STAND. COM. REP. NO. 204 -20

Honolulu, Hawaii

FEB 07 , 2020

RE: H.B. No. 2096
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2096 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to ensure the safety of consumers by requiring all cannabidiol products sold in the State to be:

(1) Tested by an independent testing laboratory for contaminants unsafe for human consumption and THC levels; and

(2) Packaged with information concerning THC levels and other product safety requirements.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 1, which amends this measure by deleting its contents and inserting language to:

(1) Adopt a framework for regulating cannabidiol under the Department of Health to be consistent with the State's Food, Drug, and Cosmetic Act, including provisions related to laboratory testing, labeling, marketing, and other provisions; and

(2) Allow licensees under the Industrial Hemp Pilot Program to market their products to the consumer market in a manner that is regulated and tested for safety, purity, and potency.

Your Committee received testimony in support of the proposed H.D. 1 from Pan Pacific Ventures, LP; Irie Hawaii; and fourteen individuals. Your Committee received testimony in opposition to the proposed H.D. 1 from the U.S. Hemp Roundtable. Your Committee received comments on the proposed H.D. 1 from the Department of Health, Department of Agriculture, and The Drug Policy Forum of Hawaii.

Your Committee finds that there is a proliferation of cannabidiol and cannabidiol products for use and sale. Your Committee further finds that a regulatory framework must be established to ensure that products are safe and provide clear guidance as to the quality, marketing, and packaging of cannabidiol and cannabidiol products.

Your Committee has amended this measure by adopting the proposed H.D. 1 and making further amendments by:

(1) Removing the requirement that all packaging of cannabidiol and cannabidiol products be labeled with the phrase "For medical use only", as this label would be misleading;

(2) Granting the Department of Health rulemaking authority necessary to effectuate the requirements of the regulatory framework, including interim rulemaking authority;

(3) Requiring medical cannabis dispensaries to apply with the Department of Health to use cannabidiol and cannabidiol products in their manufactured cannabis products, rather than granting them the direct authority to use such products;

(4) Changing the effective date to July 1, 2050, to encourage further discussion; and

(5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Department of Health raised concerns about the scope of the regulatory framework. Specifically, the Department requested that the regulatory framework also include products with the other cannabinoids, cannabigerol and cannabinol, not only cannabidiol. Your Committee requests your Committees on Consumer Protection & Commerce and Judiciary, should they consider this measure, to give consideration to this suggestion by the Department of Health.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2096, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,

JOHN M. MIZUNO, Chair

State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSCR 204-20

Record of Votes of the Committee on Health

Bill/Resolution No.:	Committee Referral:	Date:
HB 2096	HLT, CPC/JUD, FIN	2-4-20

☐ The committee is reconsidering its previous decision on the measure.

The recommendation is to: ☐ Pass, unamended (as is) ☑ Pass, with amendments (HD) ☐ Hold
☐ Pass short form bill with HD to recommit for future public hearing (recommit)

HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	✓			
2. KOBAYASHI, Bertrand (VC)	✓			
3. BELATTI, Della Au	✓			
4. NAKAMURA, Nadine K.	✓			
5. SAN BUENAVENTURA, Joy A.	✓			
6. SAY, Calvin K.Y.				✓
7. TOKIOKA, James Kunane	✓			
8. WARD, Gene	✓			
TOTAL (8)	7	0	0	1

The recommendation is: ☑ Adopted ☐ Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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