>

2 – The proposed definition of hemp does not specifically exempt viable hemp seeds, which could lead to an interpretation that only infertile hemp seeds are legal under state law. In order to prevent such misinterpretation, the following amendment needs to be made to the definition of hemp in this bill:

Page 16, Line 10:

"Hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the viable seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 per cent on a dry weight basis.

3 – The outdoor cultivation of hemp in Hawaii will inevitably mean that the dispersion of male hemp pollen will be widespread wherever hemp is being cultivated. Potential cross pollination could severely restrict the ability of patients and dispensaries to produce high quality outdoor cannabis flowers, which will only increase the costs of medical use production and further reduce patient access.

This is something the Legislature will need to address in order to protect our patients and Hawaii's Medical Use of Cannabis Program. One solution would be to restrict hemp cultivation to least 10 miles away from any dispensary cultivation facility or patient collective.

4 – Hawaii's hemp pilot program was unwilling to address the marketing piece of the 2014 Federal Farm Bill, which rendered the program non-functional and resulted in the current unregulated importation of Hemp-CBD products. In order to provide for a robust hemp program that can comply with the Agricultural Improvement Act of 2018 and provide the necessary regulation at the state level, the following amendment needs to be made to this section:

Page 26, Line 15:

SECTION 6. (a) The chairperson of the board of agriculture shall prepare and submit a proposed state plan to monitor and regulate hemp production in the State pursuant to section 297B of the Agricultural Marketing Act of 1946, as amended, to include provisions for the marketing and regulation of locally produced and imported hemp products, including hemp crude extracts, distillates, and isolates, in order to protect consumer safety and insure compliance with the Agricultural Improvement Act of 2018, to the federal Secretary of Agriculture within X days after the approval of this Act.



**HB-131-HD-1**

Submitted on: 2/10/2019 2:22:00 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

End prohibiton now. Release all nonviolent offenders immediately.

[www.WeAreOne.cc](http://www.WeAreOne.cc)

**LATE**

**HB-131-HD-1**

Submitted on: 2/12/2019 1:10:01 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carl Bergquist	Drug Policy Forum of Hawaii	Support	No

Comments:

**HB-131-HD-1**

Submitted on: 2/8/2019 8:33:36 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Ware	Individual	Support	No

Comments:

Dear Representrtatives,

Please support this bill so we can benefit from so many uses of hemp, none of which will make you high. I see hemp milk in stores. I have hemp clothing. This crop will help small farmers and give consumers more local choices.

Mahalo nui

**HB-131-HD-1**

Submitted on: 2/10/2019 8:21:46 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Howard Fu	Individual	Support	No

Comments:

I fully support HB131!

**HB-131-HD-1**

Submitted on: 2/10/2019 7:38:13 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
denise woods	Individual	Support	No

Comments:

Aloha,

I just want to express my support for this important bill. I think that it will have many positive effects for the small farmers of Hawaii. Thank You.

Denise Woods, RN

Kauai

**HB-131-HD-1**

Submitted on: 2/10/2019 10:03:27 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janice palma-glennie	Individual	Support	No

Comments:

aloha for supporting this legislation that will help farmers and our economy.

sincerely and mahalo,

janice palma-glennie

kailua-kona

**HB-131-HD-1**

Submitted on: 2/10/2019 10:27:48 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom Aitken	Individual	Support	No

Comments:

I support HB131 legalizing hemp to the extent legalized under federal law.

-tom aitken, PO Box 800, Kāneʻohe, HI 96744

Dr. Myron Berney, N.D., L.Ac.  
808-392-3366

2-10-2019

HB131 HD 1 OPPOSE

Commercial Hemp Fiber Growing is not compatible with Medical Marijuana Growing.

In order to harvest medical marijuana the plant cannot be exposed to pollen and become seeded out. Pollination and Seed Production dramatically lowers the quality of Medicine. Medical Marijuana growers must eliminate any and all male flowering plants as soon as they begin to flower before they release their pollen.

Hawaii Agricultural Space is limited. Fiber production is for Kansas. Hawaii already is branded for world class marijuana. Hemp is for Kansas, Hawaii needs medicine and food for sustainability. The Medical Value of Marijuana far exceeds mere fiber production. Hawaii needs the income that Medicine can provide. Support the local growers instead of foreign stock holders.



