

**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY-FIRST LEGISLATURE, 2022**

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**ON THE FOLLOWING MEASURE:**  
S.B. NO. 2986, RELATING TO HEMP.

**BEFORE THE:**  
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

**DATE:** Wednesday, February 23, 2022      **TIME:** 9:30 a.m.

**LOCATION:** State Capitol, Room 229, Via Videoconference

**TESTIFIER(S):**      **WRITTEN TESTIMONY ONLY.**  
(For more information, contact Alison S. Kato,  
Deputy Attorney General, at (808) 586-1180.)

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Chair Baker and Members of the Committee:

The Department of the Attorney General (Department) is opposing portions of this bill for the following reasons.

The purpose of this bill is to reduce certain requirements and restrictions on the production and sale of hemp in Hawaii, including allowing licensed hemp producers to sell hemp biomass directly to consumers and removing the Hawaii Department of Agriculture's oversight of transportation of hemp. This bill also imposes certain labeling requirements on hemp products.

The Department recommends that the portions of the bill that allow consumers to possess hemp biomass and that eliminate state regulation of hemp transportation be deleted because of law enforcement concerns.

Among other things, this bill proposes to allow the sale of hemp biomass to consumers without defining what biomass is. The current prohibition against selling hemp biomass to consumers flows from the definition of "marijuana" in chapters 329 and 712, Hawaii Revised Statutes (HRS). Currently, sections 329-1 and 712-1240, HRS, exempt the following from the definition of "marijuana": (1) "mature stalks of the plant (genus) Cannabis, fiber produced from the stalks, oil, or cake made from the seeds of the plant," and other derivatives; (2) hemp that is in the possession, custody, or control of hemp producers or hemp processors; and (3) products containing or

derived from hemp that do not include certain living parts of the plant and have a THC content of not more than 0.3 percent.

The effect of this definition is that hemp flower, leaves, and viable seeds are considered marijuana, the possession of which is prohibited unless they are in the possession of licensed hemp producers or processors. The current definition addresses the law enforcement concern that hemp flower is indistinguishable from marijuana. Hemp flowers should, therefore, not be included in the exemption from marijuana in possession of consumers because it would be practically impossible to then enforce marijuana laws and regulations, including medical cannabis laws. Because consumers may already possess the materials described in item (1) above, it is unnecessary to allow consumers to possess hemp biomass.

In addition, the measure removes section 141-42(b), HRS, which requires hemp producers to report any transportation of raw hemp flower to the Hawaii Department of Agriculture. As hemp production is regulated by the United States Department of Agriculture, if this section is removed, the State will have no way of knowing where hemp flower is or where it is going. This would be problematic for law enforcement, as anyone could ship large amounts of marijuana and there would be no way to know if the shipment contains legal hemp or marijuana without confiscating the carrier and testing the shipment. The current system was set up so that the hemp producer has documentation showing that the shipments are hemp.

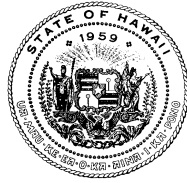
It is also important for law enforcement to know where hemp is located, as the processing of hemp can result in concentrated delta-9 Tetrahydrocannabinol (THC) isolate, which can then be diverted to the illicit market. Delta-9 THC is the psychotropic compound in cannabis that produces intoxicating effects. While the raw hemp plant material should contain a minimal amount of delta-9 THC, the process used to extract other cannabinoids, such as cannabidiol (CBD) will inevitably leave a byproduct of concentrated THC. Without adequate monitoring in place for law enforcement, that

concentrated THC can easily be diverted into illicit markets. For that reason, we recommend not amending section 141-42(b).

Finally, we note that this bill proposes to amend sections 141-42 and 328G-2, HRS, which were enacted as part of Act 14, Session Laws of Hawaii (SLH) 2020, and which will be repealed on June 30, 2022. If the intent of the Legislature is to have these statutory amendments remain in effect after June 30, 2022, we recommend the Legislature consider either passing another bill, such as Senate Bill No. 2973, which extends the repeal of Act 14, SLH 2020, from June 30, 2022, to June 30, 2024, or inserting an extension in this bill, like section 1 of Senate Bill No. 2973.

For these reasons, we recommend that the amendments on page 6, lines 9-21, and page 8, lines 10-12, be deleted.

Thank you for the opportunity to comment.



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB2986**  
**RELATING TO HEMP**

SENATOR ROSALYN H. BAKER, CHAIR  
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Hearing Date: 2/23/2022

Room Number: CR229/Videoconference

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's  
2 Executive Budget Request for the Department of Health's (Department) appropriations and  
3 personnel priorities.

4 **Department Testimony:** The Department offers comments on the recommended amendments  
5 to chapter 328G, Hawaii Revised Statutes (HRS), proposed in section 3 of this measure (starting  
6 on page 8 line 19) . As proposed, the amendments to chapter 328G appear to relieve certain  
7 hemp processors from having to register with the Department. A hemp producer meeting the  
8 definition of a hemp processor would still be subject to all remaining applicable rules in chapter  
9 11-37, Hawaii Administrative Rules (HAR). Without the basic information provided during the  
10 registration process (listed in §328G-2(c)), however, the Department would not know where  
11 hemp processing operations are occurring, which would impact our ability to inspect for  
12 compliance with these public health rules. As such, the Department respectfully requests the  
13 removal of section 3 from the bill.

