



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 1064, RELATING TO MEDICAL CANNABIS.

BEFORE THE:

SENATE COMMITTEES ON HEALTH AND HUMAN SERVICES AND ON
COMMERCE AND CONSUMER PROTECTION

DATE: Tuesday, February 11, 2025 **TIME:** 9:45 a.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Alana L. Bryant, Deputy Attorney General

Chairs San Buenaventura and Keohokalole and Members of the Committees:

The Department of the Attorney General (Department) offers the following comments.

The purpose of the bill is to add a section to chapter 329D, Hawaii Revised Statutes (HRS), that (1) prohibits the unlicensed operation of a dispensary and imposes a criminal penalty for violations, (2) prohibits the intentional or knowing provision of services to support an unlicensed dispensary, and (3) prohibits the intentional or knowing operation of a search platform, web hosting service, or social media platform that advertises the sale of cannabis by an unlicensed person or entity.

The state of mind required to violate subsections (b) and (c) of the proposed new section on page 1, lines 9 and 12, is limited to "intentionally or knowingly." A person who provides services to an unlicensed dispensary, or who operates a search platform, web hosting service, or social media platform, could evade violation by claiming that the person did not know that a dispensary was unlicensed. To ensure law enforcement's ability to enforce this bill, we recommend the following revisions on page 1, lines 9 and 12:

(b) No person shall intentionally, ~~or~~ knowingly, or recklessly provide services to support an unlicensed person or entity or unlicensed activities pursuant to this chapter.

(c) No person shall intentionally, ~~[or]~~ knowingly, or recklessly operate any search platform, web hosting services, social media platform, or other entity that posts information advertising the sale of cannabis products by an unlicensed person or entity engaged in the production, manufacture, or sale of cannabis or manufactured cannabis products without a license pursuant to this chapter.

As subsection (d) of the proposed new section is currently worded, it is not clear that a cease and desist notice is a prerequisite to criminal prosecution under this section. The Department recommends the following revisions on page 2, lines 1-2, to clarify subsection (d):

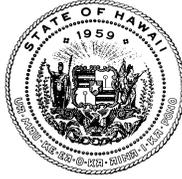
(d) The department shall issue a cease and desist notice to any person or entity who violates subsection (a), (b), or (c). The cease and desist notice must be issued before initiating criminal proceedings.

Finally, we recommend adding wording regarding affirmative defenses to, and conclusive bases for violation of, subsections (b) and (c) of the proposed new section. This will provide more clarity for persons or entities that may be impacted by this bill. We recommend adding the following subsections:

(f) It shall be an affirmative defense to subsection (b) that the person providing services to support an unlicensed person, unlicensed entity, or unlicensed activities pursuant to this chapter had requested, examined, and reasonably relied upon a license that appeared to have been issued by the department that was shown by the unlicensed person or the unlicensed entity establishing that the unlicensed person or unlicensed entity was licensed by the department or that the department had issued a license authorizing the activities pursuant to this chapter. The failure of the person providing services to request and examine a license issued by the department from the unlicensed person or the unlicensed entity prior to providing services shall be construed against the person providing services and form a conclusive basis for the person's violation of this section.

(g) It shall be an affirmative defense to subsection (c) that the person operating any search platform, web hosting services, social media platform, or other entity that posts information advertising the sale of cannabis products had requested, examined, and reasonably relied upon a license that appeared to have been issued by the department that was shown by the unlicensed person or unlicensed entity engaged in the production, manufacture, or sale of cannabis or manufactured cannabis products establishing that the unlicensed person or unlicensed entity was licensed by the department to engage in the production, manufacture, or sale of cannabis or manufactured cannabis products pursuant to this chapter. The failure of the person operating any search platform, web hosting services, social media platform, or other entity that posts information advertising the sale of cannabis products to request and examine a license issued by the department from the unlicensed person or unlicensed entity engaged in the production, manufacture, or sale of cannabis or manufactured cannabis products prior to providing access to any search platform, web hosting services, social media platform, or other entity that posts information advertising the sale of cannabis products shall be construed against the person operating any search platform, web hosting services, social media platform, or other entity that posts information advertising the sale of cannabis products and form a conclusive basis for the person's violation of this section.

