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# SENATE RESOLUTION

REQUESTING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY  
STATE LAWS RELATING TO THE MEDICAL USE OF MARIJUANA.

1           WHEREAS, the legislative intent of Act 228, Session Laws of  
2 Hawaii 2000, was to ensure that seriously ill people are not  
3 penalized by the State for the prescribed medical use of  
4 marijuana; and

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6           WHEREAS, Act 228, which is codified in part IX of chapter  
7 329, Hawaii Revised Statutes, permits qualified patients to use  
8 marijuana for strictly medical purposes when the patient's  
9 treating physician provides a professional opinion that the  
10 benefits of the medical use of marijuana would likely outweigh  
11 the health risks for the qualifying patient; and

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13           WHEREAS, section 329-122, Hawaii Revised Statutes, permits  
14 qualifying patients and their primary caregivers to jointly  
15 possess an amount of marijuana that is not more than is  
16 reasonably necessary to assure the uninterrupted availability of  
17 marijuana for the purpose of alleviating the symptoms or effects  
18 of a qualifying patient's debilitating medical condition,  
19 provided that this amount does not exceed three mature marijuana  
20 plants, four immature marijuana plants, and one ounce of usable  
21 marijuana per each mature plant; and

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23           WHEREAS, it is often difficult for qualifying patients to  
24 acquire and cultivate marijuana for medical use; and

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26           WHEREAS, since the enactment of Act 228, state and local  
27 law enforcement agencies have authorized and conducted searches  
28 of qualifying patients' property and seized supplies of medical  
29 marijuana that State law permits qualifying patients to possess  
30 and use; now, therefore,

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32           BE IT RESOLVED by the Senate of the Twenty-fifth  
33 Legislature of the State of Hawaii, Regular Session of 2009,  
34 that state and local law enforcement officers are urged to abide  
35 by state laws regarding the medical use of marijuana; and

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2 BE IT FURTHER RESOLVED that certified copies of this  
3 Resolution be transmitted to the Governor, the Director of  
4 Public Safety, the State Attorney General, and the police  
5 departments of the Counties of Oahu, Maui, Kauai, and Hawaii.