14 Chapter 328G authorized the Department to adopt minimum requirements a hemp processor  
15 must meet to ensure they are making safe products for the consumer. Registering as a hemp  
16 processor is required only if the facility is processing hemp plant material into hemp products,  
17 which are intended to orally supplement the diet or be topically applied to skin or hair and are  
18 only allowed in certain forms. Under chapter 11-37, HAR, laboratory testing and labeling

1 requirements must be met before any hemp products are sold to the Hawaii consumer, which  
2 includes hemp products both made in Hawaii and made out of state.

3 **Offered Amendments:** The Department respectfully requests the removal of section 3 from the  
4 bill.

5 Thank you for the opportunity to testify on this measure.

**DAVID Y. IGE**  
Governor

**JOSH GREEN**  
Lt. Governor



**PHYLLIS SHIMABUKURO-GEISER**  
Chairperson, Board of Agriculture

**MORRIS ATTA**  
Deputy to the Chairperson

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

**TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON**  
**COMMERCE AND CONSUMER PROTECTION**

**FEBRAURY 23, 2022**

**9:30 A.M.**

**CONFERENCE ROOM 229 & VIA VIDEOCONFERENCE**

**SENATE BILL NO. 2986**  
**RELATING TO HEMP**

Chairperson Baker and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 2986. This measure removes certain duplicative regulations imposed on hemp producers in the State, allows hemp producers to sell biomass directly to consumers, requires that hemp produced in the State be labeled as Hawaii produced and that hemp produced outside the State be labeled with the appropriate origin. The Department has concerns, offers comments and defers to the comments of the Office of the Attorney General regarding this bill.

Reducing the growing buffer zone from 500 feet to 100 feet near residential dwellings may increase land use conflicts and complaints between licensed hemp growers and established neighbors over noise from fans, light pollution from grow lights, and smells associated with hemp cultivation. These conditions are typically associated with indoor hemp cultivation operations and may be mitigated through engineering



solutions or design. While reduced buffer zones may impact those issues between agricultural activity and abutting residential districts, the proposed 100 feet buffer zones for hemp operations appear to conform with such buffers for other nuisance or hazardous activities such as pesticide application.

Removing the Department of Agriculture responsibility to regulate transportation of hemp and allowing direct sales of “biomass” to consumers, including online sales, would eliminate the transportation report notification requirement. The Department notes that the notification requirement is currently used by law enforcement to check that hemp being transported is in compliance with all USDA required testing and State regulation. Without the transportation report, it makes it very difficult for law enforcement to know if the shipment contains legal hemp or marijuana without confiscating the carrier and testing the shipment. Additionally, the Department recommends that “Biomass” be defined and clarified to confirm whether it includes fiber, leaf, flower, propagative plant materials, etc.

Hemp geographic origin labeling provides transparency and encourages fair advertising practices for hemp products that are being promoted for sale. The Department supports the labeling requirement to ensure that hemp produced in the State is labeled as Hawaii produced and that hemp produced outside the State is labeled with the appropriate origin. The Department notes, however, that enforcement of the requirement may be challenging because it is difficult to determine the authenticity of the origin of the product especially if the transportation report notification requirement is eliminated.

Thank you for the opportunity to testify on this measure.

**SB-2986**

Submitted on: 2/21/2022 12:15:39 PM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Bonnie Marsh	Testifying for UpCountry Doctor	Support	No

Comments:

I support and ask for amending this bill in support of the Hemp farmers.

Mahalo,

Dr. Bonnie Marsh





**Kauai Hemp Company**  
4445-C Omao Rd, Koloa HI 96756  
kauaihempco.com

February 21, 2022

Support SB 2986 with Amendment

Dear Senate Commerce and Consumer Protection Committee Members,

As Hawaii's only certified organic, vertically integrated hemp farm and CBD processing facility, Omao Labs/Lands (DBA Kauai Hemp Company) strongly supports Senate Bill 2986. Just as the Hawaii Coffee Industry benefited from the passage of labeling law HRS 486-120.6, Hawaii hemp producers will see similar securities with the passage of SB 2986.

Additionally, we urge you to add language to allow for the sale of gummies or lozenge guided by the Department of Health's testimony on last year's House Bill 1243

"The Department believes it is appropriate to allow gummies in limited shapes. The proposed shape limitation in the definition "gummy" addresses concerns that gummy hemp products may be mistaken for popular types of gummy candy, such as gummy bears."

Thank you for your time and consideration,

Mr. Daryl Kaneshiro

Managing Member

Omao Labs/Lands LLC



**Officers**

Vincent Mina  
State President  
HFUU

Anabella Bruch  
Vice-President  
HFUU

Maureen Datta  
Secretary  
HFUU

Reba Lopez  
HFUU Treasurer

**Chapter Presidents**

Dash Kuhr  
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East Hawai'i

Steve Lund  
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Andrea Drayer  
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Maureen Datta  
Kona, Hawai'i

Robert Boudreaux  
Hana, Maui

Reba Lopez  
Haleakala, Maui

Bobby Pahia  
Mauna Kahalawai,  
Maui

Kaipo Kekona  
Lahaina, Mau

Brynn Foster  
North Shore, Oahu

Christian Zuckerman  
Wai'anae, Oahu

Vincent Kimura  
Waimanalo, Oahu

Anabella Bruch  
Kauai

Aloha Chair Baker, Vice Chair Chang, and Members of the Committee on Commerce and Consumer Protection,

The Hawaii Farmers Union United (HFUU) is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. This bill establishes hemp origin labeling, streamlines unnecessary regulatory duplication, and would expand market opportunities for Hawaii hemp farmers and for these reasons **HFUU strongly supports SB2986.**

**HFUU also recommends the addition of the following language** on page 8 Section 2 as a final subsection:

(g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

Mahalo for the opportunity to testify.

