Honolulu, Hawaii

FEB 14 , 2020

RE: H.B. No. 2097

H.D. 2

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

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 2097, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS,"

beg leave to report as follows:

The purpose of this measure is to amend the medical cannabis dispensary system law by:

- (1) Allowing for a process to remediate and retest any batch of cannabis that fails laboratory testing standards so long as any final product passes the laboratory standards;
- (2) Authorizing licensed dispensaries to manufacture and distribute edible cannabis products under certain conditions; and
- (3) Authorizing licensed dispensaries to circulate, sponsor, and promote educational and scientific information and events related to cannabis that shall not be considered advertising, under certain conditions.

Your Committees received testimony in support of this measure from Community Alliance on Prisons, Kush Bottles Hawaii, Hawaii Cannabis Industry Association, Big Island Grown Dispensaries, and three individuals. Your Committees received testimony in opposition to this measure from the Department of Transportation, Honolulu Police Department, and Patients Without Time. Your Committees received comments on this measure from the Department of the Attorney General and Department of Health.

Your Committees find that this measure amends the medical cannabis dispensary system law to clarify legislative intent, ensure smooth administration of the law, allow for adequate patient access based on experiences in other states that have a reasonable medical cannabis program, and resolve other issues that have arisen under the existing law.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Health shall consider remediation processes for cannabis and manufactured cannabis products;
- (2) Clarifying that edible cannabis products must be regulated and approved by the Department of Health as medical manufactured cannabis products and not as "food", as that term is defined and regulated under the Hawaii Food, Drug, and Cosmetic Act; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2097, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2097, H.D. 2.

STAND. COM. REP. NO.513 -20 Page 3

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

CHRIS LEE, Chair

ROY M. TAKUMI, Chair

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral: Date:						
HB 2097, HDI	HLT, CPC/JUD, FIN)	2/12/20				
☐ 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)							
CPC Members	Ayes	Ayes (WR)	Nays	Excused			
1. TAKUMI, Roy M. (C)							
2. ICHIYAMA, Linda (VC)							
3. AQUINO, Henry J.C.	/						
4. BELATTI, Della Au							
5. CABANILLA ARAKAWA, Rida			VWB. Alexander in the Committee of the C	✓			
6. CACHOLA, Romy M.		✓	SECONDO DE LA COLONIA DE L ASSESSICIONES DE LA COLONIA				
7. HAR, Sharon E.							
9 VONC Som Satorna							
8. KONG, Sam Satoru			v Romantii				
0 MIZUNO John M							
9. MIZUNO, John M.							
10. ONISHI, Richard H.K.							
To. Origin, Richard It.							
11. MATSUMOTO, Lauren			The same of the sa				
22. Marzou 20, Endron		-	•				
		 					
			<u>.</u>				

TOTAL (11)	7	2	ı	{			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Commit	tee Referral:	Date:	/ _ /	•			
HB 2097 HDI HLT, CPC/JUD, FIN 2/12/2020							
☐ 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)							
1 ass short form our with rib to recommit for future public hearing (recommit)							
JUD Members	Ayes	Ayes (WR)	Nays	Excused			
1. LEE, Chris (C)			1-may and processing the state of the state				
2. SAN BUENAVENTURA, Joy A. (VC)							
3. BROWER, Tom							
A CDEACAN Bishard B			Anna de la compania del compania de la compania de la compania del compania de la compania del la compania del la compania de la compania del la compania del la compania de la compania del la				
4. CREAGAN, Richard P.							
5. LOWEN, Nicole E.	27 - 1.5. au 40 128 - 162						
6. McKELVEY, Angus L.K.				<u> 18. 5. 5. 5. 10. 10. 10. 10. 10. 10. 10. 10. 10. 10</u>			
7. NAKASHIMA, Mark M.				4 7 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4			
8. PERRUSO, Amy A.				7 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -			
9. SAY, Calvin K.Y.							
10 TAXANA C							
10. TAKAYAMA, Gregg							
11. YAMANE, Ryan I.		<i>√.</i>					
ii. Iii.wa 2, kyun i							
12. THIELEN, Cynthia							
TOTAL (12)	9	3					
The recommendation is: Adopted If joint referral, did not support recommendation.							
committee acronym(s)							
Vice Chair's or designee's signature:							
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO							