



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-THIRD LEGISLATURE, 2026**

---

**ON THE FOLLOWING MEASURE:**

S.B. NO. 3275, RELATING TO CANNABIS.

**BEFORE THE:**

SENATE COMMITTEES ON COMMERCE AND CONSUMER PROTECTION AND ON  
HEALTH AND HUMAN SERVICES

**DATE:** Tuesday, February 17, 2026      **TIME:** 9:45 a.m.

**LOCATION:** State Capitol, Room 229

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Alana L. Bryant, Deputy Attorney General

---

Chairs Keohokalole and San Buenaventura and Members of the Committees:

The Department of the Attorney General (Department) respectfully opposes this bill as currently drafted.

This bill adds a new chapter titled "Low-Dose and Low-Potency Cannabis" to the Hawaii Revised Statutes (HRS), that: (1) allows for the cultivation, sale, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use, (2) legalizes cannabis accessories, and (3) requires the Department of Commerce and Consumer Affairs (DCCA) to adopt rules to effectuate the purpose of the bill.

The Department opposes this bill in its current form as it effectively legalizes a level of non-medical adult-use cannabis without the necessary resources and regulatory scheme required to safely and effectively administer a non-medical adult-use cannabis program. In 2024, the Department drafted its *Report Regarding the Final Draft Bill Entitled "Relating to Cannabis"* (Report). The Report provides a comprehensive analysis of potential pitfalls in non-medical adult-use cannabis programs, and demonstrates the Department's commitment to ensuring that if cannabis legalization occurs, that it is done in the most effective way possible.

The Report highlights six "pillars," or the most important parts, of any legalization bill. These pillars are:

1. Legal safe harbor from state and county criminal prosecution for those who strictly comply with the cannabis legalization laws;
2. Creation of an independent governing authority with the power to regulate all aspects of the cannabis plant, including recreational cannabis, medical cannabis, and hemp;
3. The continuing role of law enforcement agencies in addressing illegal cannabis operations not acting accordance with cannabis legalization laws;
4. A well-funded social equity program with the intent to bring greater economic opportunity to disadvantaged regions of our State;
5. A delayed effective date of 18 months for adult-use and first retail sales, to allow for the governing authority, law enforcement, and the public to prepare; and
6. The implementation of extensive, well-funded public-health protections, including public education campaigns to inform the public about new laws and continuing risks to public health and especially to children.

The Department acknowledges that this bill contains a legal safe harbor from criminal prosecution for those who strictly comply with the proposed chapter. However, the bill does not contain the other five pillars described in the Report, which the Department believes are integral to the legalization of non-medical adult-use cannabis.

Further, we are concerned that the bill requires the DCCA to administer the program, rather than the Department of Health (DOH). The Office of Medical Cannabis Control and Regulation was established within the DOH in 2018 and is authorized by section 329D-2.5, HRS, to administer both the medical cannabis dispensary licensure and regulation system and the registration of qualifying patients and primary caregivers. It has administrative rules that apply to both dispensary and patient registration. The DCCA would be required to draft rules to implement the bill; however, the DCCA does not have expertise in cannabis policy. The Department suggests, if this bill is to pass, that the low-dose and low-potency cannabis program be administered by the DOH.

We note that this bill does not contain quantities for relevant cannabis amounts. Should this bill pass, the blank quantities at page 10, lines 8, 12, 14, 17, and 20, page 13, line 14, and page 14, line 4, should be specified.

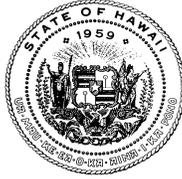
Additionally, the Department recommends that the following wording be added to page 4, line 8:

"Low-dose and low-potency Cannabis cannabis plant" does not include a germinated seed, cutting, or clone without readily observable roots and leaves with serrated edges.

We recommend that page 4, lines 18-19, include the following wording, as section 329-1, Hawaii Revised Statutes, is referenced on page 1 of the bill:

"Marijuana" has the same meaning as defined in ~~section~~ sections 329-1 and 712-1240.

For the above reasons, if this bill is not amended as recommended, we respectfully ask the Committees to hold this bill. Thank you for the opportunity to offer testimony.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB3275  
RELATING TO CANNABIS**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR JARRETT KEOHOKALOLE, CHAIR  
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Hearing Date and Time: 02-17-26, 9:45AM

Room Number: 229

- 1 **Fiscal Implications:** This measure will impact the priorities identified in the Governor's  
2 Executive Budget Request for the Department of Health's ("Department") appropriations and  
3 personnel priorities.
- 4 **Department Position:** The Department offers comments on this measure, which authorizes  
5 any adult over the age of twenty-one to grow, process, possess, and consume "low-dose and  
6 low-potency" cannabis products, and to sell those products to other adults age twenty-one and  
7 older. The Department respectfully offers these comments to express concerns about the  
8 public health, public safety, and environmental impacts associated with the increased  
9 accessibility of cannabis, even at lower potency levels, particularly in the absence of regulatory  
10 safeguards designed to protect consumers and the broader community.
- 11 **Department Testimony:** The Office of Medical Cannabis Control and Regulation (OMCCR)  
12 provides the following testimony on behalf of the Department.
- 13 Hawai'i currently has two cannabinoid regulatory frameworks, the medical cannabis program  
14 under chapter 329D, HRS, and the hemp program under chapter 328G, HRS. Both are

1 administered by the OMCCR. As drafted, this bill would create a third distinct cannabinoid  
2 regulatory framework, regulated by the Department of Commerce and Consumer Affairs  
3 (DCCA). Establishing multiple cannabinoid product pathways without a unified regulatory  
4 structure will create confusion for consumers, businesses, and enforcement partners regarding  
5 product legality and regulatory oversight.

