
A BILL FOR AN ACT

RELATING TO MARIJUANA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 329, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "~~§329-~~ Medical marijuana; secure growing facility.

5 (a) The department of health shall develop and implement a
6 secure growing facility on the island of Maui for medical
7 marijuana to provide a secure space for the growth of medical
8 marijuana by a certified facilitator to be made available to
9 qualifying patients or primary caregivers. The facility shall
10 grow not more than ninety-eight marijuana plants at any time.

11 (b) Qualifying patients shall be eligible to lease a plot
12 from the State within the secure growing facility for the
13 cultivation of sufficient numbers of marijuana plants by a
14 certified facilitator to provide a steady supply of medical
15 marijuana for the patient.

16 (c) The department of health shall employ a certified
17 facilitator to assist patients who have leased a plot in the
18 facility in determining the strains of medical marijuana needed



1 and designing a growing system to establish a stock of healthy
2 plants to ensure the production of an adequate supply of usable
3 medical marijuana to meet the patient's medical needs; provided
4 that the prospective certified facilitators shall be required to
5 create and submit a five year organic farm plan based on no
6 fewer than two organic crops to qualify to use the secured space
7 for the purposes of this section.

8 (d) The department of health shall be authorized to enter
9 into a contract with a certified facilitator pursuant to chapter
10 103D.

11 (e) The department of health shall establish procedures
12 and develop rules to allow qualified patients or their primary
13 caregivers to access the supply of medical marijuana that is
14 being grown for them to ensure receipt of an adequate amount of
15 medical marijuana to meet their medical needs."

16 SECTION 2. Section 329-121, Hawaii Revised Statutes, is
17 amended by:

18 1. Adding definitions for "certified contractor", "plot",
19 and "secure growing facility" or "facility":

20 "Certified facilitator" means an organization
21 knowledgeable in the propagation, growth, harvesting, and



1 preparation for medicinal use of the various strains of
2 marijuana that may be used by a qualified patient.

3 "Plot" means a section of planting ground in a secure
4 growing facility that is large enough to grow not more than
5 seven mature marijuana plants and is allocated for the growth of
6 medical marijuana for a qualified patient.

7 "Secure growing facility" or "facility" means a primary
8 agricultural growing space available to qualified patients to
9 grow medical marijuana that is secured by electric-eye
10 technology, security cameras with a satellite uplink to enable
11 relaying and recording of images in a local police station,
12 motion detectors, security dogs, and two fences for a total
13 fenced area not less than seventy-five feet by one-hundred-fifty
14 feet."

15 2. Amending the definition of "qualifying patient" to
16 read as follows:

17 "Qualifying patient" or "patient" means a person who has
18 been diagnosed by a physician as having a debilitating medical
19 condition."

20 SECTION 3. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$1,000,000 or so much
22 thereof as may be necessary for fiscal year 2008-2009 for the



1 establishment of a secure growing facility for the production of
2 medical marijuana.

3 The sum appropriated shall be expended by the department of
4 health for the purposes of this Act.

5 SECTION 4. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on July 1, 2008.

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INTRODUCED BY:

Colin K. Ay

BY REQUEST

JAN 18 2008



Report Title:

Medical Marijuana; Secure Growing Facility

Description:

Authorizes the establishment of a secure growing facility for the production of medical marijuana for not more than fourteen qualified patients.

