

SB 2213

Measure Title:
RELATING TO COUNTIES

Report Title:
Counties; Medical Marijuana Dispensaries

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Blvd. 4th Floor
Honolulu, Hawaii 96813

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TOMMY JOHNSON
Deputy Director
Corrections

JAMES L. PROPOTNICK
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 2213
A BILL FOR AN ACT RELATING TO
COUNTIES

Clayton A. Frank, Director
Department of Public Safety

Committee on Public Safety and Military Affairs
Senator Will Espiro, Chair
Senator Robert Bunda, Vice Chair

Committee on Transportation, International and
Intergovernmental Affairs
Senator J. Kalani English, Chair
Senator Mike Gabbard, Vice Chair

Thursday, February 4, 2010, 1:30 PM
State Capitol, Room 229

Senators Espiro, English and Members of the Committees:

The Department of Public Safety does not support Senate Bill 2213 that proposes to amend Section 46-1.5 relating to general powers and limitations of the counties by allowing Hawaii's four counties to independently develop and establish dispensaries for the distribution of marijuana for medical use to qualifying patients and primary caregivers registered under section 329-123 HRS. Senate Bill 2213 also proposes to amend section 237-24.3 relating to additional amounts not taxable under section 237-34 by adding language to section 237-24.3(7) to subject dispensaries to the general excise tax and make inapplicable the exemption for amounts received from sales of prescription drugs or prosthetic devices.

The Department feels that the amendments being proposed by Senate Bill 2213 is premature and that Federal law has not changed and that Federal law enforcement agencies are still making arrest and conducting raids these so called state registered medical marijuana dispensaries. In August of 2009, Hawaii's Legislative Reference Bureau research Attorney Lance Ching in response to Act 29, First Special Session Laws of Hawaii 2009 wrote a white paper on the "Access, distribution, and security components of state medical marijuana programs. His conclusion after researching the medical use of marijuana programs in all 13 states was as follows:

"Clearly, policies and procedures are being developed to address the issues of access, distribution, and security with regard to the medical use of marijuana. However, these policies and procedures appear to be in a very early stage of development and do not, as yet provide an established model with a proven ability to successfully address these issues—seeing how they develop, how they approach the obstacles they are likely to encounter, what methods are successful versus what methods prove problematic—will, no doubt, prove informative and valuable in determining how Hawaii chooses to address the issues of access, distribution, and security with regards to its own medical marijuana program."

A white paper done in 2009 by the California Police Chiefs Association's Task Force on Marijuana Dispensaries on California's Medical use of marijuana program and marijuana dispensaries had the following conclusions:

"In light of the United States Supreme Court's decision and reasoning in *Gonzales v. Raich*, the United States Supremacy Clause renders California's Compassionate Use Act of 1996 and Medical Marijuana Program Act of 2004 suspect. No state has the power to grant its citizens the right to violate federal law. People have been, and continue to be, federally prosecuted for marijuana crimes. The authors of this White Paper conclude that medical marijuana is not legal under federal law, despite the current California scheme, and wait for the United States Supreme Court to ultimately rule on this issue.

Furthermore, storefront marijuana businesses are prey for criminals and create easily identifiable victims. The people growing marijuana are employing illegal means to protect their valuable cash crops. Many distributing marijuana are hardened criminals. Several are members of stepped criminal street gangs and recognized organized crime syndicates, while others distributing marijuana to the businesses are perfect targets for thieves and robbers. They are being assaulted, robbed, and murdered. Those buying and using medical marijuana are also being victimized. Additionally, illegal so-called "medical marijuana dispensaries" have the potential for creating liability issues for counties and cities. All marijuana dispensaries should generally be considered illegal and should not be permitted to exist and engage in business within a county or city's borders. Their presence poses a clear violation of federal and state law; they invite more crime; and they compromise the health and welfare of law-abiding citizens."

The white paper also discussed problems posed by Marijuana Dispensaries. The report found that in California marijuana dispensaries are commonly large moneymaking enterprises that will sell marijuana to most anyone who produces a physician's written recommendation for its medical use. These recommendations can be had by paying unscrupulous physicians a fee and claiming to have most any malady, even headaches. While the dispensaries will claim to receive only donations, no marijuana will change hands without an exchange of money. These operations have been tied to organized criminal gangs, foster large grow operations, and are often multi-million-dollar profit centers.

Because they are repositories of valuable marijuana crops and large amounts of cash, several operators of dispensaries have been attacked and murdered by armed robbers both at their storefronts and homes, and such places have been regularly burglarized. Drug dealing, sales to minors, loitering, heavy vehicle and foot traffic in retail areas, increased noise, and robberies of customers just outside dispensaries are also common ancillary byproducts of

their operations. To repel store invasions, firearms are often kept on hand inside dispensaries, and firearms are used to hold up their proprietors. These dispensaries are either linked to large marijuana grow operations or encourage home grows by buying marijuana to dispense. And, just as destructive fires and unhealthful mold in residential neighborhoods are often the result of large indoor home grows designed to supply dispensaries, money laundering also naturally results from dispensaries' likely unlawful operations.

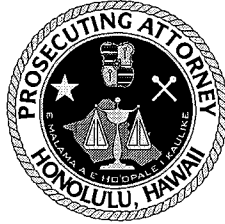
For these reason the department does not support Senate Bill 2213 and ask that it be held.

Thank you for the opportunity to testify on this matter.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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**THE HONORABLE J. KALANI ENGLISH, CHAIR
SENATE TRANSPORTATION, INTERNATIONAL
AND INTERGOVERNMENTAL AFFAIRS COMMITTEE
THE HONORABLE WILL ESPERO, CHAIR
SENATE PUBLIC SAFETY AND MILITARY AFFAIRS COMMITTEE**
Twenty-fifth State Legislature
Regular Session of 2010
State of Hawai`i

February 4, 2010

RE: S.B. 2213; RELATING TO COUNTIES.

Chair English and members of the Senate Committee on Transportation, International and Intergovernmental Affairs Committee, Chair Espero and members of the Senate Public Safety and Military Affairs, the Department of the Prosecuting Attorney submits the following testimony in opposition to S.B. 2213.

The purpose of this bill is to amend Hawaii Revised Statutes (HRS) section 46.15 which sets forth the general powers delegated to the counties to authorize the counties to establish medical marijuana dispensaries.

