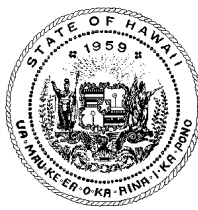


DAVID Y. IGE
GOVERNOR



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Corrections

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Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 1333, SENATE DRAFT 2
RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

By
Max N. Otani, Director

House Committee on Judiciary and Hawaiian Affairs
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

Tuesday, March 16, 2021; 2:00 p.m.
Via Videoconference

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Department of Public Safety (PSD) supports Senate Bill (SB) 1333, Senate Draft (SD) 2, which updates Chapter 329, Hawaii Revised Statutes (HRS), to incorporate an amendment made to the Federal Controlled Substances Act in 2020.

PSD notes that the proposed measure also seeks to remove certain approved cannabidiol drugs (CBD) drugs from controlled substances regulation in alignment with recent Federal action.

Thank you for the opportunity to testify on this measure.



Akamai Cannabis Clinic
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TESTIMONY ON SENATE BILL 1333 SENATE DRAFT 2
RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT
By
Clifton Otto, MD

House Committee and Judiciary & Hawaiian Affairs
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

Tuesday, March 16, 2021; 2:00 PM
State Capitol, Videoconference

SUPPORT WITH CHANGES

Thank you for the opportunity to provide written testimony on this measure.

Please consider the following amendment to keep the state and federal regulation of controlled substances in agreement, which is the intent of this bill.

SECTION 4b. The following section is added to read as follows:

“§329-5 Recognizing the state authorized use of cannabis.

The department of public safety shall submit to the administrator of the United States Department of Justice, Drug Enforcement Administration, Diversion Control Division:

[1] An application for immediate relief pursuant to title 21 Code of Federal Regulations section 1307.03 to the Office of Diversion Control. This application shall state that part IX of chapter 329, Hawaii Revised Statutes, and chapter 329D, Hawaii Revised Statutes, create an exemption from federal drug laws and

do not create any positive conflict pursuant to title 21 United States Code Annotated section 903; and that the federal scheduling of marijuana does not apply to the state authorized use of cannabis. The application shall also include a proposed rule containing the following: "The listing of marijuana as a controlled substance does not apply to the state authorized use of marijuana, and persons using marijuana in compliance with state law are exempt from registration"; and

[2] A petition for permanent relief pursuant to title 21 Code of Federal Regulations section 1308.43. This petition shall state that part IX of chapter 329, Hawaii Revised Statutes, and chapter 329D, Hawaii Revised Statutes, create an exemption from federal drug laws and do not create any positive conflict pursuant to title 21 United States Code Annotated section 903; and that the federal scheduling of marijuana does not apply to the state authorized use of cannabis. The petition shall also include a proposed rule containing the following:

"The listing of marijuana as a controlled substance does not apply to the state authorized use of marijuana, and persons using marijuana in compliance with state law are exempt from registration."

Thank you for considering this important amendment.
Aloha.