



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

**Testimony in SUPPORT of HB2444 HD1
RELATING TO CRIMINAL HISTORY RECORD CHECKS**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date: 03/13/2024

Room Number: 224

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health (department) supports this measure as it
3 will allow the department to meet the legislative intent of Act 263, Session Laws of Hawaii
4 2023, to conduct criminal history checks on consenting hemp processor applicants. Act 263
5 provided two options by which a hemp processor applicant can satisfy the criminal background
6 check requirement:

- 7 1. Agree to and pass fingerprint and criminal background check by the department, or
8 2. Submit a valid USDA license to grow hemp to the department during the application
9 process.

10 Currently, because the department does not have the authority to conduct criminal history checks
11 on consenting hemp processor applicants, only those applicants who have satisfactorily passed a
12 criminal background check to obtain a USDA license to grow hemp can apply to be a permitted
13 hemp processor (option #2).

14 Amending section 846-2.7, Hawaii Revised Statutes (HRS), as proposed by this measure will
15 allow the department to conduct the fingerprinting and criminal history record checks required

1 on those applying under option #1 above. Without this amendment, the department will be
2 unable to issue hemp processor permits to those applicants who do not have a valid USDA
3 license to grow hemp.

4 **Note:**

5 An agency can conduct a state or national criminal history record check only after the Federal
6 Bureau of Investigation – Office of the General Counsel Criminal Justice Information Law Unit
7 approves the proposed statutory language in section 846-2.7, HRS. The department requested an
8 expedited review of the amendments to section 846-2.7 and is currently waiting for a response.

9 **Offered Amendments:** None.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE
COMMITTEE ON HEALTH AND HUMAN SERVICES
AND
COMMITTEE ON AGRICULTURE AND ENVIRONMENT**

**WEDNESDAY, MARCH 13, 2024
1:02 PM
CONFERENCE ROOM 224 and VIDEOCONFERENCE**

**HOUSE BILL NO. 2444, HD1
RELATING TO CRIMINAL HISTORY RECORD CHECKS**

Chairs San Buenaventura and Gabbard, Vice Chairs Aquino and Richards, and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 2444, HD1. This bill authorizes the Department of Health (DOH) to conduct criminal history record checks of applicants for permits to operate as a hemp processor. The Hawaii Department of Agriculture (HDOA) supports the intent of this bill, however, defers to DOH and offers comments.

HDOA regulates buffer zones of hemp farms and the transport of hemp materials while DOH regulates hemp products and hemp processing within the state. HDOA understands that hemp farmers applying for hemp processor's permit are exempt from additional criminal history record checks if they have a valid USDA hemp producer license.

Thank you for the opportunity to testify on this measure.



HB-2444-HD-1

Submitted on: 3/11/2024 6:39:18 AM

Testimony for HHS on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Judiah McRoberts	Testifying for Kauai Hemp Company	Support	Written Testimony Only

Comments:

Dear Committee Chair, Vice-chair, and Members,

On behalf of Kauai Hemp Company, I would like to voice our support of this bill. The bill is an important amendment to help hemp processors achieve permitting through the DOH. The current requirement of having to obtain a USDA hemp license to process is challenging for non-farmers. Our company, with extreme difficulty, was able to acquire a USDA Hemp License on our processing facility. However, the USDA had to make an exception for us. They commented that the situation in Hawaii is highly unusual compared to the other states as their department does not award hemp licenses to manufacturing facilities anywhere else in the United States. Please support the changes in the statute to allow the background checks as a means to acquire a hemp processors permit.

Thank you,

Judiah McRoberts

President

Omao Labs LLC dba Kauai Hemp Company

4445-C Koloa Rd.

Koloa, HI 96756

HB-2444-HD-1

Submitted on: 3/9/2024 12:50:21 PM

Testimony for HHS on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to authorizing the Department of Health to conduct criminal history record checks of applicants for permits to operate as a hemp processor

HB-2444-HD-1

Submitted on: 3/11/2024 10:30:42 AM

Testimony for HHS on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael EKM Olderr	Individual	Oppose	Written Testimony Only

Comments:

I am against this bill because I don't see the reasoning behind this. What difference would it make who is processing hemp? What are the consequences if a former drug dealer decides to go legit? Why narrow down the availability of those who want to work in agriculture when that pool is already so small? What does it matter if the person who wants to work as a hemp producer is trying to turn their life around? Who is at risk here? Let's not bar anyone in this state who wants to benefit from this potentially lucrative industry. Please defer this bill.