Vincent Mina President HFUU/HFUF

A handwritten signature in blue ink, appearing to be "Vincent Mina", written over a light blue horizontal line.

**SB-2986**

Submitted on: 2/21/2022 7:51:26 PM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Elisabeth Bluml	Testifying for Khandro Farm	Oppose	No

Comments:

I strongly appose this bill. It is only for a few farmers and it's not well thought out and strictly a reaction to the logical steps that the State of Hawaii has taken regarding this crop.

SB2973 is a far better bill that has had a lot of thought and work put in to establish a clear pathway for hemp in the State.

Please do not pass SB2986.

**SB-2986**

Submitted on: 2/21/2022 8:25:33 PM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jutta Mueller	Testifying for Plumeria Plantation Ag Enterprise LLC	Oppose	No

Comments:

I strongly oppose SB2986.

Hawaii needs to have involvement of it's own government in laws and control of hemp production!

Any Cannabis/hemp cultivation whether for CBD or THC needs to be tightly controlled by our own local authorities or a lack of control of hemp farms could open the market up for unregulated black market THC production.

Please keep the local involvement! For the future of our society please oppose this bill!

Mahalo

J.Mueller



www.hawaiihempfarmersassociation.org

February 20, 2022

Strongly Support SB 2986 with 3 Amendments to Address DOH Comments

Dear Chair Baker and Members of the Senate Committee on Commerce and Consumer Protection,

The Hawaii Hemp Farmers Association strongly supports SB 2986 and asks for three very important amendments to eliminate costly double regulation, address Department of Health comments, and to ensure Hawaii hemp production does not sunset and is not arbitrarily made illicit in two years:

1.) Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

2.) Add Section (3) Definitions "Hemp processor" means a person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 600 lbs of dry hemp per year."

3.) Change SECTION ~~6~~ <sup>9</sup>. This Act shall take effect upon its approval, and shall be repealed on June 30, ~~2022~~, <sup>2024</sup>; ~~provided that the definition of "marijuana" in section 3291, Hawaii Revised Statutes, and the definitions of "marijuana" and "marijuana Concentrate" in section 7121240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act.~~

These amendments do the following,

1.) Eliminate the proposed new DOA inspections and fees for farmers. We are regulated by USDA for hemp grows and USDA already covers inspections. USDA requires extensive record keeping and testing of crops. State Dept of Health requires extensive testing of all hemp products. Law enforcement can enter our farms at any time. DOA can easily get any needed data from USDA or DOH. There is no need for double inspections - just more costs and time for farmers. It's these types of issues that have hamstrung Hawaii farmers and cost us much more to operate than any other hemp farmers in the U.S.

2.) Change the definition of hemp processor to be consistent with proposed changes to Section 3 of SB 2986.

*Hawaii Hemp Farmers Association  
Support SB 2986 with Amendments*

3.) Ensure hemp production does not sunset in Hawaii and that the definition of hemp is not changed to make it illicit in two years as per current rules. Making hemp illicit by definition would be in direct conflict with the 2018 U.S. Farm Bill allowing for the production of hemp.

HHFA believes that SB 2986 with these three amendments is the path to help hemp farmers create a thriving hemp industry that will greatly benefit Hawaii and its citizens.

Respectfully Submitted,

*Ray Maki*  
Ray Maki  
President and Farmer

*Gail Byrne Baber*  
Gail Byrne Baber  
Vice President and Farmer

# Hawaii Hemp Farmers Center

## Community Based Project by Farmers

hihempfarmers.org

February 21, 2022

Re: Support SB 2986 with 3 Amendments

Aloha,

The Hawaii Hemp Farmers Center is dedicated to advocating for the needs of Hawaii's Farmers. Hawaii farmers birthed the hemp and CBD market in Hawaii but have mostly shut out of participating in \$32,000,000 per year Hawaii CBD market – that money is being primarily exported.

We urge you to pass SB 2986 with three amendments,

1.) Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

2.) Add Section (3) Definitions "Hemp processor" means a person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 600 lbs of dry hemp per year."

3.) Change SECTION 6 9. This Act shall take effect upon its approval, and shall be repealed on June 30, ~~2022,~~ 2024 ; provided that the definition of "marijuana" in section 3291, Hawaii Revised Statutes, and the definitions of "marijuana" and "marijuana Concentrate" in section 7121240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act.

