

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO
PROSECUTING ATTORNEY



ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

**THE HONORABLE DAVID IGE, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS
Twenty-seventh State Legislature
Regular Session of 2014
State of Hawai`i**

April 17, 2014

RE: H.C.R. 48, H.D. 2; REQUESTING THE CONVENING OF A TASK FORCE TO DEVELOP RECOMMENDATIONS FOR THE ESTABLISHMENT OF A REGULATED STATEWIDE DISPENSARY SYSTEM FOR MEDICAL MARIJUANA.

Chair Ige, Vice Chair Kidani and members of the Senate Committee on Ways and Means, the Department of the Prosecuting Attorney of the City and County of Honolulu, submits the following comments, expressing concerns, regarding H.C.R. 48, H.D. 2.

At this time, State law permits the limited possession, use and cultivation of marijuana to individuals bearing certain exigent and closely monitored medical conditions (and their caregivers). State law does not permit or provide for the commercial production, processing, sale and/or distribution of marijuana, which continues to be categorized as a Schedule 1 controlled substance in both State and Federal drug schedules.

Given the ongoing demand for illicit marijuana—including use by juveniles—the Department is gravely concerned that a commercial dispensary system in Hawaii would pose a significant security and enforcement risk not only for those establishments, but also for law enforcement. Moreover, this would create high potential for increased abuse and negative impacts on the public. In past years, prior testifiers indicated that the city of Denver, alone, hosts 300-400 such dispensaries, more than the number of Starbucks locations in the entire state of Colorado. Today, this number is reportedly over 500, and many of these dispensaries openly advertise their businesses in public mediums.

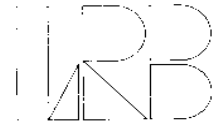
Because marijuana continues to be classified as a Schedule 1 controlled substance, and poses a significant risk to public safety and welfare, the Department is gravely concerned that a medical marijuana dispensary system would present a heightened risk of abuse and negative impacts on the public. Nevertheless, if the legislature is inclined to pass this measure, we would note that only one police chief is currently represented on the task force; and we would suggest

that each county police department be represented, as each county has unique demographics and law enforcement concerns. Similarly, if the legislature is inclined to pass this measure, we would ask the prosecuting attorney from each county be represented on the task force as well.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu has serious concerns regarding H.C.R. 48, H.D. 2. Thank you for the opportunity to testify on this matter.

Charlotte A. Carter-Yamauchi
Acting Director

Research (808) 587-0666
Revisor (808) 587-0670
Fax (808) 587-0681



LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Comments

HCR48, HD2

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

Testimony by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the Senate Committees on Ways and Means

Thursday, April 17, 2014, 10:55 a.m.
Conference Room 211

Chair Ige and Members of the Committee:

Good morning Chair Ige and members of the Committee, thank you for providing the opportunity to submit written comments on H.C.R. No. 48, H.D. 2, Requesting the Convening of a Task Force to Develop Recommendations for the Establishment of a Regulated Statewide Dispensary System for Medical Marijuana.

The purpose of this measure is to, among other things:

- (1) Request the Public Policy Center at the University of Hawaii to convene a Medical Marijuana Dispensary System Task Force (Task Force) to develop recommendations to establish a regulated statewide medical marijuana dispensary system to provide safe and legal access for qualified patients to medical marijuana;
- (2) Place the Task Force within the Public Policy Center for administrative purposes and request that it make recommendations and propose legislation on the design and structure of a regulated statewide dispensary system for medical marijuana;

- (3) Request that the Legislative Reference Bureau (Bureau), no later than September 1, 2014, complete and submit to the Task Force an updated and revised version of its 2009 report, "Access, Distribution, and Security Components of State Medical Marijuana Programs," which is to include an update of the policies and procedures for access, distribution, security, regulation of dispensaries, and other relevant issues related to the growing and dispensing of medical cannabis in all states that have a medical marijuana program;
- (4) After completion and submission of the Bureau's report to the Task Force, request that the Task Force hold at least one public hearing to receive public input on the updated report; and
- (5) Request the Task Force to submit a report of the study to the Legislature no later than twenty days prior to the convening of the Regular Session of 2015.

The Legislative Reference Bureau takes no position on this measure, but believes that the services requested of the Bureau under this measure, as currently drafted, are manageable and that the Bureau will be able to provide the services in the time allotted; provided that the Bureau's interim workload is not adversely impacted by too many other studies or additional responsibilities, such as conducting, writing, or finalizing other reports, drafting legislation, or both, for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for this opportunity to provide written comments.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: thirr33@gmail.com
Subject: Submitted testimony for HCR48 on Apr 17, 2014 10:55AM
Date: Thursday, April 17, 2014 5:15:09 AM
Attachments: [HCR 48 HD2 SSCR 3463 Task Force for Statewide Medical Marijuana Dispensary.gif](#)

HCR48

Submitted on: 4/17/2014

Testimony for WAM on Apr 17, 2014 10:55AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Arvid Tadao Youngquist	The Mestizo Association	Support	No

Comments: Chair, Sen. David Ige, Senate WAM Committee V. Chair, Sen. Michelle N. Kidani Right Honorable Senate WAM Committee Members We support the intent of HCR 48. Hopefully, a Task Force will centralize and streamline the retail production of marijuana for use by patients and ease not just the pain, but the difficulty in getting the product legally and without unnecessary oversight from the various Islands' police forces. Mahalo for hearing this HCR 48 and request that it be reported out for a Senate vote. Thank you. Arvid Tadao Youngquist Spokesman, The Mestizo Association (est. 1982)

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov