

House Committee on Agriculture and Natural Resources

Testimony Regarding HB 2168

Doug Jorgensen, State Fire Marshal

March 15, 2023

I would like to thank the committee for allowing me to appear here today to present opposition testimony to HB 2168. The current oversight of the State industrial hemp program is a combined effort by the Department of Agriculture and our office which oversees hemp producers and processors, respectively. In addition, the Kansas Bureau of Investigation and local law enforcement provide supportive role so that the program may meet and maintain certain statutory requirements. All 4 groups interact with each other at different times during the industrial hemp process and our office supports the testimony the committee will hear from these groups today. Even though industrial hemp generally deals with a very small percentage of THC, throughout the growing and processing it may become a controlled substance and precautions should be taken accordingly.

The main concern for our office is the removal of the required fingerprint and background checks for the agricultural type processors and their employees. Our office believes that it is the best practice to have anyone that is involved in the industrial hemp program and has any access to any quantity of THC to not have a criminal record. Furthermore, since the proposed definition "*Hemp fiber, grain or seeds*" is written so broadly, it may create a loophole for any type of processor, except for initial extraction, under the exemption.

We understand how the processors believe that the fingerprinting and background requirements may be cumbersome, but with the KBI moving to the Federal Rap Back program in the spring of 2024, the annual fingerprinting will not be necessary. The fingerprinting and background will only be done when an employee is first employed. After that the Rap Back program will monitor for any arrests or convictions by the individual and then report those to the licensing agency.

The implementation of the Rap Back program will also reduce our costs currently paid for the annual background checks, so our office has no opposition to going to a biannual agricultural processor license with a fee of \$500.

