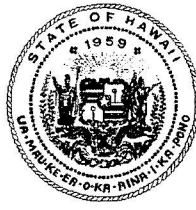


LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

CLAYTON A. FRANK
DIRECTOR

DAVID F. FESTERLING
Deputy Director
Administration

TOMMY JOHNSON
Deputy Director
Corrections

JAMES L. PROPOTNICK
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 2675
A BILL FOR AN ACT RELATING TO
MEDICAL MARIJUANA
Clayton A. Frank, Director
Department of Public Safety

House Committee on Health
Representative Josh Green, Chair
Representative John Mizuno, Vice Chair

Friday, February 1, 2008, 8:00 a.m.
State Capitol, Room 329

Representative Green and Members of the Committee:

The Department of Public Safety strongly opposes House Bill 2675. This bill would require the State of Hawaii to honor another state's medical use of marijuana patient and caregiver certificates, even if that state has less stringent regulations or requirements relating to the amount of marijuana that may be used for medical purposes. Presently there are 12 states with some form of government authorized medical use of marijuana program. Each state has different identification certificates or permits, regulations relating to amount of marijuana authorized for medical use, and regulations or prohibited acts that each patient and caregiver must comply with.

Presently the Narcotics Enforcement Division is able to verify the validity of all its 4047 medical use of marijuana patients, 368 registered caregivers, and 124 physicians participating in Hawaii's Medical Use of Marijuana Program 24 hours a day, seven days a week, for law

enforcement agencies. If house Bill 2675 passes, it would be impossible for the Division to verify the validity of another state's medical use of marijuana certificate or permit, or whether that certificate was issued by a bona fide physician in that state, in a reasonable timeframe. This may result in the detainment / arrest of a visitor from another state claiming that he is in possession of a valid medical use of marijuana certificate from another State.

The language in House Bill 2675 is vague as to which state's regulations the visiting patient or caregiver would be subjected to in relation to the quantity of marijuana that a patient / caregiver may possess, authorized areas for use, the problem of non-recognized debilitating conditions under Hawaii's program, or non-recognized types of medical professionals authorized to issue certificates.

Due to these reasons and numerous enforcement concerns, the Department cannot support House Bill 2675.

Thank you for the opportunity to testify on this matter.

Attachement

Alaska	1999	6 (3 mature)	1 oz
California	1996	12 (6 mature)	8 oz
Colorado	2000	6 (3 mature)	2 oz
Hawaii	2000	7 (3 mature)	3 oz
Maine	1999	6 (3 mature)	1.25 oz
Montana	2004	6	1 oz
Nevada	2000	7 (3 mature)	1 oz
New Mexico	2007	7 (4 mature)	6 oz
Oregon	1998	24 (6 mature)	24 oz
Rhode Island	2006	12	2.5 oz
Vermont	2004	7 (2 mature)	2 oz
Washington	1996	?	60 day supply

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

LATE
Testimony

MUFI HANNEMANN
MAYOR



BOISSE P. CORREA
CHIEF

PAUL D. PUTZULU
MICHAEL D. TUCKER
DEPUTY CHIEFS

OUR REFERENCE DC-TA

February 1, 2008

The Honorable Josh Green, M.D., Chair
and Members
Committee on Health
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Green and Members:

Subject: House Bill No. 2675, Relating to Medical Marijuana

I am Darren Chun, Acting Captain of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department opposes House Bill No. 2675, Relating to Medical Marijuana. This bill has several concerns for law enforcement.

Passage of this bill would authorize the use of a written certification or its equivalent issued by another state to replace a certification issued by the Department of Public Safety, State of Hawaii. We believe that the Department of Public Safety issues the certificates with the well-being of Hawaii's constituents and our unique environment in mind. Authorities from other states should not determine when a person can safely use and cultivate marijuana in the State of Hawaii, which has its own laws, regulations, and restrictions to control medical marijuana. Other states may have laws and regulations that contradict ours, creating a problem with control and enforcement.