6 The OMCCR also notes that the measure authorizes individuals to acquire, cultivate, possess,  
7 transport, and consume cannabis and cannabis products without establishing a regulatory  
8 framework for licensing, product testing, labeling, product tracking, or retail oversight. These  
9 safeguards are core components of regulated cannabis programs and help protect public  
10 health, support consumer awareness, and reduce diversion. The absence of these regulatory  
11 protections creates implementation and enforcement challenges and increases risk to  
12 consumers.

13 The bill allows anyone over the age of twenty-one to sell cannabis products but does not  
14 establish licensing requirements or any regulatory oversight. This creates a risk of unregulated  
15 sales, inadequate age verification, and potential diversion to minors. Licensing and oversight  
16 requirements are necessary for accountability, help ensure age-verification compliance, and  
17 provide enforcement partners with clear regulatory authority.

18 The OMCCR further notes that the measure does not include provisions for laboratory testing  
19 to verify potency or screen for contaminants, nor does it establish labeling standards to ensure  
20 consumers receive accurate information about potency, ingredients, allergens, and serving size.  
21 Without testing and labeling requirements, it will be difficult to verify that products meet the  
22 bill's definition of "low-dose and low-potency," and consumers will lack information necessary  
23 to make informed decisions.

24 While the measure limits tetrahydrocannabinol (THC) to five milligrams per serving, it does not  
25 establish a maximum THC amount per package or container. Without a per-package limit,

1 products could contain multiple servings with cumulative THC levels that may increase the risk  
2 of accidental overconsumption. Establishing both per-serving and per-package limits would  
3 improve consumer safety and align with regulatory approaches used in other jurisdictions.

4 Available evidence indicates that broader access to cannabis products is likely to increase  
5 overall use and associated health and safety harms. Even a limited-potency framework requires  
6 a robust regulatory structure to mitigate these risks. The absence of licensing, testing, labeling,  
7 product-tracking, and enforcement provisions in this measure represents a significant gap  
8 between access and regulatory oversight. The Department respectfully urges careful  
9 consideration of these public health and public safety implications if this measure moves  
10 forward.

11 **Offered Amendments:** None

12 Thank you for the opportunity to testify on this measure.



**JOSH GREEN, M. D.**  
GOVERNOR  
KE KIA'ĀINA

**SYLVIA LUKE**  
LT. GOVERNOR  
KA HOPE KIA'ĀINA

**BRENN A H. HASHIMOTO**  
DIRECTOR  
KA LUNA HO'OKELE

**BRIAN K. FURUTO**  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

**STATE OF HAWAII | KA MOKU'ĀINA O HAWAII**  
**DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT**  
**KA 'OIHANA HO'OMŌHALA LIMAHANA**  
235 S. BERETANIA STREET  
HONOLULU, HAWAII 96813-2437

Statement of  
**BRENN A H. HASHIMOTO**  
Director, Department of Human Resources Development

Before the  
**SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**  
**SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION**  
Tuesday, February 17, 2026  
9:45AM  
State Capitol, Conference Room 229

In consideration of  
**SB3275, RELATING TO CANNABIS**

Chair San Buenaventura, Chair Keohokalole, and members of the Committee on Health and Human Services and Committee on Commerce and Consumer Protection:

The Department of Human Resources Development (HRD) offers the following comments on SB3275, which legalizes the cultivation, sale, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use by persons over the age of twenty-one.

As drafted, this measure may pose health and safety concerns if employees are allowed to possess cannabis in the workplace. As such, should this measure be advanced, we recommend the following amendment to ensure application and enforcement are not only consistent with current collective bargaining agreements but are also consistent with Executive Orders for employees excluded from collective bargaining:

- For clarification, HRD recommends adding language on page 13, line 5, to the end of the current section (1):

Conducting drug testing and using the results of these tests for the discipline of an employee if the testing is done to comply with federal requirements or in accordance with the applicable collective bargaining agreement or Executive Order; or

We are available to answer any questions or provide further information as needed.

