



The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR SHELLY HETTLEMAN
SB 964 – AGRICULTURE – HEMP RESEARCH AND PRODUCTION – PROHIBITIONS

The 2014 federal Farm Bill opened the door to agricultural research pilot programs to grow hemp. In 2018, the Maryland General Assembly enacted legislation to establish the Industrial Hemp Pilot Program that authorized and facilitated the research of industrial hemp.

In 2019, the General Assembly unanimously voted to create a framework under which farmers would grow hemp independent from the universities and renamed the program the Hemp Research Pilot Program, with an eye towards expanding opportunities for farmers to grow the product. Hemp is a commodity that can be used for a variety of industrial and consumer products like rope, textiles, clothing, paper, fiberglass, and insulation. It can also be refined into oils, plastics and biofuel. While hemp is derived from the same plant species as marijuana, it must have a biologically significant level of marijuana's psychoactive compound, delta-9 tetrahydrocannabinol (THC) – it must have less than .3% on a dry weight basis.

The Maryland Department of Agriculture provided licenses to roughly 65 farmers who, for the past year, have partnered with an institution of higher education to grow industrial hemp. One of the licensees, in the heart of District 11 in Baltimore County, used 5 acres of a 33-acre farm to grow hemp – on a farm that had been growing vegetables and ornamental trees. The vast majority of the farms that have been licensed are in rural areas, far from residential communities. This farm has literally a few hundred homes in close proximity to it.

Calls began to come into my office over the summer and grew more intense as we got closer to the November harvest season from constituents complaining about the odor. Over a few months, we held a series of meetings with constituents, some of whom you will hear from today, who were very upset about the stench that seeped into their homes, cars, clothing, and prevented them from being able to enjoy the simple pleasure of sitting on their patio on a nice summer evening. Many of them complained about headaches, teary eyes, asthma recurrences, and concerns about the health effects of the smell. They worry about permitting their children to play outside and are concerned when their teenagers reek from the odor.

We organized a series of meetings with the Department of Agriculture, the Department of Health and the Department of the Environment. I visited the farm and experienced first-hand the very strong smell emitted from the terpenes, which you will learn, are part of the plant, on a cool rainy day.

My Baltimore County colleagues and I – and, more importantly, our constituents -have done a tremendous amount of research on hemp – how other communities are addressing the stench, what are the potential health effects of the odor, and what we can do about it. Unfortunately, I believe our policy-making is ahead of the research and as we proceed along the path of potentially legalizing marijuana, which has an even stronger smell, we need to be aware that this issue looms ahead of us. There must be a way of balancing the rights of the farmers and our constituents.

Regulations promulgated by the Department of Agriculture have already set a precedent of placing some limits on where hemp farming can be sited by stating that a grower can “only grow hemp on land that is at

least 1,000 feet from a school or public recreation area when the hemp is being grown in an outdoor field or an outdoor site.” COMAR 15.01.15.03

If the Department of Agriculture was concerned enough about permitting hemp to grow in close proximity to schools and recreation areas, then it should also be concerned about it being harvested so close to residences. If we don't do something to limit our constituents' exposure to this quite powerful smell that affects their quality of life as well as the investment in their home, then as this program expands to other communities around the state, it may be your bill that this committee considers next year and your constituents who are demanding that you take action to protect them. I hope you will support SB 964. Thank you.