

STAND. COM. REP. NO.

1658

Honolulu, Hawaii

April 10, 2015

RE: S.B. No. 682  
S.D. 2  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 682, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA,"

begs leave to report as follows:

The purpose of this measure is to establish a regulated statewide dispensary system for medical marijuana to ensure safe and legal access to medical marijuana for qualifying patients.

More specifically, this measure:

- (1) Establishes a regulated system of medical marijuana dispensaries and production centers and a Medical Marijuana Advisory Commission;
- (2) Prohibits counties from enacting zoning ordinances or rules that prohibit the use of land for licensed dispensaries and production centers;
- (3) Establishes a Medical Marijuana Registry Program Sub-account and Medical Marijuana Dispensary Program Sub-account within the renamed Medical Marijuana Registry and Regulation Special Fund;
- (4) Establishes an affirmative defense for owners or employees of a medical marijuana production center or

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dispensary subject to criminal charges for the production or distribution of marijuana;

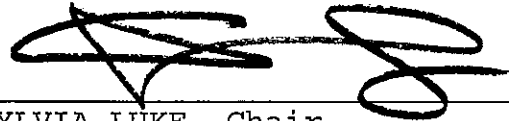
- (5) Requires qualifying patients or primary caregivers who cultivate marijuana plants to either register with the Department of Health or obtain a license, based on the number of plants cultivated;
- (6) Defines the authorized sources of medical marijuana and amends the definition of a permitted adequate supply to account for manufactured marijuana products;
- (7) Clarifies the right of qualifying patients, primary caregivers, and owners or employees of licensed dispensaries and production centers to transport medical marijuana in a public place;
- (8) Permits any physician who has a bona fide physician-patient relationship with a qualifying patient to issue a written certification;
- (9) Appropriates funds into the Medical Marijuana Registry and Regulation Special Fund; and
- (10) Requires the Director of Health and the Legislative Reference Bureau to report to the Legislature on the progress of implementing the dispensary and production center system and any further required legislation.

The Drug Policy Forum of Hawaii; Effective Change, LLC; Green Futures; Americans for Safe Access Big Island Chapter; Community Alliance on Prisons; United Food and Commercial Workers Union; and many individuals provided testimony in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Maui Police Department, Hawaii Police Department, Hawaii Catholic Conference, Alternative Pain Management Puuhona, Coalition for a Drug-Free Hawaii, and several individuals provided testimony in opposition. The Department of the Attorney General, Department of Health, Legislative Reference Bureau, Hawaii Family Advocates, American Civil Liberties Union of Hawaii, Hawaii Family Forum, Hawaii Cannabis Care, Norml Hawaii Chapter, Drug Policy Action Group; and several individuals provided comments.



As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 682, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,



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SYLVIA LUKE, Chair