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



MIKE LAMBERT  
Director

ERNEST J. ROBELLO  
Deputy Director  
Administration

JARED K. REDULLA  
Deputy Director  
Law Enforcement

SYLVIA LUKE  
LT GOVERNOR  
KA HOPE KIA'ĀINA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF LAW ENFORCEMENT**

*Ka 'Oihana Ho'okō Kānāwai*

715 South King Street  
Honolulu, Hawaii 96813

TESTIMONY ON SENATE BILL 3275  
RELATING TO CANNABIS  
Before the Senate Committee on  
HEALTH AND HUMAN SERVICES,  
COMMERCE AND CONSUMER PROTECTION

Tuesday, February 17, 2026, 9:45 AM

State Capitol Conference Room 229

Testifiers: Jared Redulla

Chairs San Buenaventura and Keohokalole, Vice Chairs McKelvey and Fukunaga, and members of the Committees:

The Department of Law Enforcement (DLE) offers comments on Senate Bill 3275, which proposes to legalize the cultivation, sale, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use by persons over the age of twenty-one, beginning January 1, 2027.

While we understand the intent to create a regulated market for low-dose and low-potency cannabis products, the DLE has significant concerns regarding public safety implications based on the experiences of other states that have implemented cannabis legalization.

First, states with legalized cannabis systems have documented substantial increases in traffic fatalities involving cannabis. For example, in Colorado, fatal car crashes involving cannabis nearly doubled between 2013 and 2020. With traffic-related deaths already

being a significant public health concern in Hawaii, the introduction of legalized cannabis poses an elevated risk of increasing roadway fatalities.

Second, despite the bill's focus on low-dose and low-potency cannabis, we remain concerned about the potential proliferation of the illicit market. Evidence from other states with legal cannabis programs demonstrates that black markets continue to thrive post-legalization. Oregon reported illicit cannabis plant seizures 17 times greater in 2021 compared to 2020, while California continues to struggle with illegal cannabis production and distribution despite having a regulated system. This would place additional strain on Hawaii's law enforcement resources, which are already engaged in combating other contraband, including illicit drugs, firearms, stolen property, and fireworks.

Third, we have concerns about potential increases in cannabis-related violent crime. In other jurisdictions with legalized cannabis, disputes over cultivation, distribution, and sales have led to violent confrontations, including homicides. Hawaii has previously experienced cannabis-related violence, and legalization could potentially exacerbate these issues.

Additionally, the implementation timeline may not allow sufficient development of enforcement protocols, testing standards, and public education programs necessary to mitigate the public safety risks associated with cannabis legalization, even at lower potency levels.

Thank you for the opportunity to provide comments on this bill.

JON N. IKENAGA  
PUBLIC DEFENDER

**DEFENDER COUNCIL**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

**HONOLULU OFFICE**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

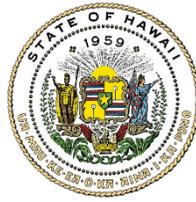
**APPELLATE DIVISION**  
TEL. NO. (808) 586-2080

**DISTRICT COURT DIVISION**  
TEL. NO. (808) 586-2100

**FAMILY COURT DIVISION**  
TEL. NO. (808) 586-2300

**FELONY DIVISION**  
TEL. NO. (808) 586-2200

**FACSIMILE**  
(808) 586-2222



STATE OF HAWAII  
**OFFICE OF THE PUBLIC DEFENDER**

HAYLEY Y. C. CHENG  
ASSISTANT PUBLIC DEFENDER

**HILO OFFICE**  
275 PONAHAHAWAI STREET  
SUITE 201  
HILO, HAWAII 96720  
TEL. NO. (808) 974-4571  
FAX NO. (808) 974-4574

**KONA OFFICE**  
75-1000 HENRY STREET  
SUITE #209  
KAILUA-KONA HI 96740  
TEL. NO. (808) 327-4650  
FAX NO. (808) 327-4651

**KAUAI OFFICE**  
3060 EIWA STREET  
SUITE 206  
LIHUE, HAWAII 96766  
TEL. NO. (808) 241-7128  
FAX NO. (808) 274-3422

**MAUI OFFICE**  
81 N. MARKET STREET  
WAILUKU, HAWAII 96793  
TEL. NO. (808) 984-5018  
FAX NO. (808) 984-5022

**February 16, 2026**

**SB 3275: RELATING TO CANNABIS**

**Chair San Buenaventura, Chair Keohokalole, Vice-Chair McKelvey, Vice-Chair Fukunaga, Members of the Committee on Health and Human Services and Members of the Committee on Commerce and Consumer Protection:**

The Office of the Public Defender (OPD) **supports SB 3275** which establishes a new chapter in the Hawai'i Revised Statutes (HRS) to legalize and regulate the cultivation, sale, possession, and personal adult use of *low-dose and low-potency cannabis* for individuals twenty-one years of age and older.

This measure represents a thoughtful and carefully calibrated approach to cannabis reform. Rather than broadly legalizing high-potency products, the bill limits adult-use cannabis to products containing no more than five milligrams of tetrahydrocannabinol (THC) per serving (or five milligrams per twelve ounces in liquid form), thereby promoting harm-reduction principles while acknowledging the realities of adult use. This structure prioritizes public safety, gradual implementation, and responsible regulation.