We respectfully ask the Committees to pass the bill with the recommended amendments. Thank you for the opportunity to provide comments.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB1064
RELATING TO MEDICAL CANNABIS**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Hearing Date and Time: February 11, 2025, 9:45AM

Room 229

1 **Fiscal Implications:** This measure imposes additional responsibilities for the Department of
2 Health (“Department”) but does not include an appropriation for the necessary resources. In
3 addition, proposed amendments to Act 159, Session Laws of Hawaii 2018, to extend current
4 filled exempt positions would require continued appropriation of special funds.

5 **Department Testimony:** The Office of Medical Cannabis Control and Regulation (OMCCR)
6 provides the following testimony on behalf of the Department.

7 Unauthorized Operation of a Dispensary

8 The Department appreciates the intent to address unauthorized operation of a
9 dispensary, particularly given the rise in unlicensed and unregulated retailers selling intoxicating
10 cannabinoid products, posing risks to public health and safety. However, the Department is
11 concerned that the bill assigns enforcement responsibilities exclusively to its employees, who
12 lack the authority to impose criminal penalties and whose personal safety would be at risk
13 should cease and desist orders require follow-up actions. In regulating medical cannabis and
14 hemp-cannabinoid products, the Department collaborates with and relies on the support of

1 state and county law enforcement agencies to address non-compliance and more serious
2 criminal offenses. We defer to these agencies to resolve conflicts that may escalate to the
3 arrest, raid, search, seizure, or other civil or administrative actions associated with the
4 unauthorized operation of a dispensary.

5 Should the legislature choose to pass this measure, the Department proposes the
6 involvement of law enforcement agencies and the appropriation of additional funding and
7 positions to support the bill's mandated enforcement responsibilities.

8 Critical Housekeeping Amendments

9 Additionally, the Department respectfully requests two sets of amendments to Act 159,
10 Session Laws of Hawaii 2018:

- 11 • Extend the sunset date for all 6 dispensary employees who are in real jeopardy of losing
12 their jobs on 6/30/25.
 - 13 ○ Due to the lack of civil service analogs for dispensary inspectors, DOH was unable
14 to establish permanent positions for dispensary staff and thus needs additional
15 time to complete this human resources work. Not extending these positions
16 would result in six current employees losing their jobs and significant disruption
17 to the medical cannabis program.
- 18 • Extend the interim rule-making authority
 - 19 ○ Administrative rules have been interim for the past 5 years and are being
20 prepared to undergo the chapter 91 process, but the complexity of the rules due
21 to the evolving regulatory framework and lessons learned from experience have
22 made producing a final draft challenging. Additional time is required to
23 complete the chapter 91 process.

24 Thank you for the opportunity to testify on this measure.

1 **Offered Amendments:**

2 SECTION 3. Act 159, Sessions Laws of Hawaii 2018, is
3 amended by amending sections 3 and 4 to read as follows:

4 "SECTION 3. Section 329D-27, Hawaii Revised Statutes, is
5 amended by amending subsections (b) and (c) to read as follows:

6 "(b) No later than January 4, 2016, the department shall
7 adopt interim rules, which shall be exempt from chapter 91 and
8 chapter 201M, to effectuate the purposes of this chapter;
9 provided that the interim rules shall remain in effect until
10 July 1, [~~2025~~] 2027, or until rules are adopted pursuant to
11 subsection (a), whichever occurs sooner.

12 (c) The department may amend the interim rules and the
13 amendments shall be exempt from chapters 91 and 201M, to
14 effectuate the purposes of this chapter; provided that any
15 amended interim rules shall remain in effect until July 1,
16 [~~2025~~] 2027, or until rules are adopted pursuant to subsection
17 (a), whichever occurs sooner."

