

STAND. COM. REP. NO. 1310

Honolulu, Hawaii

March 30, 2009

RE: H.R. No. 67  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred H.R. No. 67 entitled:

"HOUSE RESOLUTION REQUESTING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY STATE LAWS RELATING TO THE MEDICAL USE OF MARIJUANA,"

begs leave to report as follows:

The purpose of this resolution is to ensure that the rights of patients who are qualified to possess medical cannabis are upheld by law enforcement officials by requesting state and local law enforcement officers to abide by state laws relating to medical use of cannabis.

The Representative of the 11<sup>th</sup> District, The Drug Policy Action Group, The Drug Policy Forum, American Civil Liberties Union of Hawaii, and several concerned individuals supported this resolution. The Honolulu Police Department, Maui Police Department, Honolulu Department of the Prosecuting Attorney, and Maui Department of the Prosecuting Attorney opposed this measure. The Department of Public Safety (PSD) submitted comments.

Your Committee finds that research has discovered beneficial uses for cannabis in treating or alleviating pain or other symptoms associated with certain debilitating illnesses. Requests to further study and develop these medical benefits are increasing throughout the nation and gaining a greater level of respect and acknowledgement as a legitimate medical remedy at all levels of

HR67 HD1 HSCR PBS HMS 2009-2957



academia and government. President Barack Obama recognizes cannabis' legitimate use as a pain medication and even stated: "My attitude is if the science and the doctors suggest that the best palliative care and the way to relieve pain and suffering is medical marijuana, then that's something I'm open to," while campaigning in November 2007. The President's campaign statements have become policy as noted when U.S. Attorney General Eric Holder stated in February that the Drug Enforcement Administration would end its raids on state-approved marijuana dispensaries.

Your Committee finds that a shift in attitude needs to be made by many people, including the general public and members of the law enforcement community, regarding the supply and use of medical cannabis. A valuable endeavor to pursue by those interested parties may be to follow recommendations made by several stakeholders to initiate and implement a summit on medical cannabis to bring together all of the interested parties to encourage open and healthy discussion of ideas on how to decriminalize the medical use of cannabis to ensure adequate supply for certified patients while deterring abuse and exploitation of such a policy.

Your Committee has amended this resolution by:

- (1) Urging rather than requesting local law enforcement officers to abide by state laws relating to the medical use of marijuana;
- (2) Replacing the term "marijuana" with "cannabis" to ensure it is understood that the substance referred to in this resolution is a medication;
- (3) Requesting the Attorney General to look into the benefits of transferring the program from PSD to the Department of Health; and
- (4) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 67, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.R. No. 67, H.D. 1.



Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,

  
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FAYE HANOANO, Chair