The OPD regularly represents indigent clients whose involvement in the criminal legal system stems from low-level, nonviolent cannabis offenses. Criminalization of low-dose cannabis possession has long produced disproportionate consequences for conduct that does not present a comparable threat to public safety.

By making specified adult conduct lawful, this bill will reduce unnecessary arrests, prosecutions, probation violations, and collateral consequences that burden individuals and families.

Reducing low-level marijuana prosecutions allows law enforcement, prosecutors, and courts to focus on serious and violent offenses, which is an allocation of resources that better serves community safety.

This measure contains significant guardrails to address common public safety concerns:

- Age restrictions: Only persons 21 and over may participate in lawful sale, possession, or cultivation.
- Strict possession limits: The bill sets defined ounce and gram limits for purchase and possession.
- Child-resistant packaging and storage requirements: Products must be sealed in child-resistant packaging, and personal cultivation must be secured and not easily accessible to persons under 21
- No public use: Cannabis must remain in sealed containers and may not be consumed in public places or vehicles
- No DUI changes: The bill expressly does not supersede laws relating to operating a vehicle under the influence
- Sensitive locations protected: Use remains prohibited in schools, childcare facilities, correctional facilities, and similar environments.

These provisions demonstrate that this bill does not represent deregulation, but rather regulated legalization with meaningful limitations.

The bill also protects individuals from disproportionate collateral consequences:

- Lawful use may not serve as the sole basis to deny custody or visitation absent evidence of actual harm.
- State and county employees may not be disciplined solely for lawful off-duty use, subject to federal law and impairment safeguards.
- Lawful use may not automatically disqualify someone from medical care.

From the OPD's perspective, these protections are critical. Our clients frequently face cascading consequences that extend far beyond the criminal case itself. Ensuring that lawful conduct does not automatically lead to job loss, parental rights restrictions, or healthcare barriers promotes stability, rehabilitation, and family integrity.

Cannabis enforcement has historically imposed significant burdens on low-income communities and communities of color. Continued criminalization of low-dose cannabis, particularly when many jurisdictions nationwide have shifted toward regulated adult use, risks perpetuating inequities without measurable public safety gains.

This measure reflects a pragmatic policy choice: regulate low-dose and low-potency products; impose clear rules; preserve DUI laws and youth protections; and prevent otherwise law-abiding adults from entering the criminal legal system for conduct the Legislature has determined should be lawful.

For these reasons, the Office of the Public Defender **supports** SB 3275.

Thank you for the opportunity to comment on this measure.

**DEPARTMENT OF THE PROSECUTING ATTORNEY  
KA 'OIHANA O KA LOIO HO'OPI'I  
CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 768-7400 • FAX: (808) 768-7515 • WEBSITE: www.honoluluprosecutor.org

STEVEN S. ALM  
PROSECUTING ATTORNEY  
LOIO HO'OPI'I



THOMAS J. BRADY  
FIRST DEPUTY PROSECUTING ATTORNEY  
HOPE MUA LOIO HO'OPI'I

**THE HONORABLE JOY SAN BUENAVENTURA , CHAIR  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**

**THE HONORABLE JARRETT KEOHOKALOLE, CHAIR  
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION**

**Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawai`i**

February 17, 2026

**REGARDING S.B. 3275 — RELATING TO CANNABIS.**

Chair San Buenaventura and Chair Keohokalole, Vice Chair McKelvey and Vice Chair Fukunaga, and members of the Senate Committees on Health and Human Services and Commerce and Consumer Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in **strong opposition** of S.B. 3275.

My name is Steve Alm and I am the Prosecuting Attorney for the City and County of Honolulu. My number one job is to protect the people of our county. While this measure is characterized as “low-dose and low-potency” legalization, it represents a significant expansion of lawful cannabis activity in Hawaii, including sale, cultivation, processing, and possession for personal adult use. The Department has several serious concerns:

First, at the moment, cannabis remains illegal under federal law. By authorizing manufacture, sale, and distribution, and by limiting state disciplinary authority, this bill creates potential conflicts with federal law and may place federal funding streams at risk.

Second, the bill contains incomplete possession limits and relies heavily on future administrative rulemaking. Undefined quantities and THC measurement standards create constitutional vagueness concerns and significant enforcement uncertainty.

Third, the bill establishes a broad affirmative defense to marijuana-related offenses. This will substantially complicate prosecutions by requiring THC potency testing and shifting litigation toward technical compliance questions rather than public safety considerations.

Fourth, impaired driving enforcement will become more difficult. Although the bill preserves DUI laws, legalization increases availability and may lead to increased cannabis-impaired driving, while THC impairment remains scientifically complex to prove.

Fifth, personal cultivation inside private residences will be extremely difficult to monitor and enforce, increasing the risk of diversion to minors and illicit resale.

Finally, provisions restricting discipline for lawful cannabis use by state employees, and limiting custody presumptions, raise public safety and litigation concerns.

For these reasons, the Department opposes S.B. 3275. Thank you for the opportunity to testify.

