
HOUSE RESOLUTION

REQUESTING THE MAYOR AND THE COUNCIL OF MAUI COUNTY TO IMPLEMENT
VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY
OF MAUI.

1 WHEREAS, Hawaii has enacted a medical marijuana law that
2 enables a qualifying patient who has been diagnosed by a
3 physician as having a debilitating disease and for whom the
4 potential benefits from the medical use of marijuana likely
5 outweighs the health risks, to possess and use an adequate
6 supply of marijuana for medical purposes; and

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8 WHEREAS, eleven other states have enacted similar medical
9 marijuana laws, including Alaska, Arizona, California, Colorado,
10 Maine, Montana, Nevada, Oregon, Rhode Island, Vermont, and
11 Washington; and

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13 WHEREAS, on June 6, 2005, the United States Supreme Court,
14 in *Gonzales v. Raich* (545 U.S. 1 (2005)), affirmed the
15 constitutional authority of the United States Congress to
16 regulate the interstate market in drugs, including small,
17 homegrown quantities of physician-recommended marijuana for
18 medical uses under a state's medical marijuana law, which, for
19 the purposes of federal enforcement, effectively bans the
20 possession and use of marijuana for any purpose, including
21 medical use; and

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23 WHEREAS, despite the Supreme Court decision, the reality
24 remains that many patients in the State, particularly on the
25 island of Maui, rely on the use of marijuana to alleviate their
26 pain and suffering that cannot be addressed in any other way;
27 now, therefore,

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29 BE IT RESOLVED by the House of Representatives of the
30 Twenty-fourth Legislature of the State of Hawaii, Regular
31 Session of 2007, that the Mayor and the County Council of Maui
32 are strongly urged to implement various measures regarding
33 medical marijuana as follows:
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- 1 (1) Develop a Maui County Family Farmer Medical Marijuana
2 Regulation and Revenue Program to tax and regulate the
3 sale of marijuana for adult use;
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- 5 (2) Under the program:
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- 7 (A) License qualified family farmers in designated
8 agricultural zones to produce marijuana and allow
9 each licensed family farmer to produce marijuana
10 for up to two hundred qualifying patients;
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- 12 (B) Create an allotment system allowing
13 agriculturally zoned family farmers on the island
14 of Maui to supply the medical marijuana needs of
15 Maui by requiring five-year organic farm plans
16 based on at least two organic crops, the first of
17 which shall be marijuana and the second of which
18 shall be an organic vegetables crop; and
19
- 20 (C) Create a community oversight committee to oversee
21 the implementation of the program; and
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- 23 (3) Direct the Maui County Police Department to make
24 investigation, citation, and arrest for private adult
25 medical marijuana offenses the lowest law enforcement
26 priority; and
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- 28 (4) Advocate for legislative change to further legalize
29 medical use of marijuana at the state and the federal
30 levels; and
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32 BE IT FURTHER RESOLVED that certified copies of this
33 Resolution be transmitted to the Mayor and the Chairperson of
34 the Council of Maui County.

