
HOUSE CONCURRENT RESOLUTION

REQUESTING THE CONVENING OF A TASK FORCE TO DEVELOP
RECOMMENDATIONS FOR THE ESTABLISHMENT OF A REGULATED
STATEWIDE DISPENSARY SYSTEM FOR MEDICAL MARIJUANA.

1 WHEREAS, Hawaii's Medical Use of Marijuana Law was enacted
2 on June 14, 2000, as Act 228, Session Laws of Hawaii 2000, to
3 provide medical relief for seriously ill individuals in the
4 State; and

5
6 WHEREAS, implementation of Act 228, Session Laws of Hawaii
7 2000, recognizes the beneficial use of marijuana in treating or
8 alleviating pain or other symptoms associated with certain
9 debilitating illnesses, and recognizes the medical benefits of
10 marijuana; and

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12 WHEREAS, Hawaii's Medical Use of Marijuana Law is silent on
13 how patients can obtain medical marijuana if they or their
14 caregivers are unable to grow their own supplies of medical
15 marijuana; and

16
17 WHEREAS, many of the State's almost 13,000 qualifying
18 patients lack the ability to grow their own supply of medical
19 marijuana due to a number of factors, including disability,
20 limited space to grow medical marijuana, and an inadequate
21 supply of medical marijuana to take care of their medical needs;
22 and

23
24 WHEREAS, a regulated statewide dispensary system for
25 medical marijuana is urgently needed by qualifying patients in
26 the State; and

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28 WHEREAS, 20 states and Washington, D.C., have medical
29 marijuana laws, and 13 of these 20 jurisdictions have an active
30 regulated system of dispensaries; and



1 WHEREAS, several other states are in the process of
2 implementing laws relating to the establishment of dispensaries
3 for medical marijuana; and
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5 WHEREAS, a regulated statewide dispensary system for
6 medical marijuana will enable qualifying patients to obtain an
7 inspected, safe supply of medical cannabis that is labeled as to
8 the composition, strain, and strength of the cannabis to be most
9 helpful to each patient's condition; and
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11 WHEREAS, in response to Act 29, First Special Session Laws
12 of Hawaii 2009, the Legislative Reference Bureau published a
13 report entitled, "Access, Distribution, and Security Components
14 of State Medical Marijuana Programs," which discussed the
15 policies and procedures for access, distribution, security, and
16 other relevant issues related to the medical use of marijuana in
17 all states that had a medical marijuana program; and
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19 WHEREAS, establishment of a tightly regulated statewide
20 dispensary system was the number one recommendation of the 2010
21 Medical Marijuana Working Group; and
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23 WHEREAS, the transfer of Hawaii's Medical Marijuana Program
24 from the Department of Public Safety to the Department of Health
25 in 2015 is an acknowledgement by the Legislature that the
26 program is a public health program; and
27

28 WHEREAS, a tightly regulated dispensary system for medical
29 marijuana will comport with the spirit and intent of the Medical
30 Use of Marijuana Law: compassion for Hawaii's suffering
31 patients and the provision of safe, legal, and reliable access
32 for qualifying patients; and
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34 WHEREAS, there are many models of medical marijuana
35 dispensary systems available in other state jurisdictions,
36 including models that were enacted after the passage of Hawaii's
37 Medical Use of Marijuana Law; and
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39 WHEREAS, to provide equitable access to medical marijuana,
40 the unique geography of the State with its four counties on
41 different islands must be considered in the design and
42 implementation of a regulated statewide dispensary system for
43 medical marijuana; now, therefore,



1 BE IT RESOLVED by the House of Representatives of the
 2 Twenty-seventh Legislature of the State of Hawaii, Regular
 3 Session of 2014, the Senate concurring, that the Public Policy
 4 Center in the College of Social Sciences at the University of
 5 Hawaii at Manoa (Public Policy Center) is requested to convene a
 6 Medical Marijuana Dispensary System Task Force (Task Force) to
 7 develop recommendations for the establishment of a regulated
 8 statewide dispensary system for medical marijuana to provide
 9 safe and legal access to medical marijuana for qualified
 10 patients; and

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 12 BE IT FURTHER RESOLVED that the Task Force be assigned to
 13 the Public Policy Center for administrative purposes and is
 14 requested to make recommendations and propose legislation on the
 15 design and structure of a regulated statewide dispensary system
 16 for medical marijuana; and

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 18 BE IT FURTHER RESOLVED that the Task Force shall be
 19 comprised of:

- 20
- 21 (1) The Attorney General, or the Attorney General's
- 22 designee;
- 23
- 24 (2) The Director of Health, or the Director's designee;
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- 26 (3) The Director of Public Safety, or the Director's
- 27 designee;
- 28
- 29 (4) The Director of Taxation, or the Director's designee;
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- 31 (5) The Director of Commerce and Consumer Affairs, or the
- 32 Director's designee;
- 33
- 34 (6) The Director of the Public Policy Center, or the
- 35 Director's designee;
- 36
- 37 (7) The Prosecuting Attorney of the City and County of
- 38 Honolulu, or the Prosecuting Attorney's designee;
- 39
- 40 (8) A police chief chosen by the Law Enforcement
- 41 Coalition, or the police chief's designee;
- 42
- 43 (9) The Chairperson of the Senate Committee on Health;
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- 1 (10) The Chairperson of the House Committee on Health;
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- 3 (11) A state senator who is selected by the Senate
- 4 President to serve on the Task Force;
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- 6 (12) A state representative who is selected by the Speaker
- 7 of the House of Representatives to serve on the Task
- 8 Force;
- 9
- 10 (13) A representative from the University of Hawaii College
- 11 of Tropical Agriculture and Human Resources;
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- 13 (14) A representative of the Drug Policy Forum of Hawaii;
- 14
- 15 (15) A physician participating in Hawaii's Medical
- 16 Marijuana Program;
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- 18 (16) Two participants in Hawaii's Medical Marijuana
- 19 Program, one of whom is a patient who is over the age
- 20 of 18, and one of whom is a parent or guardian of a
- 21 patient who is under the age of ten;
- 22
- 23 (17) A caregiver participating in Hawaii's Medical
- 24 Marijuana Program;
- 25
- 26 (18) A representative from the American Civil Liberties
- 27 Union of Hawaii;
- 28
- 29 (19) A representative from the Hawaii Medical Association;
- 30 and
- 31
- 32 (20) A representative from the Coalition for a Drug-Free
- 33 Hawaii; and
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35 BE IT FURTHER RESOLVED that the issues to be addressed by
36 the Task Force include the appropriate number and location of
37 dispensaries statewide; the design of a tax structure (state and
38 county); location and restriction issues; methodology for
39 ensuring safety of supply; a framework for cultivating and
40 manufacturing medical marijuana products; regulations to ensure
41 security and public safety; restrictions on advertising; issues
42 raised and compliance with any guidelines and/or directives
43 issued by federal agencies with respect to medical marijuana;
44 and



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 2 BE IT FURTHER RESOLVED that no later than September 1,
 3 2014, the Legislative Reference Bureau is requested to complete
 4 and submit to the Task Force an updated report on the policies
 5 and procedures for access, distribution, security, and other
 6 relevant issues related to the medical use of cannabis in all
 7 states that currently have a medical cannabis program; and

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 9 BE IT RESOLVED that, as part of its report, the Legislative
 10 Reference Bureau is requested to examine and include information
 11 concerning the policies and procedures adopted by other states
 12 relating to the growth and cultivation of medical marijuana and
 13 the regulation of medical marijuana dispensaries; and

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 15 BE IT FURTHER RESOLVED that the Task Force is requested to
 16 hold at least one public hearing to receive public input on the
 17 updated report received from the Legislative Reference Bureau
 18 containing the policies and procedures for access, distribution,
 19 security, and other relevant issues related to the medical use
 20 of cannabis in all states that currently have a medical cannabis
 21 program; and

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 23 BE IT FURTHER RESOLVED that the Task Force is requested to
 24 submit a report of its findings and recommendations, including
 25 any proposed legislation, to the Legislature no later than 20
 26 days prior to the convening of the Regular Session of 2015; and

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 28 BE IT FURTHER RESOLVED that certified copies of this
 29 Concurrent Resolution be transmitted to the Governor, President
 30 of the Senate, Speaker of the House of Representatives, Attorney
 31 General, Director of Health, Director of Public Safety, Director
 32 of Taxation, Director of Commerce and Consumer Affairs, Director
 33 of the Public Policy Center in the College of Social Sciences at
 34 the University of Hawaii at Manoa, Prosecuting Attorney of the
 35 City and County of Honolulu, Executive Director of the American
 36 Civil Liberties Union of Hawaii, Executive Director of the Drug
 37 Policy Forum of Hawaii, Dean of the University of Hawaii College
 38 of Tropical Agriculture and Human Resources, Executive Director
 39 of the Hawaii Medical Association, Law Enforcement Coalition,
 40 Executive Director of the Coalition for a Drug-Free Hawaii, and
 41 Acting Director of the Legislative Reference Bureau.