18 Section 4. Act 241, Sessions Laws of Hawaii 2015, section
19 14, as amended by 41, Session Laws of Hawaii 2017, section 11,
20 is amended to read as follows:

1 "SECTION 14. For the purposes of effectuating this Act,
2 the personnel hired and the contracts entered into by the
3 department of health, pursuant to this Act, shall be exempt from
4 chapter 76, Hawaii Revised Statutes, for a period beginning on
5 July 1, 2015, and ending on June 30, [~~2025,~~] 2027; provided
6 that:

- 7 (1) All personnel actions taken pursuant to this Act by
8 the department of health after June 30, [~~2025,~~] 2027,
9 shall be subject to chapter 76, Hawaii Revised
10 Statutes, as appropriate; and
- 11 (2) Any employee hired by the department of health to
12 effectuate this Act, who occupies a position exempt
13 from civil service on July 1, [~~2025,~~] 2027, shall:
- 14 (A) Be appointed to a civil service position; and
15 (B) Not suffer any loss of prior service credit,
16 vacation or sick leave credits previously earned,
17 or other employee benefits or privileges;
- 18 provided that the employee possesses the minimum
19 qualifications and public employment requirements for
20 the class or position to which appointed; provided
21 further that subsequent changes in status shall be

1 made pursuant to applicable civil service and
2 compensation laws."

3 SECTION [~~3.~~] 5. Statutory material is to be repealed is
4 bracketed and stricken. New statutory material is underscored.

5 SECTION [~~4.~~] 6. This Act, upon its approval, shall take
6 effect retroactive to January 1, 2025.

To: Senator Jarrett Keohokalole, Chair
Senator Coral Fukunaga, Vice-Chair
Members of the Senate Commerce and Consumer Protection Committee

To: Senator Joy San Buenaventura, Chair
Senator Henry Aquino, Vice-Chair
Members of the Senate Health and Human Services Committee

Fr: TY Cheng, on behalf of Hawaii Cannabis Industry Association

Re: Testimony of **SUPPORT with comments** on **House Bill (SB) 1064**

RELATING TO MEDICAL CANNABIS.

Prohibits persons from operating a medical cannabis dispensary or producing, manufacturing, or selling cannabis products without a license from the Department of Health. Prohibits individuals from providing certain services to individuals engaging in unlicensed cannabis operations. Requires the Department of Health to send a cease and desist notice to violators. Establishes criminal penalties.

Dear Chairs Keohokalole and San Buenaventura, Vice-Chairs Fukunaga and Aquino, and Members of the Committees:

The Hawai'i Cannabis Industry Association, represents a majority of the state's licensed medical cannabis dispensaries. HICIA **supports** SB 1064 which reigns in the illicit sales of hemp and cannabis products undermining the protections of the medical cannabis program.

Regulators continue to provide non-enforcement of brick and mortar, and online illicit hemp sales. The Department of Health and Attorney-General continue to deflect and point fingers to local police, and the Narcotics Enforcement Division to take care of these offenders. This inefficiency and non-enforcement create confusion in the marketplace and lead to the proliferation of the sale of untested and untracked cannabis products for profit. These hemp products were untested and not tracked.

This situation and the confusion among law enforcement between d8-THC hemp and d9-THC cannabis highlights the importance of regulating hemp and cannabis as "one plant", with one regulator responsible for rules and enforcement with support from local police. The Department of Health continues to regulate the dispensaries with an iron fist, but chooses to ignore the more difficult program of illicit dispensaries.

HICIA asks the committee to consider adding the suggested provisions below to protect legitimate hemp processors licensed with the State. It is still unclear how the Department of Health will effectively stop illicit hemp sales with a "cease and desist" letter when they do not license illicit hemp sellers. Local police and the Narcotics Enforcement Division have not been sympathetic to the Department of Health's request to "handle" illicit retailers.

The Department of Health should be given the broad authority to regulate hemp and cannabis as “one plant” in order to protect the public and community from the illicit sales of THC molecules.

