
A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

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

1 PART I

2 SECTION 1. (a) There is established a medical cannabis
3 task force that shall be placed within the department of public
4 safety for administrative purposes. The purpose of the medical
5 cannabis task force shall be to review issues relating to the
6 medical marijuana program. The director of public safety shall
7 be responsible for administering the work of the medical
8 cannabis task force. The medical cannabis task force shall:

9 (1) Examine current state statutes, state administrative
10 rules, and all county policies and procedures relating
11 to the medical marijuana program;

12 (2) Examine all issues and obstacles that qualifying
13 patients have encountered with the medical marijuana
14 program;

15 (3) Examine all issue and obstacles that state and county
16 law enforcement agencies have encountered with the
17 medical marijuana program;



1 (4) Compare and contrast Hawaii's medical marijuana
2 program with all other state medical marijuana
3 programs; and

4 (5) Address other issues and perform any other function
5 necessary as the task force deems appropriate,
6 relating to the medical marijuana program.

7 (b) The medical cannabis task force shall consist of
8 eleven members as follows:

- 9 (1) The director of public safety or the director's
10 designee;
- 11 (2) The director of health or the director's designee;
- 12 (3) The director of transportation or the director's
13 designee;
- 14 (4) The attorney general or the attorney general's
15 designee;
- 16 (5) The president of the Hawaii State Bar Association or
17 the president's designee;
- 18 (6) The president of the Drug Policy Forum of Hawaii or
19 the president's designee;
- 20 (7) One patient advocate to be appointed by the governor;



1 (8) A prescribing physician as designated by the Hawaii
2 Medical Board established under chapter 453, Hawaii
3 Revised Statutes;

4 (9) A Hawaii-licensed physician who specializes in pain
5 control and has issued a medical marijuana
6 recommendation;

7 (10) The president of West Oahu Hope for a Cure Foundation
8 or the president's designee; and

9 (11) The director of Americans for Safe Access - Honolulu
10 Chapter, or the director's designee.

11 (c) The members of the task force shall select a
12 chairperson from among its members, who, in conjunction with the
13 director of public safety, shall establish task force
14 procedures, including the meeting schedule, voting procedures,
15 and member duties.

16 The members of the task force shall serve without
17 compensation, but shall be reimbursed for necessary expenses,
18 including travel expenses, incurred in the performance of their
19 official duties.

20 (d) The director of public safety shall submit a report of
21 the medical cannabis task force's findings and recommendations,
22 including any proposed legislation and rules, to the legislature



1 no later than twenty days prior to the convening of the regular
2 session of 2010.

3 (e) The medical cannabis task force shall cease to exist
4 on June 30, 2010.

5 PART II

6 SECTION 2. The legislature finds that *Salvia divinorum*,
7 otherwise known as "diviner's sage" or "magic mint," is not
8 regulated in Hawaii. The legislature further notes that several
9 countries, such as Australia, Belgium, Denmark, Estonia,
10 Finland, Italy, Japan, Spain, and Sweden have passed regulatory
11 laws on *Salvia divinorum* or its primary psychoactive
12 constituent, salvinorin A. In the United States, California,
13 Delaware, Florida, Illinois, Iowa, Kansas, Louisiana, Maine,
14 Michigan, Mississippi, Missouri, New Jersey, North Dakota, Ohio,
15 Oklahoma, Pennsylvania, South Carolina, Tennessee, and Virginia
16 regulate *Salvia divinorum*, with approaches ranging from
17 classification as a Schedule I controlled substance to placing
18 restrictions on its sale. The legislature finds that possible
19 regulation of *Salvia divinorum* and its primary psychoactive
20 constituent, salvinorin A, is worthy of formal examination by
21 the State.



1 SECTION 3. (a) There is established a *Salvia divinorum*
2 task force within the department of public safety for
3 administrative purposes. The purpose of the *Salvia divinorum*
4 task force shall be to review the effects of *Salvia divinorum*
5 and its primary psychoactive constituent, salvinorin A. The
6 director of public safety shall be responsible for administering
7 the work of the *salvia divinorum* task force. The *Salvia*
8 *divinorum* task force shall:

- 9 (1) Research the uses and effects of *Salvia divinorum* and
10 salvinorin A on adults and minors;
11 (2) Research all other states' legislation relating to
12 *salvia divinorum* and salvinorin A;
13 (3) Recommend appropriate legislation resulting from its
14 findings to address the sale and use of *Salvia*
15 *divinorum* and salvinorin A in Hawaii; and
16 (4) Address other issues and perform any other function
17 necessary as the task force deems appropriate,
18 relating to *Salvia divinorum* or salvinorin A.

19 (b) The *salvia divinorum* task force shall consist of the
20 following members:

- 21 (1) The director of public safety or the director's
22 designee;



- 1 (2) The director of health or the director's designee;
- 2 (3) The administrative director of the judiciary or the
- 3 administrative director's designee;
- 4 (4) The attorney general or the attorney general's
- 5 designee;
- 6 (5) The president of the Hawaii State Bar Association or
- 7 the president's designee; and
- 8 (6) The president of the Drug Policy Forum of Hawaii or
- 9 the president's designee.

10 (c) The members of the task force shall select a
11 chairperson from among its members, who, in conjunction with the
12 director of public safety, shall establish task force
13 procedures, including the meeting schedule, voting procedures,
14 and member duties.

15 The members of the task force shall serve without
16 compensation, but shall be reimbursed for necessary expenses,
17 including travel expenses, incurred in the performance of their
18 official duties.

19 (d) The director of public safety shall submit a report of
20 the *Salvia divinorum* task force's findings and recommendations,
21 including any proposed legislation or rules, to the legislature



1 no later than twenty days prior to the convening of the regular
2 session of 2010.

3 (e) The *Salvia divinorum* task force shall cease to exist
4 on June 30, 2010.

5 PART III

6 SECTION 4. This Act shall take effect on January 1, 2046.



Report Title:

Controlled Substances; Medical Marijuana; Salvia Divinorum

Description:

Establishes a task force to examine issues relating to medical marijuana patients and current medical marijuana laws.

Establishes a task force to examine the effects of salvia divinorum. (SB1058 HD2)