**RICHARD T. BISSEN, JR.**  
Mayor

**ANDREW H. MARTIN**  
Prosecuting Attorney

**SHELLY C. MIYASHIRO**  
First Deputy Prosecuting Attorney



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY ON  
S.B. 3275  
RELATING TO CANNABIS

February 16, 2026

The Honorable Joy A. San Buenaventura  
Chair  
The Honorable Angus L.K. McKelvey  
Vice Chair  
and Members of the Committee on Health and Human Services

The Honorable Jarrett Keohokalole  
Chair  
The Honorable Carol Fukunaga  
Vice Chair  
and Members of the Committee on Commerce and Consumer Protection

Chairs San Buenaventura and Keohokalole, Vice Chairs McKelvey and Fukunaga, and Members of the Committees:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in opposition to S.B. 3275**, Relating to Cannabis, and requests that the measure be deferred. This measure implements the legalization of non-medicinal cannabis and cannabis products containing less than five milligrams of tetrahydrocannabinol.

As drafted, we believe that the intent of this measure is to allow the manufacture, sale and possession of non-medical cannabis below a certain potency or dosage threshold, presumably upon the theory that less-potent products in smaller dosage units pose less safety risk to the public. However, our unique role as prosecutors also requires us to ensure the integrity of the criminal justice system and preserve public safety. This measure raises the following concerns in that regard:

1. Federal law currently designates cannabis as a Schedule I controlled substance, meaning that it generally cannot be manufactured, distributed, dispensed or possessed. The proposed amendments to the H.R.S. will not alter that status, meaning that Hawai'i citizens who are involved in this industry will be in violation of federal law. Moreover, the current illegality of cannabis under federal law makes it harder for cannabis businesses to use traditional financial institutions, which in turn makes those businesses more vulnerable to theft, robbery, money laundering and other crimes due to their increased reliance on cash transactions.

2. Hawai'i has a significant lack of support services for both mental health and substance abuse issues. Legalization of non-medical cannabis use, even "low-dose and low-potency cannabis," will not fix that problem, and will in fact make it worse by making an existing intoxicant more widely available. Furthermore, our county has spent decades trying to reduce the tragic consequences of crimes like DUI and drug-related violence and property crimes. Legalizing a psychoactive substance like cannabis for recreational use nullifies that work.

3. There are potential unforeseen consequences in implementing the bill's safe harbor provisions. For example, § -2(b) allows strict compliance with the newly-created chapter to act as an affirmative defense to any prosecution involving marijuana or marijuana concentrate, while § -3 (2) ostensibly prevents the chapter from being construed to supersede laws relating to performance of any task while impaired by cannabis that would constitute negligence or professional malpractice, or prevent the imposition of civil, criminal or other penalty for "the conduct." As drafted, the bill arguably would prevent prosecution for crimes like a burglary involving the theft of personal use quantities of marijuana from a residence, assuming the offender strictly complied with the chapter. Further, as drafted §A-5(2) could be interpreted to apply solely to conduct constituting negligence or professional malpractice, as opposed to other types of criminal conduct such as the burglary example above.

4. This measure does not appear to contemplate any sort of regulatory scheme for cannabis beyond administrative rules established by the Department of Commerce and Consumer Affairs, nor does it appear to provide any funding or guidance in that regard. While State and County employees are competent, diligent and hard-working, we believe that the creation of an effective state-wide regulatory scheme via the administrative rule process for the production, sale and possession of a psychoactive substance for public consumption with no significant implementation or education delay is not only unrealistic, but unsafe.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **opposes the passage of S.B. 3275 and requests that the measure be deferred.** Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries.

Thank you very much for the opportunity to provide testimony on this bill.



## **SB3275 Legalize Low Dose Cannabis**

### COMMITTEE ON HEALTH AND HUMAN SERVICES

Sen. Joy San Buenaventura, Chair

Sen. Angus McKelvey, Vice Chair

### COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Sen. Jarrett Keohokalole, Chair

Sen. Carol Fukunaga, Vice Chair

Tuesday, Feb 17, 2026: 9:45: Room 229 Videoconference

### **Hawaii Substance Abuse Coalition Opposes SB3275:**

*ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the ad hoc leader of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder prevention and treatment agencies and recovery-oriented services.*

**HSAC opposes** Cannabis legalization at this time, advocating strongly to implement a state-wide **prevention program for kids first**

---

*Youth's use of cannabis in Hawaii is at crisis levels and is a major public health concern, that needs immediate attention and resources to prevent significant harm to our Children. Focusing on cannabis prevention for kids before legalization is important because early education helps mitigate risks associated with youth cannabis use.*

---

We **oppose SB3275 because it doesn't** include **dedicated, ongoing funding** for evidence-based youth prevention, early intervention, and treatment—because legalization without prevention funding shifts predictable costs onto schools, families, and the public health system.