We proposed the following amendments:

§329D- Unauthorized operation of a dispensary; criminal penalty. (a) It shall be unlawful for any person to operate a cannabis dispensary **or engage in the production, manufacture, or sale of cannabis or manufactured cannabis products** without a dispensary license from the department pursuant to this chapter.

(b) No person shall intentionally or knowingly provide services to support an unlicensed person or entity or unlicensed activities pursuant to this chapter.

(c) No person shall intentionally or knowingly operate any search platform, web hosting services, social media platform, or other entity that posts information advertising the sale of cannabis or hemp products by an unlicensed person or entity engaged in the production, manufacture, or sale of cannabis or manufactured cannabis products without a license pursuant to this chapter.

(d) The department shall issue a cease and desist notice to any person who violates subsection (a), (b), or (c).

(e) Any person who violates subsection (a) shall be guilty of a class C felony.

(f) This section shall not apply to (1) hemp processors, hemp product retailers or hemp produce retailers with a valid permit under chapter 328G or (2) primary qualified caregivers registered under chapter 329 who are acting within the scope of their permit or registration.

Thank you for the opportunity to testify. I am available for any questions.



Akamai Cannabis Consulting

3615 Harding Ave, Suite 304
Honolulu, HI 96816

TESTIMONY ON SENATE BILL 1064
RELATING TO MEDICAL CANNABIS

Clifton Otto, MD

SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair
Senator Henry J.C. Aquino, Vice Chair

Tuesday, February 11, 2025, at 9:45 AM
State Capitol, Room 229 & Videoconference

There is a potential conflict between the proposed prohibition on “production” and “manufacture” in this bill, and the right of qualifying patients to make and possess a usable supply of medical cannabis.

See [§329-121 Definitions](#). As used in this part:

"Usable cannabis" means the dried leaves and flowers of the plant Cannabis family Moraceae, and any mixture or preparation thereof, that are appropriate for the medical use of cannabis. "Usable cannabis" does not include the seeds, stalks, and roots of the plant.

This potential conflict can be eliminated by explicitly protecting mixtures and preparations of cannabis that constitute a patient’s usable supply.

Please consider adding the following simple amendment to this bill:

(f) this section shall not apply to mixtures or preparations of cannabis made by qualifying patients or primary caregivers that constitute a qualifying patient’s “adequate supply” of “usable cannabis” under chapter 329, section 329-121, Hawaii Revised Statutes.



Testimony
Committees on Commerce & Consumer Protection and Health & Human Services
Hawaii State Senate
Tuesday, February 11, 2025, 9:45 am
SB1064, RELATING TO MEDICAL CANNABIS

To: Sen. Keohokalole, Chair
Sen. San Buenaventura, Chair
Members of the Committees

From: Jaclyn Moore, Pharm.D., CEO Big Island Grown Dispensaries

Re: In SUPPORT of SB1064, Relating to Medical Cannabis

Aloha Chairs Keohokalole and San Buenaventura, and Members of the Committees:

Big Island Grown Dispensaries is one of eight medical cannabis dispensary licensees in the State. We operate a production facility and 3 retail locations on the Big Island of Hawaii. In addition, our medical cannabis operation currently employs over 55 Big Island residents.

Mahalo for the opportunity to provide testimony in **SUPPORT of SB1064**. This measure seeks to establish explicit prohibitions and criminal penalties for unlicensed cannabis sales, production or manufacturing. It is the intent of this measure to provide clear language to enable stronger enforcement.

Hawaii's cannabis market is currently uncontrolled and dominated by illicit criminal sales that risks public health and safety. As a licensed medical dispensary, we have seen the first-hand effects of the unregulated illicit market has on our industry. Over the past three and a half years, the number of registered cannabis patients has declined by roughly 15%.

Given the proliferation of illicit sales and potential risks of untested and tainted cannabis products, it is imperative that strong and effective enforcement occur to safeguard public health and safety.

We respectfully urge the Committees to pass HB1246.