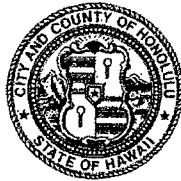
Hawaii's medical marijuana law, established in 2000, was specifically designed to require a one to one relationship between the designated patient and the caretaker who may provide the marijuana; the state law purposely required the one to one relationship to avoid the problems other states and cities are having with burgeoning numbers of marijuana dispensaries. In Los Angeles, it is estimated that there are 800 to 1,000 marijuana dispensaries. Los Angeles county officials have asserted that most of dispensaries are for-profit enterprises which often sell

marijuana to persons who are not legitimately qualified under state law. Complaints from residents in areas with multiple medical marijuana dispensaries about a decreased quality of life and an increase in crime around the dispensaries, have resulted in an effort by Los Angeles to place a cap on the number of dispensaries and suing dispensaries to close them. At least 120 cities and eight counties in California have moved to ban dispensaries. Given these problems, we believe that it is inadvisable to permit medical marijuana dispensaries.

Thank you for this opportunity to testify.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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MUFI HANNEMANN
MAYOR

LOUIS M. KEALOHA
CHIEF

DELBERT T. TATSUYAMA
RANDAL K. MACADANGDANG
DEPUTY CHIEFS

OUR REFERENCE SD-TA

February 4, 2010

The Honorable Will Espero, Chair
and Members
Committee on Public Safety and
Military Affairs
The Honorable J. Kalani English, Chair
and Members
Committee on Transportation, International
and Intergovernmental Affairs
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chairs Espero and English and Members:

Subject: Senate Bill No. 2213, Relating to Counties

I am Susan Dowsett, Major of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department opposes Senate Bill No. 2213, Relating to Counties.

The increased demand for marijuana has led to the abuse of the medical marijuana registry identification certificate program. Passage of this bill will allow each county to establish its own medical marijuana dispensaries which will result in an increase in the illicit use of marijuana. By decentralizing this registry to the counties, there would be much less control, management, and organization over the use of medical marijuana and the licensing of pharmacies. The passage of this bill will lead to further abuse and the distribution of marijuana for profit.

The Honolulu Police Department urges you to oppose Senate Bill No. 2213, Relating to Counties.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,

DC Kealoha

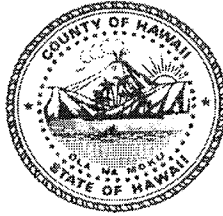
FOR LOUIS M. KEALOHA
Chief of Police

Susan Dowsett
SUSAN DOWSETT, Major
Narcotics/Vice Division

Serving and Protecting With Aloha

JAY T. KIMURA
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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY ON SENATE BILL 2213 A BILL FOR AN ACT RELATING TO COUNTIES

Jay T. Kimura, Prosecuting Attorney
County of Hawai'i Office of the Prosecuting Attorney

Committee on Public Safety and Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

Committee on Transportation, International and Intergovernmental Affairs
Senator J. Kalani English, Chair
Senator Mike Gabbard, Vice Chair

Thursday, February 4, 2010, 1:30pm
State Capitol, Room 229

Senators Espero, English, and Members of the Committees:

The County of Hawai'i Office of the Prosecuting Attorney does not support Senate Bill 2213 that proposes to amend Section 46-1.5 relating to the general powers and limitations of the counties by allowing Hawai'i's four counties to independently develop and establish dispensaries for the distribution of marijuana for medical use to qualifying patients and primary caregivers registered under section 329-123 HRS.

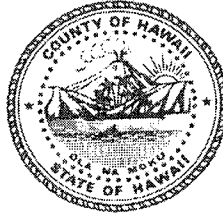
In looking at other location that have enacted similar laws and/or who have taken a similar approach to the one recommended in this bill we have seen a dramatic increase in organized crime, and crime in general.

For many years Amsterdam has been touted by the marijuana lobby as a Utopia, where marijuana was sold openly from neighborhood coffee/pot houses. However, because of the increase in organized crime as well as other social factors, in 2009, the government stepped in and closed the open marijuana coffee/pot houses.

In 2002, Mendecino County, California, relax there laws relating to marijuana. By 2008, the community voted the changes out because of the increase in organized and other crime.

JAY T. KIMURA
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OFFICE OF THE PROSECUTING ATTORNEY

After California started allowing marijuana dispensaries such as the ones expressed in SB 2213, the police in nearly every California Jurisdiction which had the dispensaries, reported an upswing in crime related to the locations. Examples include Murders, Attempted murders, Robberies, Burglaries, Aggravated Assaults, Thefts etc. In addition, many of the businesses located near many of the dispensaries complained about the smells of people smoking marijuana illegally on the premises, and the kinds of people hanging around the dispensaries. Further complaints from citizens and businesses revolved around quality of life offenses.

Allowing marijuana dispensaries will also result in more children obtaining marijuana.

As you are aware, marijuana usage by high school students is high in the state of Hawaii.

- According to the National Survey on Drug Use and Health, the percentages of youth engaging in delinquent behaviors was higher among past year marijuana users than among those who had not used marijuana.¹
- Also, for all delinquent behaviors examined by this survey, the percent of youth engaging in the delinquent behavior rose with increasing frequency of past year marijuana use.
- Marijuana and underage drinking are linked to higher dropout rates. Students who drink or use drugs frequently are up to five times more likely than their peers to drop out of high school²
- Marijuana use is three times more likely to lead to dependence among adolescents than among adults. Research also indicates that the earlier kids start using marijuana, the more likely they are to become dependent³ on this or other illicit drugs later in life³

As marijuana laws have relaxed in the United States, marijuana related visits to emergency rooms have gone up. According to the United States Department of Health and Human Services DAWN report, in 2008 there was an estimated 374,435 marijuana related visits to emergency rooms in the United States. During that same period there was an estimated 656,892 visits that were alcohol related, of which only 132,842 were for alcohol alone. In 2002 the estimated number of emergency room visits related to marijuana was 129,546. Thus, as the marijuana laws in our nation have relaxed so have the harmful effect of marijuana.

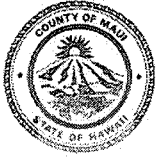
For these reasons the Hawaii County Office of the Prosecuting Attorney does not support Senate Bill 2213 and asks that the Bill be held.

Thank you for the opportunity to testify on this matter

¹ The National Survey on Drug Use and Health: The NSDUH Report, January 9, 2004.

