
HOUSE RESOLUTION

REQUESTING A SUNRISE REVIEW OF THE ESTABLISHMENT OF A SYSTEM OF REGISTERED DISPENSARIES WITHIN THE DEPARTMENT OF HEALTH TO DISPENSE MEDICAL MARIJUANA.

1 WHEREAS, to date, 20 states and Washington, D.C. have
2 medical marijuana programs; and

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4 WHEREAS, Hawaii's Medical Use of Marijuana Law was enacted
5 in 2000, as Act 228, Session Laws of Hawaii 2000, to provide
6 medical relief for seriously ill individuals in the State who
7 comply with Hawaii's Medical Marijuana Program by allowing those
8 individuals to acquire, use, and cultivate marijuana for medical
9 purposes; and

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11 WHEREAS, however, Hawaii's Medical Use of Marijuana Law is
12 silent on how patients can obtain medical marijuana if they are
13 unable to grow their own supply of medical marijuana or are
14 unable to find caregivers to grow their supply of medical
15 marijuana for them; and

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17 WHEREAS, the Medical Cannabis Working Group, which convened
18 in October 2009 to conduct a study to improve Hawaii's Medical
19 Marijuana Program, found that patients do not have access to a
20 safe, legal, and adequate supply of medicinal cannabis; and

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22 WHEREAS, the highest priority recommendation of the Medical
23 Cannabis Working Group in its report, "Medical Cannabis Working
24 Group Report to the Hawai'i State Legislature," dated February
25 2010, was the creation of a distribution system for medical
26 marijuana "so that patients no longer have to grow it themselves
27 or resort to the black market to obtain their medicine"; and

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29 WHEREAS, establishing a system of registered dispensaries
30 in the State to dispense medical marijuana to qualified patients
31 and primary caregivers is critical to enable patients to access
32 this medicine for their debilitating medical conditions; and



1 WHEREAS, the Legislature finds that the regulation of
2 medical marijuana dispensaries will not only protect qualified
3 patients who need medical marijuana for their health care needs,
4 but will strengthen and ensure compliance with Hawaii's Medical
5 Use of Marijuana Law; and

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7 WHEREAS, section 26H-6, Hawaii Revised Statutes, requires
8 new regulatory measures, subjecting unregulated professions and
9 vocations to licensing or other regulatory controls, to be
10 referred to the Auditor for analysis; and

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12 WHEREAS, House Bill No. 1587, introduced during the 2014
13 Regular Session, proposes the establishment of a system of
14 registered dispensaries and dispensary agents to dispense
15 medical marijuana to qualified patients and primary caregivers;
16 now, therefore,

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18 BE IT RESOLVED by the House of Representatives of the
19 Twenty-seventh Legislature of the State of Hawaii, Regular
20 Session of 2014, that the Auditor is requested to conduct a
21 sunrise review of the establishment of a system of registered
22 dispensaries within the Department of Health to dispense medical
23 marijuana as proposed in H.B. No. 1587, Regular Session of 2014,
24 pursuant to section 26H-6, Hawaii Revised Statutes; and

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26 BE IT FURTHER RESOLVED that, in conducting the sunrise
27 review, the Auditor is requested to include:

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29 (1) The qualifications, duties, and responsibilities for
30 dispensaries of medical marijuana;
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32 (2) The registration requirements for dispensaries of
33 medical marijuana to possess and cultivate medical
34 marijuana for:
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36 (A) Dispensing medical marijuana to a qualifying
37 patient or primary caregiver; and
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39 (B) Manufacturing, purchasing, possessing,
40 distributing, and using drug paraphernalia in