Thank you for the opportunity to testify.

Jaclyn L. Moore, Pharm.D.
CEO
Big Island Grown Dispensaries

Lau Ola LLC, dba Big Island Grown Dispensaries
HILO WAIMEA KONA



To: Senator Jarrett Keohokalole, Chair of Commerce and Consumer Protection
Senator Joy San Buenaventura, Chair of Health and Human Services
Members of the HHS/CPN Committees

Fr: Karlyn Laulusa, Chief Executive Officer, Noa Botanicals

Re: Testimony with Comments of Senate Bill (SB) 1064

Measure Title: RELATING TO CANNABIS.

Report Title: DOH; Medical Cannabis; Licensure; Requirement; Penalty

Description: Prohibits persons from operating a medical cannabis dispensary or producing, manufacturing, or selling cannabis products without a license from the Department of Health. Prohibits individuals from providing certain services to individuals engaging in unlicensed cannabis operations. Requires the Department of Health to send a cease and desist notice to violators. Establishes criminal penalties.

Aloha Chairs, Vice Chairs, and committee members,

My name is Karlyn Laulusa and I'm the Chief Executive Officer at Noa Botanicals, a medical licensee on the island of Oahu. I stand in strong support for SB1064.

I'd like to reinforce that hemp and cannabis are the same plant and the only way to tell the difference between the two is to test the product. The same could be said for all hemp or cannabis manufactured products that are available at over forty (40) unlicensed retail locations island wide that sell cannabis labeled as hemp, without the need for a medical card.

1. Hemp and cannabis are the same plant, yet hemp is overseen by DOA and cannabis is overseen by DOH – coordinating enforcement has been unsuccessful
2. Last year at this time, there were 10 illegal dispensaries on Oahu, this year same time there are now over 40 illegal dispensaries or resellers
3. The extreme danger posed by these mislabeled products is that there are no established safety requirements
4. Without any safety requirements the consumer does not know what they are consuming or where it came from
5. There has been little to no enforcement on these illegal operators that have flooded our state



6. None of the products are made locally - it's all illicit interstate commerce (overproduction of cannabis that has been packaged as hemp and sold in Hawaii to skirt the law)
7. Many of these products contain solvents, pesticides, and other dangerous chemicals and come with fraudulent test results that provide a false sense of security
8. With no rules or regulations surrounding these operators this problem will continue

While the topic of adult-use is contentious - we need to acknowledge and regulate the explosion of illicit black-market cannabis in retail store fronts and online platforms that offer direct to door delivery services.

Thank you for the opportunity to provide testimony.

Aloha,
Karlyn Laulusa

DATE: February 9, 2025

TO: Senator Joy San Buenaventura
Chair, Committee on Health and Human Services

Senator Jarrett Keohokalole
Chair, Committee on Commerce & Consumer Protection

FROM: Mihoko Ito

RE: **S.B. 1064 – Relating to Cannabis**
Hearing Date: Tuesday, February 11, 2025 at 9:45 a.m.
Conference Room: 229

Dear Chair San Buenaventura, Chair Keohokalole and members of the Joint Committees:

We submit this testimony on behalf of Cure Oahu in **support of S.B. 1064, and request amendments to the bill.** This measure: 1) prohibits persons from operating a medical cannabis dispensary or producing, manufacturing, or selling cannabis products without a license from the Department of Health, 2) prohibits individuals from providing certain services to individuals engaging in unlicensed cannabis operations, 3) requires the Department of Health to send a cease and desist notice to violators and 4) establishes criminal penalties.

The purpose of this bill is to provide the Department of Health with clear enforcement tools to shut down illegal websites that are significantly impacting the regulated medical cannabis industry. There are numerous websites that are currently operating and advertising their sale of cannabis products, some which acknowledge that Hawaii is a medical cannabis only state, but some that do not and still openly sell cannabis products.

As we understand there may be some concerns about the bill being overly broad, we would propose the amendments below to further narrow the bill to focus only on shutting down illegal website activity, and to exempt duly licensed hemp growers and registered patient caregivers from the bill.