² The National Center on Addiction and Substance Abuse at Columbia University (CASA). Malignant neglect: Substance abuse and America's schools. New York: Columbia University, 2001.

³ Youth Marijuana Prevention Initiative: The NCADI Report. U.S. Department of Health and Human Services, October 2002.



CHARMAINE TAVARES
MAYOR

OUR REFERENCE
YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

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GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

February 2, 2010

The Honorable Will Espero, Chair
And Members of the Committee on Public Safety and Military Affairs
The Senate
State Capitol
Honolulu, HI 96813

The Honorable J. Kalani English, Chair
And the Members of the Committee on Transportation, International
and Intergovernmental Affairs
The Senate
State Capitol
Honolulu, Hawaii 96813

Re: S.B. No. 2213, Relating to Counties; Medical Marijuana Dispensaries

Dear Chair Espero, Chair English, and Members of the Committees:

The Maui Police Department does not support S.B. No. 2213. This bill proposes to give Hawaii's four counties the power to establish medical marijuana dispensaries to qualifying patients and primary caregivers registered with the Department of Public Safety. It also proposes to amend HRS Section 237-24.3 (relating to additional amounts not taxable under Section 237-34) by adding language that would exempt dispensaries from being taxed.

Modeled after the California practice that is currently under reform, the impression that these dispensaries are selling marijuana exclusively to medical marijuana patients has not been validated. Rather, what may be perceived to be a medical marijuana dispensary is probably no more than a storefront for marijuana—with or without a prescription. In our opinion, the decree of treating only those patients requiring prescribed marijuana for medical benefit does not exist in California's medical marijuana dispensaries, and the damage that these dispensaries have imposed on its surrounding neighborhoods are evident—rural and tranquil communities very much like Maui have been erased from what once was, and are now plagued, with a marijuana driven culture

The Honorable Will Espero, Chair

And Members of the Committee on Public Safety and Military Affairs

The Honorable J. Kalani English, Chair

And Members of the Committee on Transportation, International

And Intergovernmental Affairs

February 2, 2010

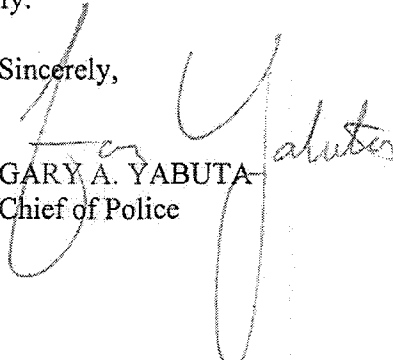
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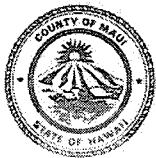
that has manifested violence. In the end, should this bill become an act, law enforcement will be faced not only with the unregulated sales of marijuana, but the criminality evolving from the climate of these dispensaries in our community.

The Maui Police Department asks for your support in opposing S.B. No. 2213.

Thank you for the opportunity to testify.

Sincerely,


GARY A. YABUTA
Chief of Police



CHARMAINE TAVARES
MAYOR

OUR REFERENCE
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GARY A. YABUTA
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February 3, 2010

The Honorable Will Espero, Chair
And Members of the Committee on Public Safety and Military Affairs
The Senate
State Capitol
Honolulu, HI 96813

The Honorable J. Kalani English, Chair
And Members of the Committee on Transportation, International
and Intergovernmental Affairs
The Senate
State Capitol
Honolulu, HI 96813

Re: S.B. No. 2213, Relating to Counties; Medical Marijuana Dispensaries

Dear Chair Espero, Chair English, and Members of the Committees:

My name is Gerald M. Matsunaga, Captain of the Maui County Police Department's Vice Division. I am taking this opportunity to submit written testimony expressing my profound opposition to the passage of S.B. No. 2213, Relating to Counties; Medical Marijuana Dispensaries. I believe that other law enforcement entities throughout the State of Hawaii will also oppose this bill.

The value of smoked medicinal marijuana is suspect at best. The Food and Drug Administration (FDA), and the United States Supreme Court do not recognize medical marijuana, and marijuana is still considered a controlled substance under federal and Hawaii state law. Thus, it is still a federal crime to possess, and distribute marijuana whether it is for medicinal, profit, or recreational purposes. If such a bill is passed, the State of Hawaii would be legally and civilly liable for breaking federal law.

The State of California has taken the lead in the nation to legalize medical marijuana dispensaries. While these laws to legalize dispensaries had good intentions, it has turned into a nightmare for the good citizens of California. The dispensaries have attracted crime and outright drug dealing, money laundering, and violence in the communities that they are operating in.

The Honorable Will Espero, Chair
And Members of the Committee on Public Safety and Military Affairs
The Honorable J. Kalani English, Chair
And Members of the Committee on Transportation, International
and Intergovernmental Affairs
February 3, 2010
Page 2

Marijuana is being sold to anyone who produces a physician's written recommendation, some of which are forged documents or are written by unscrupulous physicians who accept a fee to formulate the recommendation for any type of ailment. Because of the value of the marijuana, and the large amounts of marijuana and cash being stored at the dispensaries, there have been numerous burglaries and armed robberies at these locations. Firearms are also being kept at these dispensaries for protection against these intruders. Other drugs have been sold in the area of the dispensaries, along with marijuana being sold to minors. Heavy foot and vehicular traffic, along with noise nuisance have taken over the neighborhoods where these dispensaries have been authorized to operate. Citizens have expressed numerous amounts of concerns and complaints with law enforcement and the politicians.

The Maui Vice Division has investigated a medical marijuana dispensary a few years ago in Maui County, and it revealed what California is presently experiencing. Organized crime was involved, complaints about heavy traffic in the area were reported, assaults occurred, sales of marijuana without producing a medical marijuana permit occurred, marijuana related products were sold such as marijuana candies, and a home invasion was also involved.

If this bill is passed, there is an immense potential for abuse by people trying to legalize it, and those trying to make a profit by selling and distributing it. There is also the potential for more violence and illicit drug abuse as has been demonstrated in California.

I humbly ask for your favorable support of opposing S.B. No. 2213. Passage of this bill will considerably enhance the potential for marijuana abuse and violence relating to marijuana. Hawaii does not need the negativity that is associated with a safe haven for medical marijuana users. Open marijuana use has always been a concern of our tourists and residents alike, and we need not project a drug haven atmosphere that could have a negative impact on tourism and our communities. We need to protect our communities from these detrimental entities and build a prosperous and safe community for our future generations.