Prevention efforts are needed because it focuses on educating young people and their parents about these risks, promoting healthy alternatives, and reducing the likelihood of early use as a means to prevent short-term and long-term negative consequences:

### **1. Youth cannabis use is already a serious prevention and treatment burden in Hawai'i.**

In 2023, an estimated **5.4% of middle school students** and **14% of high school students** in Hawai'i public schools reported marijuana use in the past 30 days. Risk perception is low: in 2023–2024, only **19.5% of Hawai'i youth (12–17)** perceived “great

risk” from smoking marijuana once a month. Treatment impact is growing: **70.6% (SFY 2025)** of ADAD-funded adolescent treatment admissions were for marijuana.

## **2) A new adult market must also fund the public health infrastructure needed to protect minors and mitigate harm.**

HSAC respectfully requests that SB3275 **provide dedicated appropriation** or earmarked revenue stream for youth prevention, school-based supports, community coalitions, or adolescent treatment capacity to meet the documented need

## **3) “Low-dose/low-potency” does not eliminate youth harm—and can create loopholes without strong guardrails**

- **Normalize use and further reduce perceived risk among youth** (already extremely low in Hawai‘i). Kids may see cannabis as completely safe and acceptable, increasing the likelihood of use. Prevention ensures they understand the risks and responsible decision-making.
- **Increase availability in homes, creating diversion risk for minors** (the bill allows adult possession and use, including in private residences, with general storage protections).
- **Create definitional loopholes** if “low-dose/low-potency” is not tightly defined and enforced with product testing, serving-size limits, and compliance checks.

## **4) Prevention makes a difference for youth wellness.**

1. **Parental & Community Readiness**
2. **Reassure the Community.**
3. **Messages: Not Healthy for Young People**
4. **Brain Development Risks**
5. **Mental Health Risks**
6. **Addiction Risk**
7. **Increased Accessibility**
8. **Reduces Use**
9. **Prevent Academic, Social, Impairments**

**By prioritizing education before legalization, Hawai‘i can create a more informed and prepared youth population, reducing potential harm while balancing the benefits of regulated cannabis markets.**

## **5) HSAC respectfully requests to amend SB3275 to include prevention funding + youth safeguards**

- **Dedicated, ongoing funding** (not discretionary) for youth prevention and treatment, including evidence-based prevention (school + community), parent education, and youth treatment capacity.
- A required **statewide public health campaign** on youth cannabis harms and safe storage.
- **Evidence-based grant structure** for community organizations and schools (with accountability and evaluation).

- **Consider HB814**, which appropriates funds for youth cannabis prevention and treatment and outlines implementation expectations.
- **Strong youth-protection rules** baked into statute (not left solely to later rulemaking), including:
  - Tight definitions of “low-dose” and “low-potency,” with testing standards and penalties for mislabeling.
  - Packaging, labeling, and marketing restrictions designed to reduce youth appeal and accidental ingestion.
  - Funding for compliance checks and enforcement.

## **Conclusion**

We recognize that many adults support reform and that regulation can be preferable to an illicit market. But **legalization without prevention funding is not effective public health policy**—especially when the State’s own submitted testimony shows substantial youth use, low perceived risk, and sharply rising marijuana-related adolescent treatment admissions.

For these reasons, **we respectfully OPPOSE SB3275 unless amended** to include **dedicated, ongoing funding for youth prevention and treatment** and clear, enforceable youth protections.

We appreciate the opportunity to provide testimony and are available for questions.



**Submitted Online: February 16, 2026**

**TO:** Senate Committee on Health & Human Services  
Senator Joy San Buenaventura, Chair  
Senator Angus McKelvey, Vice Chair

Senate Committee on Commerce & Consumer Protection  
Senator Jarrett Keohokalole, Chair  
Senator Carol Fukunaga, Vice-Chair

**FROM:** Eva Andrade, President

**RE:** Opposition to SB3275 Relating to Cannabis

Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawai‘i. We respectfully oppose SB3275.

While framed as a limited legalization of “low-dose and low-potency cannabis,” this measure would significantly expand recreational marijuana use in our state. Beginning in 2027, the bill legalizes the cultivation, sale, possession, and use of cannabis for adults over twenty-one, including home cultivation and retail distribution. This represents a dangerous policy shift that moves Hawaii further toward broad marijuana commercialization.

The terminology used in this bill may give the impression that the risks are minimal. However, defining cannabis products as “low-dose” does not eliminate impairment or public health concerns. Edibles and other products allow for cumulative consumption, and even lower-dose THC products can impair judgment, increase dependency risk, and contribute to accidental overconsumption—especially among new users.

Additionally, the bill permits home cultivation and broader possession allowances. Allowing personal cultivation increases diversion risks, complicates enforcement, and makes it more difficult to prevent access by minors. Experience in other jurisdictions shows that home-grown cannabis often becomes a secondary source of distribution outside regulated channels.

Legalization—even under a limited label—normalizes marijuana use and signals reduced risk, especially to young people. Research from states that have legalized marijuana shows increased youth perception that cannabis is harmless following legalization. This shift in perception can undermine prevention efforts and contribute to long-term health and social consequences.