The Hawaii Hemp Farmers Center supports:

1. Allow on-farm, small batch processing of hemp by USDA licensed hemp farmers that produce less than 600 dry lbs per year or less of hemp and should be exempt from costly and unnecessary processing permit requirements – farmers have been processing hemp on-farm with no incident for three years. There are no processors in the State that take small amounts of hemp and farmers can't afford tolling fees to sacrifice 50% of their crop to processors as payment.
2. Eliminating Double Regulation - Hawaii Farmers' production (growing) of hemp is regulated by the US Department of Agriculture. We are the ONLY state that double regulates farmers production (USDA and State DOA), requiring farmers to get permission to move their crop for any processing or sales. Imagine a papaya or tomato farmer forced to get permission from the Hawaii State Department of Agriculture before selling or processing their crops! The unnecessary paperwork now required by the State

hihempfarmers@gmail.com  
<https://hihempfarmers.org>

and the potential fines for not filing (\$10,000) are the most draconian hemp production rules in the country.

3. Allowing Hawaii Farmers to Sell All Hemp and CBD Products to Hawaii Residents - Hawaii farmers are restricted in selling numerous hemp and CBD products in Hawaii. But these products are regularly purchased online and in stores in Hawaii by Hawaii residents. We're asking the Legislature to allow Hawaii's farmers the same opportunity and access to Hawaii markets that farmers in other states have in Hawaii right now by default.
4. Transparency in Hawaii Hemp Products Labels - We support label transparency for Hawaii consumers, so they know how much Hawaii hemp is in hemp products claiming Hawaii branding. Hawaii farmers have the highest cost of production and living in the country. To support and grow Hawaii's agricultural economy we need to allow consumers the transparent option to buy local, which supports our economy. Right now the CBD industry is extractive, with most of the profits leaving Hawaii.

Thank you for supporting Hawaii farmers by passing SB 2986 with the above amendments.

Aloha,

*Gail Byrne Baber*  
Gail Byrne Baber



**SB-2986**

Submitted on: 2/21/2022 10:01:45 PM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Peter Fay	Testifying for Omaopio Piliwale Ohana	Oppose	No

Comments:

Committee on Commerce and Consumer Protection

Aloha Chair Baker, Vice Chair Chang and Members,

**We are in STRONG opposition to SB2986 relating to Hemp regulation.**

I am testifying as the spokesperson for Omaopio Piliwale Ohana which is a group of 40+ residents who live in a neighborhood that surrounds a hemp farm in Kula, Maui. Our neighborhood has been devastated by the actions of this lone hemp farm and we have worked hard with the Legislature over the past two years to try to reign in the abusive actions of our neighbor's hemp operation. This bill would only worsen our situation and the situations of other neighborhoods around the state that now find themselves or will find themselves in similar situations. The current rules for hemp growing and production are barely adequate as they are now. To allow this bill to further erode those minimal protections the citizens of Hawaii now have from the abuse of uncaring hemp growers like our neighbor would leave the door open for even further abuse.

We urge you to please vote AGAINST this SB 2986 for the good of all Hawaii's citizens.

Mahalo,

Peter Fay, Omaopio Piliwale Ohana

Kula, Hawaii

**SB-2986**

Submitted on: 2/22/2022 7:56:39 AM

Testimony for CPN on 2/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Greg Smith	Testifying for Earth Matters Hemp	Support	No

Comments:

Aloha,

My name is Greg Smith. I am a hemp farmer and founder of Earth Matters Hemp Hawaii. Farmers need *all* the elements in SB 2986 and these three farmer friendly amendments to SB 2986 in order to keep us financially viable in this industry against the onslaught of imports into Hawaii:

1.) Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

2.) Add Section (3) [§328G-1] Definitions "Hemp processor" means a person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 600 lbs of dry hemp per year."

3.) Change SECTION 6 9. This Act shall take effect upon its approval, and shall be repealed on June 30, ~~(2022,)~~ 2024. ; provided that the definition of "marijuana" in section 329-1, Hawaii Revised Statutes, and the definitions of "marijuana" and "marijuana Concentrate" in section 712-1240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this A

1. have been involved with the hemp industry here in Hawaii since 2015. As someone who worked with Scott Enright, when he was chair of the Department of Agriculture and was given a contract to develop hemp genetics for the state which completed in 2017. This led to a pilot program license to continue the research. At the end of the completed contract, we received a USDA license to grow hemp in Hawaii. As a board member of the Hawaii Hemp Farmers Association I have worked on legislation and have a pretty good understanding of the history of hemp here in Hawaii. I am writing in opposition SB2973 and in full support of SB2986. As someone who has invested many hours and a lot of personal capital in bringing this fantastic commodity to our state, I know just how hard it has been for farmers to be able to process and make their own line of 100% Hawaiian grown and made CBD hemp products. Almost all CBD products that are sold in Hawaii or online are from out of state. We have missed the boat, the opportunity to create a viable industry here in Hawaii has been very much hampered due to excessive and double regulation. - SB 2986 makes it much clearer for the small farmer as to what he can and cannot do and SB 2973 or just more restrictions to make it more difficult to want to develop this crop. The most important thing is that what is in the bottle that is being sold to the consumer is compliant and that it is tested. The USDA regulates hemp farmers in Hawaii, if a farmer can produce a crop that is compliant with the USDA and fill a bottle of 1000 milligrams of CBD and less than 0.3% THC and is compliant with the Hawaii Department of Health, the final product testing is all that should be needed. Give the small farmer an opportunity to create this new industry. As someone who's been growing this plant, knows its potential to help people with sleep disorders, pain and anxiety issues. The hemp plant has never harmed anyone-, it's time to allow the Hawaii farmer a chance to grow this plant and sell this plant anywhere in the state. 100% Hawaiian grown should be on shelves of every health food store in Hawaii.