Thank you for the opportunity to submit testimony on this bill.

Sincerely,


Gerald M. Matsunaga
Vice Captain

William P. Kenoi
Mayor



Harry S. Kubojiri
Police Chief

Paul K. Ferreira
Deputy Police Chief

County of Hawai`i

February 3, 2010

POLICE DEPARTMENT

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Senator J. Kalani English
Chair and Members
Committee on Transportation, International and Intergovernmental Affairs
State Capital
415 South Beretania Street, Room 229
Honolulu, Hawai`i 96813

Re: Senate Bill 2213, Relating To Counties

Dear Senator English and Members:

The Hawai`i Police Department strongly opposes the passage of the following Senate Bill:

- **SB 2213, Relating to Counties; Medical Marijuana Dispensaries:** Provides that each county has the power to establish medical marijuana dispensaries. Requires that medical marijuana dispensaries shall only provide service to qualified patients and primary caregivers registered with the department of public safety. Makes dispensaries subject to the general excise tax by making inapplicable the exemption for amounts received from sales of prescription drugs or prosthetic devices.


In *Gonzales v. Raich* (2005), the United States Supreme Court held that the federal government has the constitutional authority to prohibit marijuana for all purposes. Thus, federal law enforcement officials may prosecute medical marijuana patients and their caregivers, even if they grow their own medicine and even if they reside in a state where medical marijuana use is protected under state law.

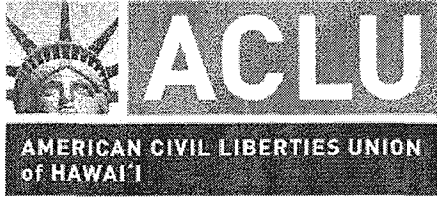
Marijuana is still a controlled substance under both Federal and Hawai`i state law. Therefore, it would be hypocritical for law enforcement to support the passage of a law seeking to circumvent federal and state laws. The message could be interpreted as the State of Hawai`i Legislature empowering county government to legalize drug trafficking within the state.

By allowing each county to establish medical marijuana dispensaries and expand present medical marijuana laws from their current restrictions only empowers those individuals now growing marijuana illegally and generating huge profits by utilizing this proposed legislation to aid in avoiding detection. Passage of this bill would further hamper law enforcement organizations in their efforts to control this drug and the related crimes that come with it.

For the reasons above, we urge this committee to reject this piece of legislation. Thank you for allowing the Hawai`i Police Department to testify on this bill.

Sincerely,


HARRY S. KUBOJIRI
POLICE CHIEF



Committee: Committee on Public Safety and Military Affairs and Committee on
Transportation, International and Intergovernmental Affairs
Hearing Date/Time: Thursday, February 4, 2010, 1:30 p.m.
Place: Room 229
Re: Testimony of the ACLU of Hawaii in Support of S.B. 2213, Relating to
Counties

Dear Chairs Espero and English and Members of the Committees on Public Safety and Military
Affairs and Transportation, International and Intergovernmental Affairs:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of S.B.
2213.

The ACLU of Hawaii encourages legislative actions that end punitive drug policies that cause
widespread violations of constitutional and human rights as well as unprecedented levels of
incarceration. In furtherance of that goal, we support legislation like S.B. 2213 that seeks to
ensure that sick and dying individuals have safe and legal access to medical cannabis.

As a member of the Medical Cannabis Working Group, we are aware of the many problems that
patients have with the medical marijuana program. S.B. 2213 attempts to address their concerns
by making the program more accessible to patients and doctors, while protecting their safety and
privacy.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S.
and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and
public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-
profit organization that provides its services at no cost to the public and does not accept
government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple
Staff Attorney

American Civil Liberties Union of Hawaii
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Action the Drug Policy Group

A sister organization of the Drug Policy Forum of Hawai'i
PO Box 61233, Honolulu, HI 96839 ~ (808) 988-4386

Dedicated to safe, responsible, and effective drug policies since 1993

TO: Senate Committee on Transportation, International and Intergovernmental Affairs
Senate Committee on Public Safety and Military Affairs

FROM: Pamela Lichty, MPH
President

RE: SB 2213 RELATING TO COUNTIES – IN SUPPORT

Aloha Senators English and Espero and members of the Committees. My name is Pam Lichty and I'm testifying on behalf of the Drug Policy Action Group and as Co-Chair of the Medical Cannabis Working Group. The latter group has been meeting since October to examine the state's Medical Marijuana Program and make recommendations for ways to improve it. Attached to my testimony is the Executive Summary of our forthcoming report which has some of our most important recommendations in it.

We support this bill and see it as an attempt to address a critically important issue.

The top priority for each of the five subcommittees in the Working Group was developing and implementing some type of legal distribution system for medical cannabis in Hawai'i.

Since our program was enacted in 2000, this has been a tremendous problem, with many of the 5000 patients being forced to buy from the black market – with all the uncertainties and dangers that entails – to acquire their medicine.

I don't have to tell you that the issue of dispensaries has become a huge one in each of the fourteen medical marijuana states (New Jersey is the most recent; signed into law by their governor just last month.)

You've heard, I know, about California and now Colorado where state and county officials are scrambling to put the toothpaste back in the tube in terms of controlling the hundreds of dispensaries that have sprung up. For a variety of reasons this hasn't happened in Hawai'i. For this reason we have a unique opportunity to design a distribution system from scratch. And the approach in this bill may be the way. Unlike California which has 58 (!) counties we have only four. And like the theory about states being a laboratory for ideas for the nation, it would be

instructive to see what kind of system each county would develop – based on their different profiles.

I believe it's premature to get into details about what such a distribution system might look like, but there are certainly many models available. The report of the Working Group, which will be released next week, will have information about comparative models. The LRB report that was drafted in response to ACT 29 also has an interesting discussion of various state approaches.

The idea of tax revenues is, of course, appealing, and I believe that most legitimate dispensary operators would be open to a business tax to benefit their county. I would not want to see the patients taxed, however, as many of these people are very ill and are already struggling with medical bills and the high cost of living in Hawai'i.

Again, we support this measure and welcome the opportunity to work with you to develop this idea and to fill this critical need.

MEDICAL CANNABIS WORKING GROUP REPORT
FEBRUARY 2010 ~ HONOLULU, HAWAII
EXECUTIVE SUMMARY

The Medical Cannabis Working Group (“MCWG”) convened in October 2009 to conduct a study and make recommendations to the 2010 Hawai`i State Legislature to improve the state’s ten-year-old medical marijuana program.