The Honolulu Police Department urges you to oppose House Bill No. 2675, Relating to Medical Marijuana.

Thank you for the opportunity to testify.

Sincerely,

Handwritten signature of Darren Chun in black ink.

DARREN CHUN, Acting Captain
Narcotics/Vice Division

APPROVED:

for: Paul Putzulu
BOISSE P. CORREA
Chief of Police



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Executive Director

February 1, 2008

To: Rep. Josh Green, M.D., Chair
Rep. John Mizuno, Vice Chair
House Health Committee

From: Cynthia J. Goto, M.D., President
Linda Rasmussen, M.D., Legislative Co-Chair
Philip Hellreich, M.D., Legislative Co-Chair
Paula Arcena, Executive Director
Dick Botti, Government Affairs Liaison

PLEASE DELIVER to:

Health Committee

Friday
2/1/08
8am
Room 329

Re: HB2675 Relating to Medical Marijuana (Authorizes the use of a written certification or its equivalent issued by another state government to permit the medical use of marijuana by a qualifying patient in place of a certificate provided by the Department of Public Safety.)

HB2678 Relating to Marijuana (Authorizes the establishment of a secure growing facility for the production of medical marijuana for not more than fourteen qualified patients.)

The Hawaii Medical Association opposes HB2675 and HB2678.

We oppose these bills for the following reasons:

- The medical efficacy of marijuana has yet to be proven by evidenced based scientific studies;
- Smoking marijuana exposes patients to, among other health risks, lung damage, increased symptoms of chronic bronchitis, and possibly increased risk of lung cancer. These are the same risk associated with smoking nicotine.

The HMA supports efforts to study and identification of the medical benefit of marijuana. However, until the efficacy of marijuana is demonstrated, we are unable to support access to medical marijuana.

Hawaii Medical Association
1360 S. Beretania St.
Suite 200
Honolulu, HI 96814
(808) 536-7702
(808) 528-2376 fax
www.hmaonline.net

The HMA supports the position of the American Medical Association, which is as follows:

- 1) The AMA calls for further adequate and well-controlled studies of marijuana and related cannabinoids in patients who have serious conditions for which preclinical, anecdotal, or controlled evidence suggests possible efficacy and the application of such results to the understanding and treatment of disease;
- 2) The AMA recommends that marijuana be retained in Schedule I of the Controlled Substances Act pending the outcome of such studies.
- 3) The AMA urges the National Institutes of Health (NIH) to implement administrative procedures to facilitate grant applications and the conduct of well-designed clinical research into the medical utility of marijuana. This effort should include:
 - a) disseminating specific information for researchers on the development of safeguards for marijuana clinical research protocols and the development of a model informed consent on marijuana for institutional review board evaluation;
 - b) sufficient funding to support such clinical research and access for qualified investigators to adequate supplies of marijuana for clinical research purposes;
 - c) confirming that marijuana of various and consistent strengths and/or placebo will be supplied by the National Institute on Drug Abuse to investigators registered with the Drug Enforcement Agency who are conducting bona fide clinical research studies that receive Food and Drug Administration approval, regardless of whether or not the NIH is the primary source of grant support.
- 4) The AMA believes that the NIH should use its resources and influence to support the development of a smoke-free inhaled delivery system for marijuana or delta-9-tetrahydrocannabinol (THC) to reduce the health hazards associated with the combustion and inhalation of marijuana.
- 5) The AMA believes that effective patient care requires the free and unfettered exchange of information on treatment alternatives and that discussion of these alternatives between physicians and patients should not subject either party to criminal sanctions.

Physicians work everyday to heal their patients and to alleviate pain and suffering.

This issue often solicits emotional testimonials from patients and their families who believe in the therapeutic value of marijuana.

However, physicians cannot ethically prescribe drugs which are not scientifically-proven.

Thank you for the opportunity to provide this testimony.