

COUNCIL OF THE COUNTY OF MAUI

**ECONOMIC DEVELOPMENT, ENERGY,
AGRICULTURE, AND RECREATION
COMMITTEE**

September 4, 2015

**Committee
Report No. _____**

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Economic Development, Energy, Agriculture, and Recreation Committee, having met on August 18, 2015, makes reference to County Communication 14-213, from Councilmember Donald G. Couch, Jr., on the matter relating to industrial hemp as defined in Act 56 (2014).

By correspondence dated August 12, 2015, Committee Chair Don S. Guzman transmitted a proposed resolution entitled "URGING CONGRESS TO PASS THE INDUSTRIAL HEMP FARMING ACT OF 2015."

The purpose of the proposed resolution is to urge the United States Congress to pass the "Industrial Hemp Farming Act of 2015," which would amend the Controlled Substances Act to exclude industrial hemp from the list of controlled substances, thereby allowing its cultivation if approved by state law.

Your Committee notes the legislation has been introduced as Senate Bill 134 (2015) by Senator Ron Wyden of Oregon and House Bill 525 (2015) by Representative Thomas Massie of Kentucky, respectively. There are nine bipartisan cosponsors in the Senate. Representative Tulsi Gabbard, who represents the people of Maui County, is among 60 bipartisan cosponsors in the House of Representatives.

At its meeting, the Chair of your Committee submitted a revised proposed resolution, incorporating nonsubstantive revisions.

COUNCIL OF THE COUNTY OF MAUI
ECONOMIC DEVELOPMENT, ENERGY,
AGRICULTURE, AND RECREATION
COMMITTEE

Page 2

Committee
Report No. _____

Your Committee further notes industrial hemp is produced from the same plant as marijuana, *Cannabis sativa* L., but is commonly used in clothing, foods, and a variety of other products. Industrial hemp is regulated as a form of marijuana, despite having insignificant levels of Delta-9 tetrahydrocannabinol, or THC, the psychoactive ingredient in marijuana. The Industrial Hemp Farming Act would exclude industrial hemp from the definition of marijuana, thereby allowing it to be grown for commercial purposes.

Your Committee recognized industrial hemp cultivation is currently only allowed for state-approved research purposes.

A representative of the Office of Economic Development expressed support for the resolution, noting the commercial cultivation of industrial hemp would increase the range of agricultural products in Maui County.

The Director of Public Works stated the Department's research indicates industrial hemp can be mixed with other products to be used as insulation that would satisfy code requirements. The Director further stated the Department supports the resolution.

Your Committee noted industrial hemp building materials are sturdy, economical, and free of mold, as demonstrated recently by a showcase cottage built in Kihei, Maui, Hawaii, by the Maui Hemp Institute for Research & Innovation Organizing Committee.

Your Committee recognized the need to find alternative crops to sugar cane and pineapple for the County. Your Committee also noted over 30 countries are cultivating industrial hemp to manufacture products such as hempcrete (a building material), rope, clothing, medicine, and biodiesel fuel.

COUNCIL OF THE COUNTY OF MAUI
**ECONOMIC DEVELOPMENT, ENERGY,
AGRICULTURE, AND RECREATION
COMMITTEE**

Page 3

**Committee
Report No. _____**

Your Committee voted 5-0 to recommend adoption of the revised proposed resolution. Committee Chair Guzman and members Couch, Crivello, Hokama, and Victorino voted "aye". Committee Vice-Chair Cochran and member White were excused.

Your Committee is in receipt of a further revised proposed resolution, incorporating your Committee's recommended revisions and nonsubstantive revisions.

Your Economic Development, Energy, Agriculture, and Recreation Committee RECOMMENDS that Resolution _____, attached hereto, entitled "URGING CONGRESS TO PASS THE INDUSTRIAL HEMP FARMING ACT OF 2015," be ADOPTED.

COUNCIL OF THE COUNTY OF MAUI
**ECONOMIC DEVELOPMENT, ENERGY,
AGRICULTURE, AND RECREATION
COMMITTEE**

Page 4

Committee
Report No. _____

This report is submitted in accordance with Rule 8 of the Rules of the Council.