The MCWG, tasked with completing the mission of ACT 29 which was enacted over a veto by Governor Lingle but never convened, examined current state statutes, state administrative rules, and all county policies and procedures relating to the medical marijuana program. Further it examined issues and obstacles that qualifying patients, physicians, caregivers, and law enforcement officials have encountered with the medical marijuana program. MCWG also compared and contrasted Hawaii’s medical marijuana program with all other states’ medical marijuana programs.

Based on the results of its study and a public survey, MCWG recommends that the following immediate actions be taken by the Legislature to improve Hawaii’s medical cannabis program:

1. Create a distribution system so that patients do not need to resort to the black market to obtain their medicine;
2. Increase the allowable number of plants and the amount of usable cannabis to ensure that patients have an adequate supply of their medicine;
3. Allow caregivers to care for at least five patients to ensure that patients are assured of an adequate supply and a competent caregiver; and
4. Transfer medical marijuana program oversight from the Department of Public Safety – a law enforcement agency -- to the Department of Health.

Further, MCWG recommends that the Legislature take action to ensure that the program addresses patient needs such as enhanced confidentiality, presumptive eligibility, faster certification, and forms accessible on the program website.

MCWG also urges the Legislature to facilitate the development and implementation of policies and procedures to facilitate inter-island transport of medical cannabis, and direct the counties and relevant administrative agencies to educate law enforcement and public safety officers on the medical cannabis law as a whole.

Other recommendations address healthcare matters such as creating a protocol for adding new covered medical conditions; expediting coverage for hospice patients; and extending the validity of program certification for more than one year for patients with chronic conditions.

Finally, since not all of the problems with the program need to be addressed by legislative action, MCWG recommends that the Medical Cannabis Working Group be permanently convened to identify and help implement strategies, both legislative and administrative, to improve Hawaii’s program.

From: Charlie Webb **Sent:** Tuesday, February 02, 2010 9:57 AM

To: PSM Testimony; Sen. Josh Green; bertram1-Charles; Charlie; Laura T; Pam Lichty; Jeannie yoyta

Subject: In Support of SB2213 Relating to Counties

Medical Cannabis (Marijuana) is recommended for serious and debilitating infirmities such as migraines, chronic spine and nerve pain, multiple sclerosis, nausea and vomiting, cancer, HIV, etc. Whenever any other medication is recommended, the patient simply goes to the doctor or to the pharmacy and can find rapid relief. However, medical marijuana patients must wait 60 days for their certification cards and then need several more months to grow their medication. In the six months or so required to find legal medication, most hospice patients would be dead! The only current alternative for faster relief is to break the law by going to the "black market".

In other words, current restrictions force medical marijuana patients to choose between criminal behavior and suffering. The majority of medical cannabis patients are over 50 years old, so this is usually a very difficult choice. Colorado courts ruled that their medical cannabis law (almost exactly the same as ours) forced patients into criminal behavior to find their medication and therefore dispensaries were allowed to operate. Unfortunately Colorado had no regulations in place for dispensaries. We are in a position to avoid all these problems by allowing regulated dispensaries. To do otherwise would be inhumane.

Please do not take this lightly. Cannabis is a safe, non-addicting, and very efficacious medication with a great capacity to relieve human suffering. We should not be forcing thousands of ordinary citizens to choose between criminal behavior and enduring pain. Our patients deserve a safe and legal way to acquire their medication. Mahalo.

Charles Webb,MD

FROM: WALTER HILLINGER
SENT: TUESDAY, FEBRUARY 02, 2010 8:47 PM
TO: PSM TESTIMONY
SUBJECT: SB 2213

DEAR COMMITTEE,

THE DISPENSING OF MEDICAL MARIJUANA SHOULD BE ONE OF THE MOST IMPORTANT BILLS BEFORE THE COMMITTEE HOW CAN YOU HAVE LEGAL MEDICAL MARIJUANA WHICH WE DO IN HAWAII AND NOT HAVE A DISPENSARY FOR THE MEDICINE. I HAVE A RELATIVE WHO HAS A MEDICAL MARIJUANA LICENSE AND HAS NO PLACE TO PURCHASE THE MEDICINE. SHE SUFFERS FROM FIBER NEURALGIA AND WAS COMPLETELY ADDICTED ON PRESCRIPTION PAIN PILLS. SHE HAD TO GO TO REHAB IN ORDER TO QUIT THE ADDICTION. I INTRODUCED HER TO SOMEONE WHO COULD MAKE EXTRACTS FROM THE MARIJUANA PLANT THAT WOULD

REDUCE HER PAIN. SHE TRIED IT AND IT WORKED. IT STOPPED HER FROM USING PRESCRIPTION PAIN PILLS AND CONVINCED ME OF THE NEED FOR A PLACE WHERE THESE PEOPLE CAN GO FOR HELP AND MEDICINE. OTHERWISE THEY ARE BREAKING THE LAW AND SUBJECT TO ARREST

I STRONGLY URGE THE PASSAGE OF THIS LEGISLATION IN ORDER TO CLEAR UP OUR LAWS IN HAWAII AND MAKE IT POSSIBLE FOR PEOPLE IN NEED TO BE ABLE TO ACQUIRE THEIR NECESSARY MEDICINE.

THANKS FOR YOUR CONSIDERATION,

SINCERELY YOURS,
WALTER HILLINGER

TESTIMONY FOR TIA/PSM 2/4/2010 1:30:00 PM SB2213

CONFERENCE ROOM: 229

TESTIFIER POSITION: SUPPORT

TESTIFIER WILL BE PRESENT: NO

SUBMITTED BY: LUNA A. CARLISLE

ORGANIZATION: INDIVIDUAL

ADDRESS: 279 LAKAU PLACE KIHEI, HI

PHONE: 808-283-7325

E-MAIL: MANIFESTYOURREALITY@YAHOO.COM

SUBMITTED ON: 2/3/2010

COMMENTS:

I AM IN AGREEMENT WITH ANY LEGISLATION THAT ENABLES THE LEGAL USE OF THE MOST THERAPUETIC SUBSTANCE KNOWN TO MAN, MARIJUANA. I AM A REGISTERED MEDICAL MARIJUANA PATIENT, AND IT HELPS ME FUNCTION AND ENJOY LIFE WITHOUT THE HARMFUL SIDE EFFECTS OF PILLS.

