

HB1503

HD1 SD1

LATE

TESTIMONY



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TO: SENATE COMMITTEE ON JUDICIARY & LABOR

FROM: PAMELA LICHTY, M.P.H., PRESIDENT

DATE: MARCH 28, 10:00 A.M., ROOM 016

RE: H.B. 1503, H.D. 1, S.D.1 RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE – **IN SUPPORT**

Good morning Chair Hee, Vice Chair Shimabukuro and members of the Committee. My name is Pam Lichty and I'm President of the Drug Policy Action Group (DPAG), the government affairs arm of the Drug Policy Forum of Hawaii.

First, I'd like to thank the Committee for scheduling this measure today which DPAG strongly supports. In fact, in reading over the testimony from the last hearing on this bill, almost everyone, including organizations working on housing issues supported it.

We want to first note that this bill does not introduce any new rights for anyone, certainly not for Hawaii's close to 13,000 registered medical cannabis patients. Rather it makes a common sense adjustment to the Landlord-Tenant code that addresses the fact that smoking any substance can affect neighbors in Hawaii's often-dense residential communities.

This bill simply clarifies that, if tobacco is banned in a residential setting than smoking cannabis is too, but that - absent a ban on tobacco smoking - medical cannabis smoking cannot be banned per se. H.D. 1 added the provision that to be protected from eviction the tenant must hold a valid certificate under the state law to use medical marijuana (and, we assume, the actual use is protected as well.)

The bottom line is that if this measure passes, patients will not have to choose between their medicine and having a place to live.

This bill would also have the unintended effect of encouraging patients (in smoke-free buildings anyway) to use a non-smoked means of ingesting their medication. The other methods include vaporizing, using edibles, juicing the leaves, using various tinctures, oils and ointments, and more. Any of these other means of delivery is safer than smoking medical cannabis.

(Even though it's clear from research that smoking cannabis is safer than smoking tobacco, smoking anything has negative health effects – it's simply a matter of the degree of harm.) In any case, increasingly medical marijuana patients prefer and choose to use these alternative means of ingestion.

I can't help but note in closing, that if Hawaii had carefully regulated medical cannabis dispensaries, as 19 of 21 medical marijuana jurisdictions have in place or in process, patients would have far easier access to these alternative products. With a January QMark Research survey showing a whopping 85% of voters supporting a dispensary system here, we hope that such a system will be in place in Hawaii nei **very** soon.

Thank you for listening and for giving us the opportunity to testify.