DON S. GUZMAN, Chair

ear:cr:15020aa:scb

Resolution

No. _____

URGING CONGRESS TO PASS THE INDUSTRIAL HEMP FARMING ACT OF 2015

WHEREAS, the cultivation of sugar cane and pineapple has been traditionally a critical part of Maui County's economic base for over 100 years; and

WHEREAS, the cultivation of sugar cane and pineapple has dwindled dramatically in Maui County to approximately 36,000 acres of sugar cane and 1,350 acres of pineapple; and

WHEREAS, only 230,000 acres are engaged in active farming activity out of the total 402,354 acres zoned agriculture in Maui County; and

WHEREAS, agriculture remains an important element in Maui County's economy and land use patterns, with the trend moving towards more agriculture diversification; and

WHEREAS, Maui County's agriculture lends itself to the preservation of our sense of place and serves as a backdrop of scenic beauty for residents and our primary economic driver – the tourism industry; and

WHEREAS, the industrial hemp industry is enjoying a significant and growing revitalization worldwide and in the United States, as faltering agricultural economies in a number of states create pressure to investigate alternative crops, including industrial hemp; and

WHEREAS, to date, 22 states have passed some form of hemp legislation, with 13 of those establishing commercial industrial hemp programs by statute; and

WHEREAS, on April 30, 2014, Hawaii Governor Neil Abercrombie signed Act 56 (2014) into law, legalizing the limited growing of industrial hemp for research purposes, making Hawaii the eleventh state to legalize industrial hemp; and

Resolution No. _____

WHEREAS, on February 7, 2014, President Barack Obama signed the Farm Bill of 2013 into law, whereby Section 7606 of the act, "Legitimacy of Industrial Hemp Research," defines industrial hemp as distinct and authorizes institutions of higher education or state departments of agriculture in states where hemp is legal to grow hemp for research or agricultural pilot programs; and

WHEREAS, hemp is a fiber and seed crop with the ability to grow in almost any soil, with minimal maintenance and is a \$500,000,000 import industry in the United States; and

WHEREAS, industrial hemp's three raw materials – fiber, hurds, and seeds – can be used in more than 25,000 products, including textiles, rope, plastics, resin, particle board, "hempcrete," paper products, soaps and shampoo, skin care products, biodiesel, food, vitamins, and oil, among others; and

WHEREAS, industrial hemp is commercially produced in more than 30 countries, including Canada, Great Britain, France, Germany, Romania, Australia, and China, without undue restriction or complications; and

WHEREAS, industrial hemp is distinct from its relative, marijuana, in that hemp contains less than one per cent of the psychoactive chemical THC; and

WHEREAS, industrial hemp is currently regulated by the Federal government as a form of marijuana, which is classified as a Schedule I drug; and

WHEREAS, the Controlled Substances Act of 1970 specifies the findings to which the government must attest in order to classify a substance as a Schedule I drug, and those findings include that the substance has a high potential for abuse, no accepted medical use, and a lack of accepted safety for use, none of which apply to industrial hemp; and

WHEREAS, Senate Bill 134, the Industrial Hemp Farming Act of 2015, which was introduced on January 8, 2015, by Senator Ron Wyden and three original cosponsors, Senators Mitch McConnell, Jeff Merkley, and Rand Paul, currently has nine bipartisan cosponsors; and

Resolution No. _____

WHEREAS, House of Representatives Bill 525, the Industrial Farming Act of 2015, which was introduced on January 26, 2015, by Representative Thomas Massie, and currently has 60 bipartisan cosponsors, including Representative Tulsi Gabbard, who represents the people of Maui County; and

WHEREAS, the purpose of the act is to amend the Controlled Substances Act to exclude industrial hemp from the definition of "marihuana"; and

WHEREAS, the bill would create new jobs and open a diverse market for farmers in Hawaii and other states; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby supports the proposed legislation to amend the Controlled Substances Act of 1970 to exclude industrial hemp from the definition of marihuana;
2. That it hereby urges the United States Congress to pass the Industrial Hemp Farming Act of 2015;
3. That certified copies of this resolution be transmitted to the Honorable Barack Obama, President of the United States; the Honorable Joseph Biden, Vice President of the United States; the Honorable John Boehner, Speaker, United States House of Representatives; the Honorable Mitch McConnell, President, United States Senate; the Honorable Brian Schatz, United States Senator; the Honorable Mazie Hirono, United States Senator; the Honorable Tulsi Gabbard, Member of Congress; the Honorable Mark Takai, Member of Congress; the Honorable David Ige, Governor, State of Hawaii; the Honorable Joseph Souki, Speaker, Hawaii State House of Representatives; the Honorable Ronald Kouchi, President, Hawaii State Senate; Maui County's Delegation to the State Legislature; the Honorable Alan Arakawa, Mayor, County of Maui; the Department of Hawaiian Home Lands; the Honorable Mel Rapozo, President, Hawaii State Association of Counties; Matthew D. Chase, Executive Director, National Association of Counties; Scott Enright, Chairperson, Hawaii Board of Agriculture; Maria Gallo, Dean, University of Hawaii College of Tropical Agriculture and Human Resources; Lui

Resolution No. _____

Hokoana, Chancellor, University of Hawaii Maui College;
Maui County Farm Bureau; Hawaii Farmers Union United;
Denise Key, Director, Industrial Hemp Hawaii; Rick Volner,
Jr., General Manager, Hawaiian Commercial & Sugar
Company; Molokai Ranch; and Pulama Lanai.

ear:misc:020areso03:scb