DECRIMINALIZATION, LEGALIZATION, AND REASONABLE REGULATION WILL SAVE THE ECONOMY, SAVE THE FORESTS, SAVE THE FARMERS AND THUS THE PEOPLE AS A WHOLE.

I COULD GO ON AND ON, AND ON ABOUT THE REASONS MARIUANA SHOULD BE LEGAL, AT THE VERY LEAST FOR MEDICAL USE, AND I COULD EXPOUND ON THE HIPPOCRISY OF ALCOHOL AND PRESCRIPTION DRUG LAWS AS COMPARED TO MARIJUANA LAWS... BUT SURELY YOU HAVE HEARD IT ALL BEFORE.

PLEASE DO THE RIGHT THING AND GO GREEN.

VOTE FOR FAIR MARIJUANA REFORM TODAY.

MAHALO!

TESTIMONY FOR TIA/PSM 2/4/2010 1:30:00 PM SB2213

CONFERENCE ROOM: 229

TESTIFIER POSITION: SUPPORT

TESTIFIER WILL BE PRESENT: NO

SUBMITTED BY: ANDREA TISCHLER

ORGANIZATION: AMERICANS FOR SAFE ACCESS, BIG ISLAND CHAPTER

ADDRESS: 564 HOAKA ROAD HILO, HI. 96720

PHONE: (808) 959-8091

SUBMITTED ON: 2/3/2010

COMMENTS:

AMERICANS FOR SAFE ACCESS, BIG ISLAND CHAPTER STRONGLY SUPPORTS, SB2213. WITH MORE THAN 2500 CERTIFIED PATIENTS ON THE BIG ISLAND IT IS EXTREMELY DIFFICULT FOR PATIENTS TO OBTAIN A SAFE AND RELIABLE SOURCE OF MEDICINE. AS IT IS NOW, PATIENTS MUST GO TO THE BLACK MARKET AND BUY CANNABIS FROM DRUG DEALERS. THIS IS BOTH DANGEROUS AND THE QUALITY OF THE MEDICINE IS NOT ASSURED. BUYING THEIR MEDICINE IN A DISPENSARY ALLOWS THEM TO SELECT A STRAIN THAT IS MOST SUITED TO THEIR ILLNESS OR MEDICAL CONDITION.

TAX MONEY CAN BE RAISED FROM A REGULATED BUSINESS SUCH AS A DISPENSARY AND IT WILL TAKE A BIG BITE OUT OF THE CRIMINAL MARKET THAT FEEDS OFF THE SICK. MOST PATIENTS IDENTIFY A SAFE AND RELIABLE SOURCE OF MEDICINE AS NEEDING FIXING.

FROM: MAILINGLIST@CAPITOL.HAWAII.GOV [MAILTO:MAILINGLIST@CAPITOL.HAWAII.GOV]
SENT: WEDNESDAY, FEBRUARY 03, 2010 8:50 AM
TO: TIATESTIMONY
CC: POLICH49@HOTMAIL.COM
SUBJECT: TESTIMONY FOR SB2213 ON 2/4/2010 1:30:00 PM

TESTIMONY FOR TIA/PSM 2/4/2010 1:30:00 PM SB2213

CONFERENCE ROOM: 229
TESTIFIER POSITION: SUPPORT
TESTIFIER WILL BE PRESENT: NO
SUBMITTED BY: JENNIFER POLICH
ORGANIZATION: INDIVIDUAL
ADDRESS:
PHONE:
E-MAIL: POLICH49@HOTMAIL.COM
SUBMITTED ON: 2/3/2010

COMMENTS:

TESTIMONY RE: SB2213

I am writing as a BLUE CARD patient who has been registered under a very important state law for about 4 years now.

As a patient who's medical status and condition is better and more functional with the use of cannabis the most challenging problem for me has been *access* to medicine.

I do not smoke because of the harmful effects of smoking any substance. I find that consumption (with food) and vaporizing are most effective but the COST to purchase one ounce of medicine 'on the street' is hundreds of dollars which I cannot afford (not to mention I never know the strain, potency or actual amount I am getting or HOW it is grown, organically or with tons of HARMFUL chemicals).

Not to mention the fact that one ounce with consumption and vaporizing goes nowhere near as far as smoking and lasts only a couple weeks, at best.

ACCESS and AFFORDABILITY are crucial to ALL BLUE CARD PATIENTS as I can personally state that it has now been over a year since I have had any medicine as a result of these two issues!

Please take this bill seriously, without it my card and those of so many patients is nothing more than a piece of paper.

Sincerely,

Kevin Lash
Maui Resident

Sen. Will Espero

From: diane@dmillerhawaii.com
Sent: Wednesday, February 03, 2010 10:46 AM
To: Sen. Will Espero; Sen. Robert Bunda; Sen. J. Kalani English; Sen. Mike Gabbard; Sen. Brickwood Galuteria
Cc: Sen. Michelle Kidani; Sen. Fred Hemmings
Subject: *****SPAM***** PLEASE SUPPORT SB 2213 - WE NEED MEDICAL MARIJUANA DISPENSARIES

Dear Sirs/Madam:

I am begging you to please pass SB2213 and allow medical marijuana dispensaries.

I am a 51 year old woman with a debilitating and painful illness and marijuana is the only medication that allows me to function. Without Marijuana the pain and nausea are overwhelming. I am not able to grow marijuana myself and the anxiety and stress of trying to purchase it illegally are unbearable. I don't want to be a criminal and I don't want to live in pain everyday. Please help me. I am begging you.

Thank you,
Diane Miller
304 Kaiolohia
Maui, HI 96753

SENT: WEDNESDAY, FEBRUARY 03, 2010 9:22 AM
TO: TIA TESTIMONY
SUBJECT: TESTIMONY FOR SB2213 ON 2/4/2010 1:30:00 PM

TESTIMONY FOR TIA/PSM 2/4/2010 1:30:00 PM SB2213

CONFERENCE ROOM: 229
TESTIFIER POSITION: SUPPORT
TESTIFIER WILL BE PRESENT: NO
SUBMITTED BY: MATTHEW RIFKIN
ORGANIZATION: INDIVIDUAL
ADDRESS: 475 KINOOLE ST, PMB 167 HILO, HI 96720
PHONE: 917-378-9123
E-MAIL: MATTRIFKIN28@GMAIL.COM
SUBMITTED ON: 2/3/2010

COMMENTS:

I AM A MEDICAL MARIJUANA PATIENT ON THE BIG ISLAND.
GROWING MEDICINE IS NOT EASY FOR MANY PATIENTS, AND HAVING SAFE,
LICENSED DISPENSARIES WOULD MAKE A VAST IMPROVEMENT TO THE LIVES OF
SICK PEOPLE.