**HB-131-HD-1**

Submitted on: 2/11/2019 1:03:08 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suellen Barton	Individual	Support	No

Comments:

**HB-131-HD-1**

Submitted on: 2/11/2019 1:28:10 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kim Coco Iwamoto	Individual	Support	No

Comments:

Testimony in STRONG SUPPORT of HB131

Please listen to Hawaii's small farmers: our soil needs remediation. Hemp offers a new agricultural product and will encourage local manufacturing of products made from Hemp.

Thank you,

Kim Coco Iwamoto

**HB-131-HD-1**

Submitted on: 2/11/2019 1:48:55 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

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

Comments:

I strongly support this bill. Hemp is an excellent crop for Hawaii. Not only would it lead to whole new areas of commercial use,, but it would restore the soil, which is badly needed.

Please pass this bill.

**HB-131-HD-1**

Submitted on: 2/11/2019 3:14:47 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Berrett	Individual	Support	No

Comments:

Aloha,

Please make provision for hemp production in Hawaii. Hemp will add yet another piece of self sufficiency to Hawaii's people and economy.

Mahalo,

Richard Berrett

**HB-131-HD-1**

Submitted on: 2/10/2019 9:16:07 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dawn Morais Webster Ph.D.	Individual	Support	No

Comments:

Please listen to the concerns of small farmers and show them you will enact policies that address their needs. Thank you for moving this bill forward to passage.

**HB-131-HD-1**

Submitted on: 2/11/2019 9:26:55 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sunny Savage-Luskin	Individual	Support	No

Comments:

**HB-131-HD-1**

Submitted on: 2/11/2019 7:18:38 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
alex beers	Individual	Support	No

Comments:

To whom it may concern,

I am strongly in favor of this bill. Hemp is an incredible plant with a multitude of uses.

Mahalo,

Alex Beers

20 kaikai st.

Wailuku, HI

**HB-131-HD-1**

Submitted on: 2/11/2019 10:28:26 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John NAYLOR	Individual	Support	No

Comments:



**HB-131-HD-1**

Submitted on: 2/11/2019 11:41:41 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marion McHenry	Individual	Support	No

Comments:

This bill is important for Hawaii's small farmers.

**HB-131-HD-1**

Submitted on: 2/11/2019 12:12:43 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jun Shin	Individual	Support	No

Comments:

Aloha Chair, Vice Chair, Members of the Committee,

My name is Jun Shin. I am a freshman at UH Manoa, and currently serve as an executive committee member of the Young Progressives Demanding Action (YPDA). I am offering brief testimony in **support** as an individual.

I have seen the benefits of hemp, whether it was hemp milk or hemp clothes and would like to see this expanded. In the federal government, we've seen positive bipartisan views on hemp from both Democrats and Republicans, notably in the fairly recent decriminalization of hemp through the Farm Bill.

We are having much needed discussions at the Capitol regarding diversifying our agriculture, growing our own food, and supporting farming. We as a state have a potential to lead in hemp and gain economic opportunities while helping our islands in sustaining itself. However in doing so, we also need to keep listening to the needs and concerns of our small farmers in order to insure that they are also able to thrive. Please support this measure and pass it out of your committee.

Mahalo,

Jun Shin

junshinbusiness729@gmail.com

**HB-131-HD-1**

Submitted on: 2/11/2019 12:42:58 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
marjorie erway	Individual	Support	No

Comments:

I hope you will seriously listen to the needs of our small farmers. I support this bill.

**HB-131-HD-1**

Submitted on: 2/11/2019 12:50:51 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

**HB-131-HD-1**

Submitted on: 2/11/2019 3:26:01 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Rudolph	Individual	Comments	No

Comments:

While I generally support a new hemp industry for all of the obvious reasons, I am somewhat concerned about the call to 'utilize genetics' in the bill. My concern is possible cross contamination of the soon to be, world class Hawaiian recreational cannabis industry, which will also be very lucrative in providing good jobs, taxes, and promote & protect ag lands, not to mention a thriving visitor industry. I'm not a biologist but I wonder about cross pollination of two similar crops.

