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## HOUSE RESOLUTION

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REQUESTING THE MAYOR AND THE COUNCIL OF MAUI COUNTY TO IMPLEMENT  
VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY  
OF MAUI.

1 WHEREAS, Hawaii has enacted a medical marijuana law that  
2 enables a qualifying patient who has been diagnosed by a  
3 physician as having a debilitating disease and for whom the  
4 potential benefits from the medical use of marijuana likely  
5 outweighs the health risks, to possess and use an adequate  
6 supply of marijuana for medical purposes; and

7  
8 WHEREAS, eleven other states have enacted similar medical  
9 marijuana laws, including Alaska, Arizona, California, Colorado,  
10 Maine, Montana, Nevada, Oregon, Rhode Island, Vermont, and  
11 Washington; and

12  
13 WHEREAS, on June 6, 2005, the United States Supreme Court,  
14 in *Gonzales v. Raich* (545 U.S. 1 (2005)), affirmed the  
15 constitutional authority of the United States Congress to  
16 regulate the interstate market in drugs, including small,  
17 homegrown quantities of physician-recommended marijuana for  
18 medical uses under a state's medical marijuana law, which, for  
19 the purposes of federal enforcement, effectively bans the  
20 possession and use of marijuana for any purpose, including  
21 medical use; and

22  
23 WHEREAS, despite the Supreme Court decision, the reality  
24 remains that many patients in the State, particularly on the  
25 island of Maui, rely on the use of marijuana to alleviate their  
26 pain and suffering that cannot be addressed in any other way;  
27 now, therefore,

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29 BE IT RESOLVED by the House of Representatives of the  
30 Twenty-fourth Legislature of the State of Hawaii, Regular  
31 Session of 2007, that the Mayor and the County Council of Maui  
32 are strongly urged to implement various measures regarding  
33 medical marijuana as follows:  
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- 1 (1) Develop a Maui County Family Farmer Medical Marijuana  
2 Regulation and Revenue Program to tax and regulate the  
3 sale of marijuana for adult use;  
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- 5 (2) Under the program:  
6
- 7 (A) License qualified family farmers in designated  
8 agricultural zones to produce marijuana and allow  
9 each licensed family farmer to produce marijuana  
10 for up to two hundred qualifying patients;  
11
- 12 (B) Create an allotment system allowing  
13 agriculturally zoned family farmers on the island  
14 of Maui to supply the medical marijuana needs of  
15 Maui by requiring five-year organic farm plans  
16 based on at least two organic crops, the first of  
17 which shall be marijuana and the second of which  
18 shall be an organic vegetables crop; and  
19
- 20 (C) Create a community oversight committee to oversee  
21 the implementation of the program; and  
22
- 23 (3) Direct the Maui County Police Department to make  
24 investigation, citation, and arrest for private adult  
25 medical marijuana offenses the lowest law enforcement  
26 priority; and  
27
- 28 (4) Advocate for legislative change to further legalize  
29 medical use of marijuana at the state and the federal  
30 levels; and  
31

32 BE IT FURTHER RESOLVED that certified copies of this  
33 Resolution be transmitted to the Mayor and the Chairperson of  
34 the Council of Maui County.