**SB 3275 Relating to Cannabis  
Page Two**

Finally, this bill, if passed, would require the creation of a new regulatory structure administered by the Department of Commerce and Consumer Affairs. Establishing a new cannabis regulatory framework will carry administrative and enforcement costs that may exceed anticipated benefits, particularly if public health and social costs are considered.

Hawaii should approach marijuana policy with caution and humility, learning from the experiences of other states that are now reassessing earlier legalization decisions. Rather than expanding access, policymakers should prioritize prevention, education, treatment, and family stability.

For these reasons, Hawaii Family Forum respectfully urges the Committee to defer SB3275.

Thank you for the opportunity to testify.

---

COALITION FOR A  
**Drug-Free Hawaii**  
Prevention Through Education

February 16, 2026

RE: SB3275

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair Senator Angus L.K. McKelvey, Vice Chair

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair Senator Carol Fukunaga, Vice Chair

Aloha Chairs, Vice Chairs, and Members of the Committees:

Thank you for the opportunity to testify in opposition to SB3275. The Coalition for a Drug-Free Hawaii opposes SB3275. While the bill proposes limiting cannabis to 5% THC, lower potency does not eliminate public health risk. Expanding legal access and commercial availability — even at a reduced potency — is likely to decrease perceived risk of harm. Prevention research consistently shows that when perceived risk declines and availability increases, youth use and experimentation rise.

Although 5% THC is lower than products sold in states such as Colorado and California, creating a commercial pathway for adult-use cannabis establishes infrastructure that may be difficult to contain over time. In several states and in Canada, cannabis legalization frameworks have expanded over time in product types, potency, and market access after initial implementation.

Our concern is for youth.

- **Cannabis Use Disorder:** Rates of Cannabis Use Disorder increase by approximately 25% in states that have legalized marijuana compared to states that have not (peer-reviewed national studies).
- **Youth Use Rates:** Adolescent marijuana use rates are notably higher in states where marijuana is legalized, according to National Survey on Drug Use and Health (NSDUH) data.

For these reasons, and given ongoing concerns about youth access, normalization, and long-term health impacts, we respectfully urge the Committee to reject SB3275.

Thank you for your consideration.

Greg Tjapkes  
Executive Director  
Coalition for a Drug-Free Hawaii



The Institute for Human Services, Inc.  
Ending the Cycle of Homelessness

**TO:** Honorable Senator Jarrett Keohokalole,  
Chair, Senate Commerce and Consumer Protection Committee

Honorable Senator Joy A. San Buenaventura,  
Chair, Senate Health and Human Services Committee

Honorable Senator Carol Fukunaga,  
Vice Chair, Senate Commerce and Consumer Protection Committee

**FROM:** Connie Mitchell, Executive Director  
IHS, The Institute for Human Services, Inc.

**RE:** SB 3275 - Legalizing Low-Dose and Low-Potency Cannabis; Personal Adult  
Use; Sale; Possession; Cultivation; Legalization

**DATE:** February 16, 2026

**POSITION:** IHS strongly opposes SB 3275

At IHS, the Institute for Human Services, our work with the homeless population has brought us up close and personal experience with the dangers of drug use and addiction. Our experience and research show that legalizing recreational use of even low potency marijuana would only worsen these problems, bringing increased health, social, and safety risks to our communities.

Low-potency cannabis might seem like an effective alternative to legalization, but opening the door for the sale of substances of any kind is a risk not worth taking. It would mean legalizing a drug that drives higher rates of psychosis and increased cancer risk for users. Make it easier for kids under 21 to acquire marijuana derived products which can cause dangerous health consequences and increased anxiety or stress. It also causes lower high school completion and university enrollment rates. And even low-dose products can impair judgement creating risks for non-users as rates of reckless driving increases creating danger for other drivers and pedestrians.

Facts like this underscore possible reasons why states that legalized marijuana saw a 35% increase in chronic homelessness. So it can be easy to claim that this type of low dose marijuana is safer than alternatives, but clearly there are still too many risks to consider legalizing it.

Mahalo for the opportunity to testify.



**LATE**

Committees: Health and Human Services  
Commerce and Consumer Protection  
Hearing Date/Time: Tuesday, February 17, 2025 at 9:45am  
Place: Conference Room 229 & Via Videoconference  
Re: **Testimony of the ACLU of Hawai'i in support of SB3275  
Relating to Cannabis**

Dear Chairs San Buenaventura and Keohokalole, Vice Chairs McKelvey and Fukunaga and Members of the Committees:

ACLU of Hawai'i **supports SB3275 and requests amendments.** The bill legalizes the sale, cultivation, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use beginning January 1, 2027. It also requires the Department of Commerce and Consumer Protection (DCCA) to adopt rule.