I DO NOT AGREE THAT THE MEDICAL CANNABIS SHOULD BE TAXED. SINCE MEDICAL
MARIJUANA IS NOT COVERED BY INSURANCE, A PATIENT MUST PAY FULL PRICE FOR
THEIR MEDICINE. TO ADD \$30-50 PER OUNCE IN TAX WOULD BE A HARDSHIP FOR
PATIENTS, MANY OF WHOM ARE ON DISABILITY OR SOCIAL SECURITY AND HAVE
LIMITED FINANCIAL RESOURCES.

PLEASE ALLOW COUNTIES TO ESTABLISH MEDICAL MARIJUANA DISPENSARIES - IT
REALLY WILL IMPROVE THE QUALITY OF LIFE FOR PATIENTS IN THIS STATE.

Hearing: Thursday, February 4, 2010, 1:30 p.m., Room 229

Committee on Public Safety and Military Affairs

Senator Will Espero, Chair

Senator Robert Bunda, Vice Chair

Committee on Transportation, International and Intergovernmental Affairs

Senator J. Kalani English, Chair

Senator Mike Gabbard, Vice Chair

Support for SB 2213 Relating to Counties

Provides that each county has the power to establish medical marijuana dispensaries. Requires that medical marijuana dispensaries shall only provide service to qualified patients and primary caregivers registered with the department of public safety. Makes dispensaries subject to the general excise tax by making inapplicable the exemption for amounts received from sales of prescription drugs or prosthetic devices.

Teri Heede

92-994 Kanehoa Loop

Kapolei, Hawaii 96707

Aloha!

SB 2213 would provide an essential component for Hawai'i's medical cannabis patients: a dispensary.

As a patient, I want legislation enacted that will provide for the operation of a dispensary where patients can obtain safe, quality cannabis in a supportive secure environment.

As a patient, I have absolutely no personal objection to allowing each county to manage and set up a system of medical marijuana dispensaries. Each county could set up their own system of regulation for dispensaries; what type of entities and how the entities operate as long as the supply of cannabis comes from a local grower or cooperative. I can understand the argument that this would be facilitated by each county managing their system. I think that management of dispensaries might be cheaper and better serve patients by having one template that all counties adhere to. This legislation could be modified so that all counties could follow the same dispensary model that includes a sustainable, local grow operation and minimize the expense of operating dispensaries.

And finally, as a patient, I have heard a lot of debate about whether the use of medical cannabis should be taxed and I personally don't have a good answer. I know for a fact that if taxes are an incentive for lawmakers to consider dispensaries as a viable distribution system, I can compromise.

Patients need dispensaries and we need safe, quality, legal cannabis that grows right here on the islands.

Mahalo for your consideration,

Teri Heede

Richard S. Miller

Professor of Law, Emeritus

E-mail: rmiller@aya.yale.edu

Phone: 808-254-1796

To: Committee on Public Safety and Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair. and

Committee on Transportation, International and Intergovernmental Affairs
Senator J. Kalani English, Chair
Senator Mike Gabbard, Vice Chair

Hearing: Thursday, February 4, 2010, 1:30 p.m., Room 229

STRONG SUPPORT TO SB2213 RELATING TO COUNTIES

This bill allows each county to set up a system of medical marijuana dispensaries. The counties may set up their own system of regulation of dispensaries: what type of entities and how the entities operate.

Passage of this bill would provide a legal source of medical marijuana for patients who have lawfully acquired certification for its use to deal with often serious debilitating conditions. Existing law permits use of medical marijuana but does not provide a lawful method of acquisition for all or even most of the patients who have met the requirements for use of such marijuana. That is grossly unfair!

This bill will also allow the county a potentially significant source of income by taxing sales of medical marijuana from its dispensaries.

Thank you for considering my (personal) views.

Sincerely yours,



Dick Miller

SB 2213

Dr. Myron Berney, ND L Ac
naturalcancerwellness.com

DATE: Thursday, February 04, 2010 @ 1:15 p.m.

PLACE: Conference Room 229

PSMTestimony@Capitol.hawaii.gov

I support the intent of this bill but fear that there is many a slip twixt the cup and the lip.
Too many unintended consequences are lurking about.

Oh No Batman, not another liquor commission

There is also the very likely possibility that some counties may even oppose or make it difficult to open and operate dispensaries.

I would suggest that DBET be involved in creating a state wide model and marketing plan with input for community and interested business leaders as well as National and International Drug Companies.

The Commission itself or the Planning Council should be autonomous and not under the control of the Governor.

National and International Big Pharam Pharmaceutical Drug Companies are poised awaiting the rescheduling of Cannabis products to begin marketing their new products. The currently FDA approve pharmaceutical suffers from a bad formulation and a bad delivery system. New products are more therapeutic, more effective and are delivered with a safer delivery systems. These are developed and ready for marketing.

The various counties should also have their role as suggested in the bill based upon a State wide model and a State wide mandate for success.

SB 2213 Relating to Counties: SUPPORT

Committee on Public Safety and Military Affairs

Senator Will Espero, Chair

Senator Robert Bunda Vice Chair

and

Committee on Health

Senator David Ige, Chair

Senator Josh Green, Vice Chair

Hearing: Thursday, February 4, 2010, 1:15 p.m., Room 229

Dear Friends,

We as medical marijuana patients NEED dispensaries. When our personal supply is not available due to plant disease, inclement weather or needs beyond our supply limits, this is the obvious solution.

Also, most people do not grow themselves and caregivers are few and far between with only one patient capacity.

Finally, a tax revenue which should be implemented at least at the stage of growing for the dispensary, could help all counties so very much in need. I would like to see it taxed at all levels but being that pharmaceuticals are not, this isn't clear. Non-pharmaceutical natural supplements are taxed. Also, I believe most people will be so relieved and happy at the basic availability of cannabis after so many years being unavailable, that the tax will not be much of an issue, at least in the beginning.

Please do what is right on so many levels; this passage can be of great benefit to patients and the recipients of the tax revenues which will quickly become substantial.