§329D- Unauthorized operation of a dispensary; criminal penalty. (a) It shall be unlawful for any person to operate a cannabis dispensary ~~or engage in the production, manufacture, or sale of cannabis or manufactured cannabis products~~ without a dispensary license from the department pursuant to this chapter.

~~(b) No person shall intentionally or knowingly provide services to support an unlicensed person or entity or unlicensed activities pursuant to this chapter.~~

~~(b)(e)~~ No person shall intentionally or knowingly operate any search platform, web hosting services, social media platform, or other entity that posts information advertising the sale of cannabis or hemp products by an unlicensed person or entity engaged in the production, manufacture, or sale of cannabis or manufactured cannabis products without a license pursuant to this chapter.

~~(c)(d)~~ The department shall issue a cease and desist notice to any person who violates subsection (a), (b), or (c).

~~(d)(e)~~ Any person who violates subsection (a) shall be guilty of a class C felony.

~~(e) This section shall not apply to:~~

~~(1) hemp processors, hemp product retailers or hemp produce retailers with a valid permit under chapter 328G; or~~

~~(2) primary qualified caregivers registered under chapter 329 who are acting within the scope of their permit or registration.~~

We respectfully ask that the Committee pass S.B. 1064 with these amendments. Thank you for the opportunity to submit testimony in support of this measure.

SB-1064

Submitted on: 2/9/2025 11:08:41 PM

Testimony for HHS on 2/11/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Dara Yatsushiro	Individual	Support	Written Testimony Only

Comments:

Support

Jeffrey Hong
CEO
Techmana LLC



2/11/2025

To: Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice-Chair
Members of the Senate Committee on Commerce and Consumer Protection

To: Senator Joy San Buenaventura, Chair
Senator Henry Aquino, Vice-Chair
Members of the Senate Committee on Health and Human Services

LATE

Chairs Keohokalole and San Bueanventura, Vice-Chairs Aquino and Fukunaga, and Members of the Joint Committees.

My name is Jeff Hong I am the CEO of Techmana LLC. Techmana is a Hawai'i based software development and cybersecurity company. **I testify in strong support of SB1064.** I have additional professional perspectives as Board Chair of Hawaiian Ethos and as Chair of the Honolulu Liquor Commission. I testify only in a personal capacity.

I am a supporter of the regulated use of hemp and cannabis products. We have heard hours of testimony from law enforcement on the dangers of regulated adult use cannabis.

This bill strengthens the enforcement of unregulated cannabis dispensaries in our communities; vape shops, kiosks, and mini-markets.

We have a growing unregulated and illegal marketplace of intoxicating THC products. These products are available for sale with little enforcement or oversight. Keiki are at risk as there are no requirements to check IDs when selling an illegal product.

As Chair of the Honolulu Liquor Commission, I have heard complaints of the sale of intoxicating cannabis products at places that sell alcohol. It is unclear if County Liquor Inspectors have the statutory authority to investigate hemp and cannabis violations in liquor licensed premises as a violation of the terms of their license.

I propose the following amendment for the legislature to grant county Liquor Investigators authority to investigate violators of hemp and cannabis laws that serve liquor.

Chapter 281-17 is amended to read as follows

§281-17 Jurisdiction and powers. (a) *[Repeal and reenactment on May 5, 2017. L 2012, c 297, §4.]* The liquor commission, within its own county, shall have the jurisdiction, power, authority, and discretion, subject only to this chapter:

(10) To investigate violations of this chapter, chapter 244D, chapter 329D, chapter 328C and, notwithstanding any law to the contrary, violations of the applicable department of health's allowable noise levels, through its investigators or otherwise, to include covert operations, and to report violations to the prosecuting officer for prosecution and, where appropriate, the director of taxation to hear and determine complaints against any licensee; provided that a liquor commission in a county with a population of seven hundred thousand or greater may establish a pilot program that employs both a dBA and a dBC sound level measurement system for the purpose of community noise control; provided further that the dBC sound level measurements shall be in accordance with the following maximum permissible sound levels in dBC:

Mahalo for the opportunity to testify.

