



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony COMMENTING on SB1104_SD1
RELATING TO CANNABIS FOR MEDICAL USE.**

REPRESENTATIVE CEDRIC ASUEGA GATES, CHAIR
HOUSE COMMITTEE ON AGRICULTURE AND FOOD SYSTEMS
Hearing Date: Fri., March. 17, 2023 Room Number: 325

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health (DOH) recognizes the intent of this
3 measure to provide qualifying patients with a legal source of plant material for personal
4 cultivation (i.e., “home grow”). However, DOH is concerned about the potential risk of diversion
5 from the dispensary system and of patients exceeding their allowed plant count limit.

6 Dispensary licensees are required to use an electronic seed-to-sale tracking system to maintain
7 accountability of all cannabis within their possession from cultivation through production,
8 manufacturing, and retail sale or destruction. Section 2 proposes to amend the definition of
9 “cannabis” to include “cannabis propagules, cannabis cuttings, and cannabis seeds.” To clarify
10 that all cannabis, including propagules, cuttings, and seeds, within each licensee operation is
11 required to be tracked and accounted for to help mitigate the risk of diversion, DOH offers
12 amendments to section 329D-6(k).

13 Section 329-121 defines "adequate supply" as "an amount of medical cannabis jointly possessed
14 between the qualifying patient and the primary caregiver” which “shall not exceed: ten cannabis
15 plants, whether immature or mature...” However, Section 3 proposes to exclude cannabis
16 propagules, cannabis cuttings, and cannabis seeds from patient and caregiver purchase limits and
17 authorizes the purchase of up to ten (10) propagules, cuttings, or seeds within a thirty (30) day
18 period. This would allow patients and caregivers to continuously acquire propagules, cuttings,
19 and seeds at a risk of exceeding legal possession limits and, because DOH lacks the appropriate

1 resources to monitor patient compliance, creates a risk for diversion of cannabis outside the legal
2 medical use system. DOH offers amendments to reduce the amount and frequency of purchases
3 of cannabis propagules, cuttings, and seeds to help mitigate this risk.

4 Additionally, as written, the language in Section 3 is confusing as to whether qualifying out-of-
5 state patients or caregivers of qualifying out-of-state patients may or may not purchase cannabis
6 propagules, cuttings, or seeds.

7 Thank you for the opportunity to testify.

8 **Offered Amendments:**

9 DOH respectfully requests the following:

- 10 • Amend page 4, lines 2-10 to read: “**§329D-13 Dispensing of cannabis; propagative**
11 **material; quantity limits[-]; quality restrictions; rules.** (a) A qualifying patient,
12 primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state
13 patient shall be allowed to purchase [~~no~~] not more than four ounces of cannabis within a
14 consecutive period of fifteen days, or [~~no~~] not more than eight ounces of cannabis within
15 a consecutive period of thirty days.
- 16 • Amend page 4, lines 11-20 to read: “(b) A qualifying patient [~~, primary caregiver,~~
17 ~~qualifying out-of-state patient or caregiver of a qualifying out-of-state patient may~~
18 ~~purchase cannabis]~~ or primary caregiver who is authorized to cultivate cannabis pursuant
19 to sections 329-122 and 329-130(a) shall be allowed to purchase a total of not more than
20 ten cannabis propagules, cannabis cuttings, or cannabis seeds within a consecutive period
21 of sixty days; provided that:”
- 22 • Amend page 5, lines 1-4 to read: “(l) The amount of cannabis, cannabis propagules,
23 cannabis cuttings, and cannabis seeds, jointly possessed between the qualifying patient
24 and the primary caregiver at any time shall not exceed the amount allowed under section
25 329—122;”

