
HOUSE 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

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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

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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

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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, twenty states and Washington, D.C., have medical
29 marijuana laws, and thirteen of these twenty jurisdictions have
30 an active 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 included
15 recommendations from the 2010 Medical Marijuana Working Group's
16 report to the Legislature; and

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18 WHEREAS, establishment of a tightly regulated statewide
19 dispensary system was the number one recommendation of the 2010
20 Medical Marijuana Working Group; and

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22 WHEREAS, the transfer of Hawaii's Medical Marijuana Program
23 from the Department of Public Safety to the Department of Health
24 in 2015 is an acknowledgement by the Legislature that the
25 program is a public health program; and

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27 WHEREAS, a tightly regulated dispensary system for medical
28 marijuana will comport with the spirit and intent of the Medical
29 Use of Marijuana Law: compassion for Hawaii's suffering
30 patients and the provision of safe, legal, and reliable access
31 for qualifying patients; and

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33 WHEREAS, there are many models of medical marijuana
34 dispensary systems available in other state jurisdictions,
35 including models that were added to Hawaii's Medical Use of
36 Marijuana Law after its enactment; and

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38 WHEREAS, to provide equitable access to medical marijuana,
39 the unique geography of the State with its four counties on
40 different islands must be considered in the design and



1 implementation of a regulated statewide dispensary system for
2 medical marijuana; now, therefore,

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4 BE IT RESOLVED by the House of Representatives of the
5 Twenty-seventh Legislature of the State of Hawaii, Regular
6 Session of 2014, that the Department of Health is requested to
7 convene a task force to develop recommendations for the
8 establishment of a regulated statewide dispensary system for
9 medical marijuana to provide safe and legal access for qualified
10 patients to medical marijuana; and

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12 BE IT FURTHER RESOLVED that the Medical Marijuana
13 Dispensary System Task Force (Task Force) be placed within the
14 Department of Health for administrative purposes and is
15 requested to make recommendations and propose legislation on the
16 design and structure of a regulated statewide dispensary system
17 for medical marijuana; and

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19 BE IT FURTHER RESOLVED that the Task Force be convened by
20 the Department of Health and comprise:

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22 (1) The Director of Health, or the director's designee;
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24 (2) The Director of Public Safety, or the director's
25 designee;
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27 (3) The Attorney General, or the Attorney General's
28 designee;
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30 (4) A police chief chosen by the Law Enforcement
31 Coalition;
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33 (5) A representative from the University of Hawaii College
34 of Tropical Agriculture and Human Resources;
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36 (6) A physician participating in Hawaii's Medical
37 Marijuana Program;
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39 (7) A patient participating in Hawaii's Medical Marijuana
40 Program;



- 1 (8) A caregiver participating in Hawaii's Medical
- 2 Marijuana Program;
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- 4 (9) A representative from the American Civil Liberties
- 5 Union of Hawaii; and
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- 7 (10) A representative from Hawaii Medical Association; and
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9 BE IT FURTHER RESOLVED that no later than September 1,
10 2014, the Legislative Reference Bureau is requested to complete
11 and submit to the task force an updated and revised report of
12 its 2009 report, "Access, Distribution, and Security Components
13 of State Medical Marijuana Programs," including the policies and
14 procedures for access, distribution, security, and other
15 relevant issues related to the growing and dispensing of medical
16 cannabis in all state that currently have a medical marijuana
17 program; and

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19 BE IT FURTHER RESOLVED that the issues to be addressed by
20 the Legislative Reference Bureau and considered by the Task
21 Force include the appropriate number and location of
22 dispensaries statewide; the design of a tax structure (state and
23 county); location and restriction issues; methodology for
24 ensuring safety of supply; a framework for cultivating and
25 manufacturing medical marijuana products; regulations to ensure
26 security and public safety; restrictions on advertising; issues
27 raised and compliance with any guidelines and/or directives
28 issued by federal agencies with respect to medical marijuana;
29 and




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31 BE IT FURTHER RESOLVED that after completion and
32 presentation of the report by the Legislative Reference Bureau
33 to the Task Force, the Task Force is requested to hold at least
34 one public hearing to receive public input; and

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36 BE IT FURTHER RESOLVED that the Task Force is requested to
37 submit a report of its findings and recommendations, including
38 any proposed legislation, to the Legislature no later than
39 twenty days prior to the convening of the Regular Session of
40 2015; and



1 BE IT FURTHER RESOLVED that certified copies of this
2 Resolution be transmitted to the Governor, President of the
3 Senate, Speaker of the House of Representatives, Attorney
4 General, Director of Health, Director of Public Safety,
5 Executive Director of the American Civil Liberties Union of
6 Hawaii, Dean of the University of Hawaii College of Tropical
7 Agriculture and Human Resources; Executive Director of Hawaii
8 Medical Association; Law Enforcement Coalition; and Acting
9 Director of the Legislative Reference Bureau.

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OFFERED BY: 

FEB 18 2014