P.O. Box 253, Kunia, Hawai'i 96759  
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e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

February 23, 2022

HEARING BEFORE THE  
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

**TESTIMONY ON SB 2986**  
RELATING HEMP

Conference Room 229 & Videoconference  
9:30 AM

Aloha Chair Baker, Vice-Chair Chang, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau supports SB 2986**, which removes certain duplicative regulations imposed on hemp producers in the State, allows hemp producers to sell biomass directly to consumers, and requires that hemp produced in the State be labeled as Hawai'i produced and that hemp produced outside the State be labeled with the appropriate origin.

SB 2986 is the path to help Hawai'i hemp farmers create a thriving hemp industry that will greatly benefit Hawai'i and its citizens.

Thank you for this opportunity to testify on this important subject.

February 22, 2022

The Honorable Senator Rosalyn Baker, Chair  
The Honorable Senator Stanley Chang, Vice Chair Senate  
Committee on Commerce and Consumer Protection

**RE: Senate Bill 2986 – RELATING TO HEMP PRODUCTION**  
**Hearing Date: February 23, 2022 at 9:30a.m.**

Chair Baker, Vice Chair Chang and Members of the Senate Committee on Commerce and Consumer Protection:

My name is Thomas “Scooter” Walsh, and I am the President of South Maui Gardens (“SMG”). SMG would like to thank the committee for hearing Senate Bill 2986, which removes certain duplicative regulations imposed on hemp producers in the State. **SMG strongly supports this measure and offers comments.**

SMG has been an active agricultural grower on the island of Maui for over ten (10) years. We have over 180,000 square feet of private green house space in Kula, which includes our hemp operations, and operate a full-scale professional nursery in South Kihei, which services local landscapers and private owners, and commercial entities such as hotels, banks and shopping centers. We employ over 60 residents of the County of Maui.

SMG is committed to supporting Hawaii’s agriculture industry and views the hemp industry as a much-needed opportunity to diversify our local economy. Given this, we appreciate this bill’s recognition that overly burdensome regulations will likely limit the viability of this industry.

Specifically, the current inspection requirements are duplicative and waste State and farmers’ time and resources. These requirements are unnecessary as the USDA is already tasked with and provided the authority to inspection. Currently, in practice the DOA is only regulating buffer zones and confirming whether a permit is for agriculturally zoned land. Additionally, with the maps, there is no need for inspections, especially of already permitted farms.

In turn, to provide further clarity regarding inspection requirements, SMG recommends an amendment to Section 2 of the bill to add a new subsection (g) to HRS Section 141-42 as follows:

(g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

Moreover, SMG supports this measure as it allows hemp producers to sell biomass directly to consumers. This additional ability to process small amounts of hemp on farms into oil and sell biomass in state will provide Hawaii farmers with additional income and prevent some hemp producers from going out of business. Not allowing the sale of biomass will prevent farmers from accessing markets that Hawaii residents already purchase from on the mainland and overseas. Also, without the on-farm, small batch processing exemption, the majority of local hemp farmers currently operating in the State will be unable to make products for the largest legal CBD market in Hawaii, tinctures. Changing the definition of hemp processor will address DOH's primary comments. Accordingly, SMG recommends that the definition of "Hemp processor" be amended to read:

"[A] person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 600 lbs of dry hemp per year."

Further, SMG is a strong proponent for eliminating the requirement for movement reports. Such a requirement encumbers local producers, add administrative costs, and puts Hawaii producers at a competitive disadvantage compared to producers from other States. Removing these requirements will allow our hemp processors to compete on a level playing field.

Lastly, SMG supports an extension of the sunset date for ACT 14 to address DOA's concern. This will allow for the implementation of much needed amendments to State regulations providing oversight of the hemp industry. An extension or removal of the sunset for Act 14 in combination with the proposed regulatory amendments will ensure the growth of the hemp industry in Hawaii. SMG recommends amending Section 6 of the bill to read:

"This Act shall take effect upon its approval, and shall be repealed on June 30, ~~2022~~, 2024."

Thank you for your service to the State and your strong commitment to Hawaii agriculture and to hemp. We look forward to continuing the conversation with you.

Thomas "Scooter" Walsh

President  
South Maui Gardens



February 21, 2022

Re: Support SB 2986 with three amendments needed by farmer

Aloha,

Hawaii hemp farmers are hurting. We are forbidden to sell products that Hawaii residents purchase every day in Hawaii at retail outlets and online. Hawaii's CBD market is worth approximately \$32 million annually, but 99% of that money is being exported to mainland companies using mainland hemp oil or isolate imported from China. The leading hemp economist, Beau Whitney, states that overregulation of the Hawaii hemp farmer is the primary reason for the failure of the Hawaii hemp industry. This is especially discouraging given that it was Hawaii farmers who organized stakeholders around the state to ensure passage of the original hemp legislation 2014 – 2016 and subsequent legislation to legalize CBD and hemp products.

Please make this the year of the Hawaii hemp farmer by passing SB 2986 with the following 3 amendments to eliminate double regulation (inspections), address DOH concerns by clarifying definitions, and ensuring Hawaii hemp industry doesn't sunset in two years:

1.) Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

2.) Add Section (3) Definitions "Hemp processor" means a person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 600 lbs of dry hemp per year."

