

Honolulu, Hawaii

**FEB 17 2023**

RE: S.B. No. 465  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committees on Health and Human Services and Transportation and Culture and the Arts, to which was referred S.B. No. 465 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to authorize qualifying patients and qualifying out-of-state patients to transport cannabis between islands of the State for personal medical use.

Your Committees received testimony in support of this measure from the Drug Policy Forum of Hawai'i, Inc.; Aloha Green Holdings Inc.; Aloha Medical Consultants LLC dba Akamai Cannabis Consulting; CKL LLC dba Cannabis Society of Hawai'i; 808 Health LLC dba Hawaii Cannabis Industry Association; and ten individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Transportation, Department of Health, and Department of the Attorney General.

Your Committees find that restricting the interisland transportation of cannabis by patients for their personal medical use is contrary to the intent of existing laws that authorize qualifying patients to use cannabis for medical purposes. This measure protects the rights of qualifying patients and qualifying



out-of-state patients to use medical cannabis by specifically authorizing the interisland transportation of cannabis, usable cannabis, or any manufactured cannabis product for the patient's personal medical use.

Your Committees acknowledge the concerns raised in testimony that interisland travel is subject to federal law enforcement policies of both the Transportation Security Administration and Federal Aviation Administration that prohibit transportation of cannabis and impose severe penalties on airlines and airline personnel who knowingly transport or allow the transportation of a certain amount of cannabis. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language providing that no individual or entity shall be required to violate federal law;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Amending section 1 to reflect its amended purpose.


As affirmed by the records of votes of the members of your Committees on Health and Human Services and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 465, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 465, S.D. 1; and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Health and Human  
Services and Transportation and  
Culture and the Arts,

  
CHRIS LEE, Chair  
JOY A. SAN BUENAVENTURA, Chair

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

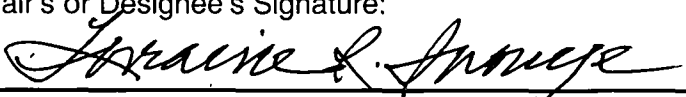
**Record of Votes**  
**Committee on Health and Human Services**  
**HHS**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 465	HHS/TCA, JDC <sup>2</sup>	2/14/23		
<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
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SHIMABUKURO, Maile S.L.				✓
AWA, Brenton	✓			
<b>TOTAL</b>	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Transportation and Culture and the Arts**  
**TCA**

Bill / Resolution No.:* <b>SB 465</b>	Committee Referral: <b>HHS/TCA, JDC</b>	Date: <b>2/14/23</b>		
<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
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
KEOHOKALOOLE, Jarrett	.			✓
AWA, Brenton	✓			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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