- 1 • Amend section 329D-6(k)(2) to read “Allow each licensed dispensary’s production center
2 to submit to the department in real time, by automatic identification and data capture, all
3 cannabis, cannabis propagules, cannabis cuttings, and cannabis seeds, cannabis plants,
4 and manufactured cannabis product inventory in possession of that dispensary from either
5 seed or immature plant state, including all plants that are derived from cuttings or
6 cloning, until the cannabis or manufactured cannabis product is sold or destroyed
7 pursuant to section 329D-7;”
- 8 • Amend section 329D-6(k)(3) to read “Allow the licensed dispensary's retail dispensing
9 location to submit to the department in real time for the total amount of cannabis,
10 cannabis propagules, cannabis cuttings, and cannabis seeds, and manufactured cannabis
11 product purchased by a qualifying patient, primary caregiver, qualifying out-of-state
12 patient, and caregiver of a qualifying out-of-state patient from the dispensary's retail
13 dispensing locations in the State in any fifteen day period; provided that the software
14 tracking system shall impose an automatic stopper in real time, which cannot be
15 overridden, on any further purchases of cannabis or manufactured cannabis products, if
16 the maximum allowable amount of cannabis has already been purchased for the
17 applicable fifteen day period; provided further that additional purchases shall not be
18 permitted until the next applicable period; and”

SB-1104-SD-1

Submitted on: 3/15/2023 1:42:30 PM

Testimony for AGR on 3/17/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
dakin retzlaff	Individual	Support	Written Testimony Only

Comments:

Please allow us medical patients easier means to grow our own medicine. Thank you!

SB-1104-SD-1

Submitted on: 3/15/2023 10:07:14 PM

Testimony for AGR on 3/17/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Please support SB1104 SD1.

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SB1104 SD1

Support the purpose and intent of this Bill to provide safe cuttings and seeds to grow MEDICAL MARIJUANA.

I would avoid overly restrictive language knowing and recognizing that any and all aspects of MEDICAL MARIJUANA are a violation of Schedule 1. Even the name medical marijuana is a violation of federal law.

Hawaii was courageous to move forward decades ago with providing effective **necessary reasonable and appropriate medical care** with the use of **medical marijuana**. Cannabis is effective for treating many chronic serious diseases including **cancer**. Cannabis is non-toxic safer than aspirin and prevents opium overdose. **Cannabis is a medicine of harm reduction and metabolic balancing**. Cannabis is kosher! [put that in your pipe and smoke it.] Cannabis prevents lung cancer in tobacco smokers.

Although Federal Law takes precedent, I don't know if we need to exactly copy federal law. Evidently, not since even the name medical marijuana is a violation of federal law.

Hawaii should be courageous enough so as to follow the Founding Fathers, who were prolific HEMP growers and frequent MARIJUANA USERS, and the Constitution.

The Constitution

The state has an overriding responsibility to protect the health and safety of the consuming public and has zero responsibility in protecting any independent business entity or corporation.

The Founding Fathers did NOT give any Power to the federal government for the regulation of healthcare or medicine. That is why the Feds use the Interstate Commerce clause to regulate drugs. [interstate used to mean between two States or countries]. All God Given Herbal Medicines ARE GRANDFATHERED. HERBAL MEDICINES ARE ALSO PROTECTED UNDER THE FREEDOM OF RELIGION. WHAT GOD HAS GIVEN LET NO MAN TAKE AWAY.

The Federal, State, and local Governments are to promote the general welfare including healthcare, and NOT impede, restrict, or block healthcare access and delivery in any way whatsoever. Necessary, reasonable, and appropriate are the criteria or standards for healthcare delivery. Federal Case Law REQUIRES Free Competition in the Healthcare Market Place. Free Competition in the Healthcare Market Place is the promulgated FTC policy.

The easiest and simplest and most effective immediate way to resolve all these culture wars against healthcare is to legalize recreational marijuana and forget and escape the entire government's criminal activity against healthcare & curing CANCER and COVID.

HEMP leaf blocks the SPIKE PROTEIN & TREATS COVID

LEGALIZE RECREATIONAL & REGULATE HEMP LIKE LETTUCE or CORN.

**CANNABIS IS KOSHER & GOOD KARMA...FOLLOW THE SCIENCE...OBEY
NATURAL LAWS**

**BY EXECUTIVE ORDER, PRESIDENT JOE BIDEN has PARDONED ALL SIMPLE MARIJUANA
POSSESSION ARRESTS.**

Legalize now SINCE WE ARE ALREADY IGNOREING FEDERAL LAW! COPY OREGON, WASHINGTON OF
CALIFORNIA.