3.) Change SECTION 6 9. This Act shall take effect upon its approval, and shall be repealed on June 30, ~~2022,~~ 2024; ~~provided that the definition of "marijuana" in section 3291, Hawaii Revised Statutes, and the definitions of "marijuana" and "marijuana Concentrate" in section 7121240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act.~~

Thank you for your support of Hawaii's farmers.

Aloha,

*Clarence A. Baber*

Clarence A. Baber

**SB-2986**

Submitted on: 2/21/2022 9:59:32 AM

Testimony for CPN on 2/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ken Stover	Individual	Support	No

Comments:

I request the bill be amended to eliminate double inspections by the State which is a waste of State and taxpayers dollars and cost farmers money with new fees and wasted time.



**SB-2986**

Submitted on: 2/21/2022 10:04:54 AM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Deborah Umiamaka	Individual	Support	No

Comments:

**I strongly support SB2986.**

**Sincerely, Deborah Umiamaka.**

**SB-2986**

Submitted on: 2/21/2022 3:54:12 PM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Karin Frost	Individual	Support	No

Comments:

I urgently request the bill SB2986 be amended to eliminate double inspections by the State which is a waste of State and taxpayers dollars and cost farmers money with new fees and wasted time. The U.S. Department of Agriculture already regulates hemp farmers in Hawaii and has the authority to inspect farms as needed. Required testing by USDA of every hemp crop and the State Department of Health for CBD products protects the public. Law enforcement in Hawaii already has the authority to enter a farm if they have a concern so these double inspections do not improve public safety. Hawaii hemp farmers have been the most regulated hemp farmers in the country and these regulations have made them non-competitive.

**SB-2986**

Submitted on: 2/21/2022 9:23:57 PM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Barbara Barry	Individual	Support	No

Comments:

Aloha,

I strongly support SB 2986. This is the preferred Hemp Bill, not SB 2973.

SB 2986 is the preferred legislation that supports Hawai'i farmers.

Let support them, not make their lives more difficult.

Mahalo,

Ms. Barbara Barry

Farmer in Ha'ikū, Hi.

Committee on Commerce and Consumer Protection

Aloha Chair Baker, Vice Chair Chang and Members,

## **I am in STRONG opposition to SB2986 relating to Hemp regulation.**

This bill is a narrow bill written by a few farmers who will profit from stripping regulation and oversight from the hemp industry in Hawaii. Just because other states follow specific lack of regulatory procedures is NOT enough of a reason for us to do so here in Hawaii.

There is a well thought out set of directives just put in place after a long and thorough review process by the Dept of Health to regulate the hemp industry and put in place just last year under Hawaii Administrative Rules, Chapter 11, Department of Health, Chapter 37. These final rules cover the ingestion of hemp and hemp products. To quote Chapter 37 preamble,

### ***PAGE 37-4***

*§11-37-1 Purpose and applicability. (a) The purpose of this chapter is to set forth the requirements for the processing of hemp and the sale of hemp products to provide for the protection of the health and safety of the general public. (b) **Subchapters 1 to 3 apply to all persons who package, label, sell, hold for sale, offer, or distribute hemp products within the State, including persons who import or offer for import hemp products into the State.***

SB2986 is an attempt at an end run around the Department of Health and an opening of a wild west approach to hemp – including smokable hemp and ingestible hemp products. Our DOH spent considerable time and thought in the writing of these rules, and I am asking this committee to allow these rules to stay in place.

SB2986 asks for exemption for farms to grow, manufacture and distribute products without any real oversight. If you look to mainland sites where these grow areas are seen, you will see local neighborhoods up in arms regarding the sounds and overpowering smells of these plants. There needs to be time to establish laws that will protect the people of Hawaii from un-thought out repercussions from this crops unregulated growth. Its too late after the barn is opened to put the genie back in the bottle -

Please look to SB2973, which I support, for a more mature law regarding hemp use.

Please vote AGAINST this bill, SB2986.

Mahalo,

Sean Lester

Kihei, Hawaii

**SB-2986**

Submitted on: 2/21/2022 9:34:41 PM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Raphiell Nolin	Individual	Support	No

Comments:

Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

**SB-2986**

Submitted on: 2/22/2022 6:55:22 AM

Testimony for CPN on 2/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
ARIEL OSIF	Individual	Oppose	No

Comments:

**I strongly oppose SB 2973 relating to hemp as it continues the unnecessary double and costly regulation of Hawaii farmers, who are the most regulated hemp farmers in the country. Also, this bill would arbitrarily change the definition of hemp two years in the future, making hemp illegal, which is in conflict with the 2018 U.S. Farm Bill. SB 2986 is the preferred hemp legislation that supports Hawaii farmers. Thank You.**

FROM: Robert Bence

TO: Hawai'i Senate Committee on Commerce and Consumer Protection

RE: Strong Support for HB2986 RELATING TO HEMP

Aloha Chair Baker and CPN Committee Members,

I am writing in strong support of HB2986 relating to hemp. I grew up farming here, after graduating from UH Mānoa with a BBA, returned to Kula to farm full time. Diversified farming since and implemented a USDA Natural Resource Conservation Services, Environmental Quality Incentives Program, contract that brought federal funding to help improve the agriculture and environment on the family farm.