**HB-131-HD-1**

Submitted on: 2/12/2019 5:45:50 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Whispering Wind	Individual	Support	No

Comments:

**HEMP! HEMP! HURRAY!!!**

**From:** John Calvert <jcalvert@crystal3.com>

**Sent:** Monday, February 11, 2019, 9:00pm

**To:** JUD testimony

**Subject:** Strong SUPPORT for HB 131



HOUSE JUDICIARY COMMITTEE

**RE: SUPPORT HB 131**

Aloha Chair Lee, Vice Chair San Buenaventura and Members of the Committee

My name is John Calvert and I'm a small farmer in lower Puna district, Big Island. Our 3-acre fruit farm survived the 2018 Kilauea eruption. Now we are looking into growing hemp, specifically CBD hemp, which has become legal as per the federal 2018 Farm Bill, and which is specifically high in cannabidiol (CBD). Regulated hemp is extremely low in THC - not more than .3% dry weight of the flowers. This is also true for CBD hemp. Growers and breeders in Oregon and Colorado have developed hemp strains that are very high in CBD content.

There's not much discussion yet about how valuable CBD hemp is, and cannabidiol as a extract or tincture, formulated into an oil, which is now in great demand because of its healing properties. This creates an excellent, lucrative opportunity for Hawaii farmers. Hemp is often grown in large, multi-acre crops; however, small farmers in Hawaii can also greatly benefit from growing CBD hemp on a much smaller scale, and producing CBD oil for sale. This is due to the high value of individual plants.

Producers of CBD oil in Hawaii need to follow regulations so that their product is tested by a lab, and labelled properly to reflect the actual amount of cannabidiol in the product, and also confirming that THC content is no more than .3%. With this basic requirement, consumers can know what they are getting, and can then avoid products which are not properly labelled.

I strongly urge you to create legislation that will keep the licensing fees low enough for small farmers to engage in growing hemp - both seed/fiber varieties and CBD varieties. The current cost to apply for the hemp license with HDOA is \$500, and this is non-refundable. The cost of the license itself is \$250 for 2 years.

I strongly urge legislation and rules which will allow Hawaii farmers to acquire seed in small quantities from legitimate sources. To date, the Hawaii hemp program has approved seed for high-CBD varieties which are available only by the pound, at a minimum cost of at least \$1,000. This is seed which would be use for large-scale hemp farming. Without rules to allow the acquisition of small quantities of seed, the high cost of seed could prohibit small farmers from acquiring seed.

The most important piece of the legislation, in my mind, is to make the production and sale of CBD oil completely legal in Hawaii. **This means that the THC in hemp needs to be removed from the Hawaii Controlled Substances list.** So far, HB 131 is the only legislation that specifically removes the THC in hemp from the Controlled Substances list (along with companion bill SB1335, and also the very similar HB266). Please be aware that CBD as a "drug" is not the same as CBD oil derived from natural extraction of cannabinoids from hemp flowers, as would be done by farmers in Hawaii. The latter is called "full spectrum" CBD oil, and it has been found to have higher therapeutic value than purified CBD isolate (i.e. drug-form CBD).

Please change the definition of "marijuana" in the Hawaii statutes to mean cannabis that has a THC content of more than .3% by dry weight. Currently, the definition of "marijuana" is simply "cannabis" with no mention of THC content.

Lastly, please note that SB1353 addresses the transition from the current Hawaii hemp pilot program to a new hemp program as per the rules of the 2018 Farm Bill. SB1353 would address the timing issue regarding HDOA's application to the federal DOA, and I think it would also address penalties related to the new hemp program, including penalties for growing hemp without a license.

Thank you for your consideration,

Mahalo,

John Calvert

small farmer, lower Puna district, Big Island



**LATE**

**HB-131-HD-1**

Submitted on: 2/12/2019 5:46:57 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Murphy	Individual	Support	No

Comments:

**HEMP! HEMP! HURRAY!!!**

**HB-131-HD-1**

Submitted on: 2/12/2019 4:00:20 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wendy Arbeit	Individual	Support	No

Comments:

Industrial hemp has so many uses that will benefit the state: the products themselves, new source of revenue for our small farmers, helping us to be less dependent on tourism, and the resulting taxes. Vote yes. This law is overdue.