Mahalo and Aloha,
Will Navran

FROM: MARKSHEEHAN8@GMAIL.COM [MAILTO:MARKSHEEHAN8@GMAIL.COM] ON BEHALF OF
MARK SHEEHAN
SENT: WEDNESDAY, FEBRUARY 03, 2010 10:48 PM
TO: PSM TESTIMONY
SUBJECT: FWD: SUPPORT BILL SB2213

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
SENATOR WILL ESPERO, CHAIR
SENATOR ROBERT BUNDA VIC CHAIR
AND
COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SENATOR J. KALANI ENGLISH, CHAIR
SENATOR MIKE GABBARD, VICE CHAIR
HEARING: THURSDAY, FEB. 4, 2010, 1:30P.M. ROOM 229

HONORABLE SENATORS:

THIS IS A VERY IMPORTANT BILL ALLOWING FOR THE ESTABLISHMENT OF
MEDICAL MARIJUANA DISPENSARIES FOR QUALIFIED PATIENTS
AND THEIR PRIMARY CAREGIVERS REGISTERED WITH THE DEPT. OF PUBLIC SAFETY.
IT ALSO ALLOWS FOR TAXATION OF ALL SUCH SALES EXCLUSIVE OF
PRESCRIPTION DRUGS AND PROSTHETIC DEVICES.

AS A PATIENT WHO DOESN'T HAVE THE EXPERIENCE OR SKILL TO GROW MY OWN
MEDICINE, I KNOW HOW IMPORTANT IT IS TO
HAVE MEDICAL MARIJUANA AVAILABLE FROM A LEGAL SOURCE RATHER THAN HAVE
TO FIND SOMETHING "OUT THERE...SOMEWHERE."
THIS IS THE ISSUE THAT OTHER PATIENTS INSIST IN NECESSARY. THERE ARE
SEVERAL THOUSAND PATIENTS ON MAUI AND OVER
10,000 IN THE STATE, MAYBE MORE. VERY FEW OF THEM HAVE THE SKILL TO
GROW A DECENT QUALITY OF MEDICINE FOR THEIR NEEDS.

PLEASE PASS THIS BILL.
AND TAX IT. WE ALL KNOW THE STATE NEEDS NEW SOURCES OF REVENUE. SO
MANY JOBS HAVE DISAPPEARED IN MAUI COUNTY AND
ACROSS THE STATE. A NEW SOURCE OF REVENUE WOULD BE A VERY GOOD THING.
MAYBE WE CAN GET OUR TEACHERS BACK INTO
SCHOOLS ON THOSE FURLOUGH DAYS!

THANK YOU FOR SUPPORTING THIS BILL.

ALOHA,

-

MARK SHEEHAN |
DIRECT: 808-283-2158
HOME: 808-573-0111
MARK@MARKSHEEHAN.COM

[REDACTED]

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2010 4:49 PM
To: TIATestimony
Cc: Mark@solights.com
Subject: Testimony for SB2213 on 2/4/2010 1:30:00 PM
Attachments: Patients do have a priority list of concerns that the legislature can resolve.docx

Testimony for TIA/PSM 2/4/2010 1:30:00 PM SB2213

Conference room: 229
Testifier position: support
Testifier will be present: Yes
Submitted by: Mark
Organization: Individual
Address: 73-5574 Maiiau St # 5 Kailua Kona
Phone: 808.326.9000
E-mail: Mark@solights.com
Submitted on: 2/3/2010

Comments:
I would like to address these in person 02.04.10

Mahalo

Patients do have a priority list of concerns that the legislature can resolve. They include:

1. Transfer management of the medicinal Cannabis program from Public Safety to Department of Health.
2. Enact legislation for the operation of dispensaries where patients can obtain safe, quality Cannabis in a supportive secure environment.
3. Patients require presumptive eligibility which would insure they do not have to wait to obtain medicine while paperwork for a card is being processed.
4. Protect renters by enacting legislation that would allow patients who do not own their own homes to legally use and grow Cannabis. Patients in rental units, public housing, adult homes, nursing homes and hospice facilities that follow all prescribed laws should be able to process, use and grow medicinal Cannabis without fear of eviction from their home or facilities.
5. Improve the certification process at little or no cost by posting current medicinal Cannabis regulation and law information on an existing government web site. This would include the capability to download all the required forms for the patient/physician and review the most current rules and regulations associated with the program.
6. Change the current regulation to accurately define an “adequate supply”. Currently a 24 oz per Patient per 25 days under the last, 5 remaining Federal Medical Patients who are still being supplied by the Federal Government. The regulation does not distinguish or correlate what is the correct “adequate supply” required for each affliction based on the variety of Cannabis species that will provide the optimum affect for a specific affliction. Further, there is no discussion in the regulation regarding plant gender. Since female plants produce the required medicine and that it is very difficult to determine the difference between a male and female plant during the foliage production stage of growth (vegetative state), NED representatives do not have the educational background or knowledge in horticulture to distinguish a male

from a female plant. Finally, the regulation does not discuss short term and long term plant quantities. For those patients or caregivers that grow plants from seed or vegetative cuttings, additional plants will be required. Thus there will be a quantity of female plants required to produce the medical Cannabis and a quantity of female and male plants to produce seed or vegetative cuttings to continue the supply of plants.

7. Doctors should be able to prescribe medical Cannabis just as they do any other controlled substance. Healthcare providers have the knowledge and qualifications to recommend medical Cannabis and prescribe the appropriate protocol for consumption based on each patient's unique needs and ailments.
8. Approve functional production and distribution models that would capitalize on the existing network of local growers who would supply local distributors with a sustainable supply of quality Cannabis.
9. Allow and approve private patient collectives/cooperatives, in which several patients grow their medicine collectively at a private location, to grow without regulation. Private gardens should not be required to follow the same restrictions that are placed on retail dispensaries, since they are a different type of operation. If a collective/cooperative supplies medicine to a dispensary, it would then be subject to the regulations applied to any supplier to the dispensary.
10. Enact legislation to make the workplace "friendly" for family members/caregivers and patients who are concerned about second hand exposure causing a positive on their employment related drug tests. Current workplace urinalysis for Cannabis use is inaccurate. The tests do not accurately determine whether the person uses 10 minutes or 30 days before the test, much less if it was second hand exposure.

Mark Nelson

Patient / Caregiver Hawaii Island