

MAR 12 2009

S.C.R. NO. 55

SENATE CONCURRENT RESOLUTION

REQUESTING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY
STATE LAWS RELATING TO THE MEDICAL USE OF MARIJUANA.

1 WHEREAS, the legislative intent of Act 228, Session Laws of
2 2000, was to ensure that seriously ill people are not penalized
3 by the State for the medical use of marijuana; and
4

5 WHEREAS, Act 228, which is codified in part IX of chapter
6 329, Hawaii Revised Statutes, permits qualified patients to use
7 marijuana for strictly medical purposes when the patient's
8 treating physician provides a professional opinion that the
9 benefits of the medical use of marijuana would likely outweigh
10 the health risks for the qualifying patient; and
11

12 WHEREAS, section 329-122, Hawaii Revised Statutes, permits
13 qualifying patients and their primary caregivers to jointly
14 possess an amount of marijuana that is not more than is
15 reasonably necessary to assure the uninterrupted availability of
16 marijuana for the purpose of alleviating the symptoms or effects
17 of a qualifying patient's debilitating medical condition,
18 provided that this amount does not exceed three mature marijuana
19 plants, four immature marijuana plants, and one ounce of usable
20 marijuana per each mature plant; and
21

22 WHEREAS, it is often difficult for qualifying patients to
23 acquire and cultivate marijuana for medical use;
24

25 WHEREAS, since the enactment of Act 228, state and local
26 law enforcement agencies have authorized and conducted searches
27 of qualifying patients' property and seized supplies of medical
28 marijuana that state law permits qualifying patients to possess
29 and use; now, therefore,
30

31 BE IT RESOLVED by the Senate of the Twenty-fifth
32 Legislature of the State of Hawaii, Regular Session of 2009, the



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1 House of Representatives concurring, that state and local law
2 enforcement officers are requested to abide by state laws
3 regarding the medical use of marijuana; and
4

5 BE IT FURTHER RESOLVED that certified copies of this
6 Concurrent Resolution be transmitted to the Governor, the
7 Director of Public Safety, the state Attorney General, and the
8 police departments of the counties of Oahu, Maui, Kauai, and
9 Hawaii.
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