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## HOUSE RESOLUTION

REQUESTING THE DRUG ENFORCEMENT ADMINISTRATION TO INITIATE  
RESCHEDULING PROCEEDINGS TO REMOVE MARIJUANA AS A SCHEDULE  
I CONTROLLED SUBSTANCE.

1           WHEREAS, our structure of government, known as federalism,  
2 allows for the distribution of power between the states and the  
3 federal government; and

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5           WHEREAS, one of the powers that remains with the states is  
6 the authority to allow the medical use of specified controlled  
7 substances under certain circumstances; and

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9           WHEREAS, Congress enacted the Federal Controlled Substances  
10 Act with the clear intent of allowing for changes in the federal  
11 scheduling of controlled substances based on changes in state  
12 medical use; and

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14           WHEREAS, the State of Hawaii lawfully exercised its  
15 authority to accept the medical use of a controlled substance  
16 when it created the State's Medical Marijuana Program in 2000  
17 and accepted the medical use of marijuana in treatment; and

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19           WHEREAS, the Department of Health recognizes the medical  
20 use of marijuana pursuant to Hawaii law; and

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22           WHEREAS, the active ingredient in Marinol is a naturally  
23 occurring component of marijuana, and Marinol has been approved  
24 by the Food and Drug Administration and the Drug Enforcement  
25 Administration as a Schedule 3 medication; and

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27           WHEREAS, the acceptance of the use of marijuana for medical  
28 purposes in the State means that marijuana does not satisfy the  
29 criteria for scheduling as a federal Schedule I controlled  
30 substance, because federal Schedule I requires that such  
31 substances have no currently accepted medical use in the United  
32 States; and



1 WHEREAS, the current misclassification of marijuana as a  
2 federal Schedule I controlled substance is preventing the State  
3 from developing a state-regulated Medical Marijuana Program that  
4 can comply with federal law; and




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6 WHEREAS, the Hawaii Medical Association adopted a formal  
7 resolution in 2010 recommending that marijuana be removed from  
8 federal Schedule I; now, therefore,

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10 BE IT RESOLVED by the House of Representatives of the  
11 Twenty-seventh Legislature of the State of Hawaii, Regular  
12 Session of 2014, that the Drug Enforcement Administration is  
13 hereby requested to follow the Federal Controlled Substances Act  
14 and initiate rescheduling proceedings to remove marijuana as a  
15 Schedule I controlled substance; and

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17 BE IT FURTHER RESOLVED that the Drug Enforcement  
18 Administration address the inconsistencies between federal and  
19 state law relating to marijuana as a controlled substance; and

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21 BE IT FURTHER RESOLVED that certified copies of this  
22 Resolution be transmitted to the Attorney General of the United  
23 States, Secretary of the Department of Health and Human  
24 Services, Administrator of the Drug Enforcement Administration,  
25 Governor of Hawaii, Director of Health, Director of Public  
26 Safety, and the State Attorney General.

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OFFERED BY:   
  
  
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