Sincerely,

Jeffrey Hong

CEO Techmana LLC

Jeffhong@techmanahawaii.com

Jeffrey Hong
CEO
Techmana LLC



2/11/2025

To: Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice-Chair
Members of the Senate Committee on Commerce and Consumer Protection

To: Senator Joy San Buenaventura, Chair
Senator Henry Aquino, Vice-Chair
Members of the Senate Committee on Health and Human Services

LATE

Chairs Keohokalole and San Bueanventura, Vice-Chairs Aquino and Fukunaga, and Members of the Joint Committees.

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(10) To investigate violations of this chapter, chapter 244D, chapter 329D, chapter 328C and, notwithstanding any law to the contrary, violations of the applicable department of health's allowable noise levels, through its investigators or otherwise, to include covert operations, and to report violations to the prosecuting officer for prosecution and, where appropriate, the director of taxation to hear and determine complaints against any licensee; provided that a liquor commission in a county with a population of seven hundred thousand or greater may establish a pilot program that employs both a dBA and a dBC sound level measurement system for the purpose of community noise control; provided further that the dBC sound level measurements shall be in accordance with the following maximum permissible sound levels in dBC:

Mahalo for the opportunity to testify.

Sincerely,

Jeffrey Hong

CEO Techmana LLC

Jeffhong@techmanahawaii.com



LATE

To: Senator Jarrett Keohokalole, Chair of Commerce and Consumer Protection
Senator Joy San Buenaventura, Chair of Health and Human Services
Members of the HHS/CPN Committees

Fr: Jacob Taddy, Chief Financial Officer, Noa Botanicals

Re: Testimony with Comments of Senate Bill (SB) 1064

Measure Title: RELATING TO CANNABIS.
Report Title: DOH; Medical Cannabis; Licensure; Requirement; Penalty
Description: Prohibits persons from operating a medical cannabis dispensary or producing, manufacturing, or selling cannabis products without a license from the Department of Health. Prohibits individuals from providing certain services to individuals engaging in unlicensed cannabis operations. Requires the Department of Health to send a cease and desist notice to violators. Establishes criminal penalties.

Aloha Chairs, Vice Chairs, and committee members,

My name is Jacob Taddy and I'm the Chief Financial Officer at Noa Botanicals, a medical licensee on the island of Oahu. I stand in strong support for SB1064.

I'd like to recommend the following amendments to ensure that enforcement is attainable.

Proposed amendments to SB 1064

§329D- Unauthorized operation of a dispensary; criminal penalty. (a) It shall be unlawful for any person to operate **an online or retail cannabis** dispensary **or engage in the production, manufacture, or sale of cannabis or manufactured cannabis products** without a dispensary license from the department pursuant to this chapter.

~~(b) No person shall intentionally or knowingly provide services to support an unlicensed person or entity or unlicensed activities pursuant to this chapter.~~



(b) No person shall intentionally or knowingly provide commercial real estate or other real property to an online or retail cannabis dispensary without a license from the department pursuant to this chapter.

(c) No person shall intentionally or knowingly operate any search platform, web hosting services, social media platform, or other entity that posts information advertising the sale of cannabis or hemp products by an unlicensed person or entity engaged in the production, manufacture, or sale of cannabis or manufactured cannabis products without a license pursuant to this chapter.

(d) The department shall issue a cease and desist notice to any person who violates subsection (a), (b), or (c).

(e) Any person who violates subsection (a) shall be guilty of a class C felony.

(f) This section shall not apply to (1) hemp processors, hemp product retailers or hemp produce retailers with a valid permit under chapter 328G or (2) primary qualified caregivers registered under chapter 329 who are acting within the scope of their permit or registration.

Thank you for the opportunity to provide testimony.

Aloha,
Jacob Taddy