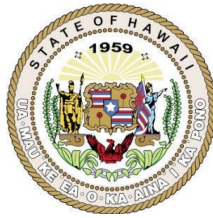


JOSH GREEN  
GOVERNOR



JORDAN LOWE  
DIRECTOR

MICHAEL S. VINCENT  
Deputy Director  
Administration

STATE OF HAWAII | KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF LAW ENFORCEMENT**  
*Ka 'Oihana Ho'opalekana Lehulehu*  
1177 Alakea Street  
Honolulu, Hawaii 96813  
(808) 587-2562

**Vacant**  
Deputy Director  
Law Enforcement

No.

TESTIMONY ON HOUSE BILL 1097  
RELATING TO CONTROLLED SUBSTANCES  
Before the House Committee on Health and Homelessness

Saturday, February 4, 2023; 9:30 a.m.

State Capitol Conferene Room 329 Via Videoconference

**WRITTEN TESTIMONY ONLY**

Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

The Department of Law Enforcement (DLE) **supports** House Bill (HB) 1097 , which updates chapter 329 of the Hawaii Revised Statutes (HRS), to incorporate amendments made to the federal Controlled Substances Act that were temporarily permitted in Hawaii by the temporary designation of several new controlled substances by PSD in 2022. Under section 329-11(d) and (e), HRS, PSD's temporary designation of new controlled substances shall be nullified if the next regular session of the State Legislature has not made the corresponding changes to state law.

Sections 329-11(d) and (e), HRS, provide that if a substance is added, deleted, or rescheduled under federal law, or by an emergency scheduling action taken by PSD, then PSD shall recommend to the Legislature to make the corresponding changes in Hawaii law. In 2022, PSD temporarily designated many new controlled substances, and those substances are listed in HB 1097.

HB 1097, also amends chapter 329, HRS, to mirror recent changes to the federal Controlled Substances Act, thereby eliminating differences between federal and state law and avoiding nullification of the controlled substances that were temporarily designated in 2022.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, MD  
GOVERNOR



TOMMY JOHNSON  
DIRECTOR

Melanie Martin  
Deputy Director  
Administration

Michael Hoffman  
Deputy Director  
Corrections

William Oku, Jr.  
Deputy Director  
Law Enforcement

STATE OF HAWAII | KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF PUBLIC SAFETY**  
**KA 'OIHANA HO'OPALEKANA LEHULEHU**  
1177 Alakea Street  
Honolulu, Hawaii 96813

No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 1097  
RELATING TO CONTROLLED SUBSTANCES

By  
Tommy Johnson, Director

House Committee on Health and Homelessness  
Representative Della Au Belatti, Chair  
Representative Jenna Takenouchi, Vice Chair

Saturday, February 4, 2023; 9:30 a.m.  
Via Videoconference

Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

The Department of Public Safety (PSD) **supports** House Bill (HB) 1097 , which updates chapter 329 of the Hawaii Revised Statutes (HRS), to incorporate amendments made to the federal Controlled Substances Act that were temporarily permitted in Hawaii by the temporary designation of several new controlled substances by PSD in 2022. Under section 329-11(d) and (e), HRS, PSD's temporary designation of new controlled substances shall be nullified if the next regular session of the State Legislature has not made the corresponding changes to state law.

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HB 1097, also amends chapter 329, HRS, to mirror recent changes to the federal Controlled Substances Act, thereby eliminating differences between federal and state law and avoiding nullification of the controlled substances that were temporarily designated in 2022.

Thank you for the opportunity to testify on this measure.

**HB-1097**

Submitted on: 2/3/2023 9:39:42 PM

Testimony for HLT on 2/4/2023 9:30:00 AM

| Submitted By  | Organization | Testifier Position | Testify                |
|---------------|--------------|--------------------|------------------------|
| Justin Tabios | Individual   | Comments           | Written Testimony Only |

Comments:

Aloha,

My name is Justin, Licensed Massage Therapist under the State of Hawai'i, U.S Army Veteran; former 68W (Healthcare Specialist).

Now, ever since I've started to dive deeper into the Cannabis Community as well as partake in the the Medical Cannabis Program through the State's Department of Health, I've found passion. I've found passion in this plant that has helped me cope and heal through pain. Pain that is mental, physical, and spiritual. I am writing this testimony and ask why these bills are being reviewed and discussed during a weekend versus the weekday as well as not having these bills publicized to the public. I believe that things like this shouldn't be kept in the dark and be discussed amongst just the lawmakers. Please, do get the community's input and valuation.

I believe that the medical cannabis program should be revised first before any recreational bill should be brought up into light and on the table for discussion.

I believe that Cannabis should be accessible to everybody, but I also believe that the local population should have the right to produce, cultivate, and dispense cannabis products without the outrageous application fees. With that said, I have dreams of producing and opening up a local shop dispensary but already having a fixed income and not being able to find suitable work is already a struggle in itself. Why do the people of Hawai'i have to struggle even more to open up shop?

The more local products we are able to create as a community and state and the tax on cannabis being lower, we would see dramatic changes and more interpersonal and civil interactions between the local communities and government officials.

Mahalo for taking the time to read my testimony and I hope as lawmakers, you take into consideration about the people of Hawai'i.

**HB-1097**

Submitted on: 2/4/2023 8:50:21 AM

Testimony for HLT on 2/4/2023 9:30:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Franklin Pitman     | Individual          | Comments                  | Written Testimony Only |

Comments:

Why are we having a hearing on this matter on a Saturday? This seems incredibly suspicious and inappropriate.

**HB-1097**

Submitted on: 2/4/2023 6:56:17 AM

Testimony for HLT on 2/4/2023 9:30:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Daniel Carroll      | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Please reschedule hearings. Not enough time given to public to review.