

Honolulu, Hawaii

APR 20 2022

RE: S.R. No. 139
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
S.R. No. 139 entitled:

"SENATE RESOLUTION REQUESTING THE GOVERNOR, LIEUTENANT
GOVERNOR, AND HEADS OF PRINCIPAL DEPARTMENTS TO PROMINENTLY
DISPLAY A HAWAIIAN TRANSLATION OF THE NAME OF THEIR OFFICE OR
DEPARTMENT AT LEAST ONCE ON THE MAIN PAGE OF THEIR OFFICIAL
WEBSITE AND IN THE LETTERHEAD OF THEIR STATIONERY,"

begs leave to report as follows:

The purpose and intent of this measure is to request the
Governor, Lieutenant Governor, and heads of principal departments
to prominently display a Hawaiian translation of the name of their
office or department at least once on the main page of their
official website and in the letterhead of their stationary.

Prior to decision making on this measure, your Committee made
available for public review a proposed S.D. 1 of this measure.
The proposed S.D. 1:

- (1) Requests the Legislative Reference Bureau to study how
social equity has been implemented in the cannabis
industry around the nation;
- (2) Requests the devising of ways social equity could be
implemented in the State of Hawaii to benefit Native
Hawaiians and other victims of the war on drugs; and



- (3) Requests the Department of Health's Office on Medical Cannabis Control and regulation to study how to include the existing legal growers and hemp licensees, including Native Hawaiians and those on Hawaiian home lands, to be eligible to test and sell cannabis and hemp directly to other patients and to licensed dispensaries.

Your Committee received testimony in support of the proposed S.D. 1 from Qan, LLC; Hawai'i Cannabis Hui; Hawaii Patients Union; Marijuana Policy Project; Environmental Caucus of the Democratic Party of Hawai'i; Cannabis Society of Hawai'i; Akamai Cannabis Consulting; and twenty individuals. Your Committee received testimony in opposition of the proposed S.D. 1 from two individuals.

Your Committee finds that the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework for current cannabis operators. Furthermore, the war on drugs has been acknowledged as a racist campaign that has devastated low-income individuals, families, and communities. The purpose of this measure is to request the study of social equity programs implemented in other States and create a comprehensive report on how to include the existing legal growers and hemp licensees including Kanaka Maoli and those on Hawaiian home lands as eligible to test and sell cannabis and hemp directly to patients or licensed dispensaries.

Your Committee notes that some of the additional problems producers of cannabis face in Hawaii involve the conflict between the state and federal regulations of marijuana. Those who engage in the state authorized use of cannabis in Hawaii must consequently violate federal drug laws to do so.

Your Committee further notes the concerns of Native Hawaiians and especially those who are small farmers. This measure addresses aiding Native Hawaiians and those who produce cannabis on Hawaiian home lands, but does not specify how or what this aid will be. If a plan is implemented to help specifically Native Hawaiian growers, it is not specified as to whether there will be a blood quantum restriction that could potentially lead to many growers losing their lands or growing rights. Furthermore, the intention of this measure is to help small farmers but the term



"small farmers" is not defined which could lead to confusion and exclusion. Additionally, there are fears of leased farmlands being overtaken by corporate entities which could impact the right of a farmer to grow their own food and medicine for themselves and the community. Your Committee notes that these concerns are requested to be resolved by creating a new resolution or bill with the direct input of both the Native Hawaiian community and the cannabis community.

Your Committee has amended this measure by:

- (1) Replacing the Legislative Reference Bureau with the Drug Policy Forum of Hawaii as the entity requested to prepare the comprehensive report on social equity programs;
- (2) Clarifying that the requested report should be prepared in the style of a report by the Legislative Reference Bureau;
- (3) Amending its title accordingly; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 139, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 139, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Hawaiian Affairs,



MAILE S.L. SHIMABUKURO, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* <i>SR 139 504</i>	Committee Referral: <i>HWN</i>	Date: <i>4/12/2022</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
ACASIO, Laura	/			
IHARA, Jr., Les				/
FEVELLA, Kurt				/
TOTAL	<i>3</i>	<i>-</i>	<i>-</i>	<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes