STAND. COM. REP. NO. 288

Honolulu, Hawaii MAR 24 ^{, 2021}

RE: H.R. No. 112 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.R. No. 112 entitled:

"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUBMIT A REQUEST TO THE DRUG ENFORCEMENT ADMINISTRATION FOR AN EXCEPTION TO REGULATIONS AND A PETITION TO INITIATE PROCEEDINGS FOR FEDERAL RULEMAKING TO CLARIFY THAT THE STATE-AUTHORIZED USE OF MEDICAL CANNABIS DOES NOT VIOLATE THE FEDERAL CONTROLLED SUBSTANCES ACT,"

begs leave to report as follows:

The purpose of this measure is to request that the Department of Health submit a request to the Drug Enforcement Administration for an exception to federal drug laws for state-authorized use of medical cannabis, and to petition to initiate proceedings for federal rulemaking to clarify that the state-authorized use of medical cannabis does not violate the federal Controlled Substances Act.

Your Committee received testimony in support of this measure from Akamai Cannabis Clinic and Hawaii Patients Union.

Your Committee finds that because federal law prohibits the use of cannabis, including the use of medical cannabis, there is a lack of clarity between State and federal cannabis laws that has significant repercussions for medical cannabis patients and the

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State's medical cannabis dispensaries. Obtaining an exception from the federal Controlled Substances Act would be of great benefit to those patients and dispensaries.

Your Committee has amended this measure by:

- Requiring certified copies of this measure to be sent to the Governor, Attorney General, and Hawaii's Congressional Delegation; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 112, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 112, H.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Health, Human Services, & Homelessness,

RYAN I. YAMANE, Chair



State of Hawaii House of Representatives The Thirty-first Legislature

Record of Votes of the Committee on Health, Human Services, & Homelessness

Bill/Resolution No.: HR 112	Committee Referral: HHH, JHA		Date: 3 23 202		
□ The committee is reconsidering its pre	vious 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) 					
HHH Members	Ayes	Ayes (WR)	Nays	Excused	
1. YAMANE, Ryan I. (C)					
	in a star in the				
2. TAM, Adrian K. (VC)					
3. GATES, Cedric Asuega					
4. HAR, Sharon E.					
5. KAPELA, Jeanne					
	n an				
6. LoPRESTI, Matthew S.					
			n An than 1999 an 1999 an		
7. NISHIMOTO, Scott Y.					
	al de la companya de La companya de la comp				
8. WARD, Gene					
		1			
		1			
TOTAL (8)	7			1	
The recommendation is: Adopted I Not Adopted If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Vellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					