After being diagnosed with a previously undiscovered random birth defect, that caused a stroke followed by brain surgery that led to learning to walk and talk again, developed conditions that I treat with hemp. Researching growing hemp as allowed under the USDA rules on my farm which was purchased with a loan from USDA FSA. Farming hemp has been a major life goal since returning to farming full-time with a severe disability and the first farm bill.

Plan to include hemp with the farm's agroforestry conservation plan as part of alley cropping and multistory planting practices with ultra high density planting of several different trees including grafted avocados and mango. Rotational grazing and no-till cover crop rotations of sunn hemp rolled and crimped followed by hemp making it a great companion plant for the no-till rotations that can be done from tractor allowing more production despite the disability.

The change to current buffer zones and restrictions on sales of biomass as well as the on farm solventless extractions involving ice, water and freeze dryer are among major state regulations addressed by this bill that will help the farm.

The buffer zone at 100' would still limit the production and if any recommendation I could make would be the 100' not apply to farm dwellings on agriculture land. The problems with the hemp pilot member who prompted original buffer debate would be protected by the right to farm act and could apply to several other agricultural activities. The best solution seems to be the small scale local farmers part of the community that will work to minimize disturbances to neighbors because it is the right way to farm anything.

The benefits of hemp as a food and a myriad of other uses from soil remediation to advanced nano particles of hemp graphene superconductors from animal bedding to housing from fresh juice to solventless extracts to seed breeding... the market potential and environmental benefit list would go on for countless pages. Hawai'i farmers shouldn't be left behind any longer. The grown in Hawai'i label is important.

I urgently request the bill be amended to eliminate double inspections by the State which is a waste of State and taxpayers dollars and cost farmers money with new fees and wasted time. The U.S. Department of Agriculture already regulates hemp farmers in Hawaii and has the authority to inspect farms as needed. Required testing by USDA of every hemp crop and the State Department of Health for CBD products protects the public. Law enforcement in Hawaii already has the authority to enter a farm if they have a concern so these double inspections do not improve public safety. Hawaii hemp farmers have been the most regulated hemp farmers in the country and these regulations have made them non-competitive.

Please include the following in SB 2986:

Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

As farmer also asking for the below amendment to avoid the arbitrary change in the definition of hemp two years in the future, making hemp illegal, which is in conflict with the 2018 U.S. Farm Bill. The below change will also ensure Hawaii does not sunset growing hemp in Hawaii: Change SECTION 6 9. This Act shall take effect upon its approval, and shall be repealed on June 30, ~~(2022,)~~ 2024. ~~; provided that the definition of "marijuana" inspection 329-1, Hawaii Revised Statutes, and the definitions of "marijuana" and "marijuana Concentrate" inspection 7121240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act."~~

Greatly appreciate your hearing this bill and again state that I strongly support HB2986. As a local disabled farmer who has been wanting to grow it since the first farm bill but unable due to the current restrictions, I appreciate the bill immensely.

Mahalo

Robert Bence



**SB-2986**

Submitted on: 2/22/2022 7:41:01 AM

Testimony for CPN on 2/23/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gail Smith	Individual	Support	No

Comments:

Testimony in support of SB2986

Aloha, we are Greg and Gail Smith we are the owners of Earth Matters Hemp Hawaii. We have been involved with the hemp movement here in Hawaii since 2017. As someone who worked with Scott Enright, when he was chair of the Department of Agriculture and was given a contract to develop hemp genetics for the state which I completed in 2019. This led to a pilot program license to continue the research. At the end of the completed contract, we received a USDA license to grow hemp in Hawaii. As a board member of the Hawaii Hemp Farmers Association, I have worked on legislation and have a pretty good understanding of the history of hemp here in Hawaii. I am writing in opposition SB2973 and in full support of SB2986. As someone who has invested many hours and a lot of personal capital in bringing this fantastic commodity to our state, I know just how hard it has been for farmers to be able to process and make their own line of 100% Hawaiian grown and made CBD hemp products. Almost all CBD products that are sold in Hawaii or online are from out of state. We have missed the boat, the opportunity to create a viable industry here in Hawaii has been very much hampered from lack of clarity. SP2986 makes it much clearer for the small farmer as to what he can and cannot do and SP2973 or just more restrictions to make it more difficult to want to develop this crop. The most important thing is that what is in the bottle that is being sold to the consumer is compliant and that it is tested. The USDA regulates hemp farmers in Hawaii, if a farmer can produce a crop that is compliant with the USDA and fill a bottle of 1000 milligrams of CBD and less than 0.3% THC and is compliant with the Hawaii Department of Health. That is all that should be needed. Give the small farmer an opportunity to create this new industry. As someone who's been growing this plant, knows its potential to help people with sleep disorders, pain and anxiety issues. The hemp plant has never had anyone harmed, it's time to allow the Hawaii farmer a chance to grow this plant and sell this plant anywhere in the state. 100% Hawaiian grown should be on shelves of every health food store in Hawaii.

**SB-2986**

Submitted on: 2/22/2022 8:36:50 AM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Dennis F Lokmer	Individual	Support	No

Comments:

I urge strong support with added Section 2.

**SB-2986**

Submitted on: 2/22/2022 9:00:45 AM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Brent Neal	Individual	Support	No

Comments:

February 23, 2022

RE: SB 2986 – Support with amendments

Aloha,

I appreciate the opportunity to testify in support of SB2986 with amendments. I would like to see the following amendments to better support Hawaii's hemp farmers:

1.) Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

2.) Add Section (3) Definitions "Hemp processor" means a person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 1 acre of hemp per year."

3.) Change the repeal date to June 30, 2024 ;

4.) Remove the following language "provided that the definition of "marijuana" in section 3291, Hawaii Revised Statutes, and the definitions of "marijuana" and "marijuana Concentrate" in section 7121240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act."

Mahalo for your time.

Sincerely,

Brent Neal

**SB-2986**

Submitted on: 2/22/2022 8:55:50 AM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Brittany Neal	Individual	Support	No

Comments:

February 23, 2022

RE: SB 2986 – Support with amendments

Aloha,

I appreciate the opportunity to testify in support of SB2986 with amendments. I am thankful for the legislatures continued support in trying to create a viable hemp industry in Hawaii that local family hemp farms can participate in. The amendments I would like to see that would support local farmers and help create a viable hemp industry in Hawaii are as follows:

- 1.) Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.
- 2.) Add Section (3) Definitions "Hemp processor" means a person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 600 lbs of dry hemp per year."
- 3.) Change SECTION 6 . This Act shall take effect upon its approval, and shall be repealed on June 30, 2024 ;
- 4.) Remove the following language "provided that the definition of "marijuana" in section 3291, Hawaii Revised Statutes, and the definitions of "marijuana" and "marijuana Concentrate" in section 7121240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act."

Thank you for your time and consideration of the above.

Sincerely,

Brittany Neal

Brittany Neal MSOM, BSN, RN, USDA Hemp Producer, HHFA Board Member

Gail Byrne Baber  
PO Box 601  
Kamuela, HI 96743  
gailbyrnebaber@gmail.com

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RE: Support SB 2986 with Four (4) Amendments

February 21, 2022

Dear Chair Baker and Members of the Senate Committee on Commerce and Consumer Protection,

I am a USDA licensed hemp farmer in Hawaii. Thank you for your support of Hawaii farmers and the Hawaii hemp industry. SB 2986 is a good bill. And, to ensure we're able to survive after farming under the most stringent regulations in the country for growing hemp, we need the following four (4) amendments.

Sincerely,

*Gail Byrne Baber*  
Gail Byrne Baber

1.) SECTION 3. Section 328G-

2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) No person shall process hemp without being registered by the department as a hemp processor pursuant to this part and any rules adopted pursuant ~~[to]~~ this chapter; provided that the following hemp producers licensed by the United State Department of Agriculture are exempt from this subsection:

(1) Producers who grow less than six thousand dry pounds of hemp annually; and/or

(2) Producers who process hemp without solvents such as water, ice, or freeze drying agents."

2.) Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

3.) Add Section (3) [§328G-1] Definitions "Hemp processor" means a person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 600 lbs of dry hemp per year."

4.) Change SECTION 6 9. This Act shall take effect upon its approval, and shall be repealed on June 30, ~~{2022}~~ 2024 . ~~;~~ ~~provided that the definition of "marijuana" in section 329-1, Hawaii Revised Statutes,~~ and the definitions of "marijuana" and "marijuana Concentrate" in section 712-1240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act

**RE: Support SB 2986 with Four (4) Amendments**

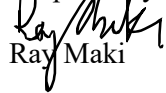
February 21, 2022

Dear Senate Committee on Commerce and Consumer Protection,

I am a USDA licensed hemp farmer in Hawaii. No other hemp farmers in the U.S. have had to try to make a go under such burdensome regulations. Many of the original hemp farmers have quit planting. Some have lost their businesses. Although there a number of licenses issued in the state to grow hemp, very few are actually growing due to the onerous growing and processing regulations.

Please support SB 2986 with the following four (4) amendments.

Respectfully Submitted,

  
Ray Maki

1.) SECTION 3. Section 328G-

2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) No person shall process hemp without being registered by the department as a hemp processor pursuant to this part and any rules adopted pursuant ~~to~~ this chapter~~[-]~~; provided that the following hemp producers licensed by the United State Department of Agriculture are exempt from this subsection:

(1) Producers who grow less than six thousand dry pounds of hemp annually; and/or

(2) Producers who process hemp without solvents such as water, ice, or freeze drying agents."

2.) Add Section 2 (g) Hemp producers licensed by the U.S. Department of Agriculture to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and no other inspections or sampling by the State will be required, nor will the State issue violations or penalties to USDA licensed hemp producers following USDA rules and protocols. Penalties may only be issued for growing hemp without a USDA issued license.

3.) Add Section (3) [§328G-1] Definitions "Hemp processor" means a person processing hemp to manufacture a hemp product, except for a person licensed by U.S. Department of Agriculture to grow hemp in Hawaii and produces less than 600 lbs of dry hemp per year."



4.) Change SECTION 6 9. This Act shall take effect upon its approval, and shall be repealed on June 30, ~~[2022,]~~ 2024. ; ~~provided that the definition of "marijuana" in section 329-1, Hawaii Revised Statutes, and the definitions of "marijuana" and "marijuana Concentrate" in section 7121240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act~~

**LATE**

**SB-2986**

Submitted on: 2/22/2022 12:06:02 PM

Testimony for CPN on 2/23/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Lea Minton	Individual	Support	No

Comments:

Thank you for the opportunity to support SB2986.