***Adult-Use Cannabis Legalization Will Reverse Prohibition Policies that Violates an Individual's Right to Bodily Autonomy and Privacy.***

The ACLU of Hawai'i supports adult-use cannabis legalization based on the rights of individuals to bodily autonomy and privacy enshrined in our federal and Hawai'i Constitutions. This includes the decision to use (or refuse) alcohol, tobacco, Tylenol or cannabis, a plant with known medicinal properties since time immemorial.<sup>1</sup>

Second, individuals in Hawai'i have the explicit right to privacy.<sup>2</sup> Individuals should be able to exercise their right to bodily autonomy, and use or carry cannabis on their person, and within their houses and not be subject to unreasonable searches, seizures and invasions of privacy.

---

<sup>1</sup> Similarly, the ACLU of Hawai'i supports the rights of individuals to access reproductive care as a right to bodily autonomy, including but not limited to the abortion pill.

<sup>2</sup> The Hawai'i Constitution reads as follows: "The right of the people to privacy is recognized and shall not be infringed without the showing of a compelling state interest. The legislature shall take affirmative steps to implement this right." Article I, section 6. Additionally, Article I, section 7 of the Hawai'i Constitution states: "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches, seizures, and invasions of privacy shall not be violated."

*Adult-Use Cannabis Legalization Must Include Social Equity and Reparative Justice Reforms to Address the Harms Resulting from Decades of Cannabis Prohibition.*

The ACLU of Hawai'i strongly supports comprehensive equitable policies to legalize, tax, and regulate adult use of cannabis, in tandem with social equity and reparative reforms to redress the devastating effects of cannabis prohibition policies.

Notably, these harms have disparately impacted Native Hawaiians. As reflected in The Disparate Treatment of Native Hawaiians in the Criminal Justice System Report conducted by the Office of Hawaiians Affairs and Justice Policy Institute, Native Hawaiians do not use drugs at drastically different rates from people of other races or ethnicities, but Native Hawaiians go to prison for drug offenses more often than people of other races or ethnicities.<sup>3</sup>

The Crime in Hawai'i 2021: A Review of Uniform Crime Reports<sup>4</sup> compiled by the Hawai'i Attorney General Crime Prevention and Justice Assistance Division Research and Statistics Branch provides arrest data relating to marijuana possession.

**Adult Part II Arrests by Offense, State of Hawai'i, Marijuana Possession**

| 2017 | 2018 | 2019 | 2020 | 2021 |
|------|------|------|------|------|
| 627  | 900  | 791  | 523  | 237  |

As highlighted by the Attorney General's data, individuals in Hawai'i continue to be arrested for cannabis possession despite passage of the decriminalization law in 2019.

Arrests are a gateway into the criminal legal system. For individuals convicted of cannabis possession of three ounces or more, or manufacturing or sale, they may be sentenced to incarceration, legal supervision, fines and a lifetime of collateral consequences resulting from a criminal legal record.

The failed War on Drugs in Hawai'i has contributed to severe overcrowding in Hawai'i's jails and prisons.<sup>5</sup> Many people are living in inhumane and unconstitutional conditions

---

<sup>3</sup> Office of Hawaiian Affairs. The Disparate Treatment of Native Hawaiians in the Criminal Justice System, Executive Summary, 2010. [https://www.oha.org/wp-content/uploads/2014/11/es\\_final\\_web\\_0.pdf](https://www.oha.org/wp-content/uploads/2014/11/es_final_web_0.pdf)

<sup>4</sup> Hawai'i Attorney General, Crime Prevention & Justice Assistance Division. Crime in Hawai'i 2021: A Review of Uniform Crime Reports. <https://ag.hawaii.gov/cpja/files/2023/04/Crime-in-Hawaii-2020.pdf>

<sup>5</sup> <https://dcr.hawaii.gov/wp-content/uploads/2024/01/Pop-Reports-EOM-2023-12-31.pdf>

of confinement in our carceral facilities while separated from their loved ones, here in Hawai'i and in private for-profit prisons thousands of miles away.

### **Requested Amendments**

SB3275 is a significant step in the right direction. However, it needs amendments to regulate and license cannabis sales, so that consumers can purchase a lab-tested, safe product, and to ensure responsible packaging and labeling. We also urge prioritization of legacy operators and social equity applicants in licensing and the inclusion of canopy caps, to avoid monopolization and allow opportunities for small farmers.

There is no time and no reason to wait. We have the ability to implement recreational adult-use cannabis in Hawai'i now.

Sincerely,

**Josh Frost**

Josh Frost

Policy Advocate

ACLU of Hawai'i

[jfrost@acluhawaii.org](mailto:jfrost@acluhawaii.org)

*With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai'i is to protect the fundamental freedoms enshrined in the United States and Hawai'i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving our communities in Hawai'i for over 60 years.*

# HAWAI'I HIGH INTENSITY DRUG TRAFFICKING AGENCY

500 ALA MOANA BOULEVARD | BOX 165 | HONOLULU, HI 96813 | PH (808)356-4400 FAX (808)356-4499



February 16, 2026

Aloha,

As Executive Director of the Hawaii High Intensity Drug Trafficking Area (HIDTA) – a program of the Office of National Drug Control Policy, Executive Office of the President, and one of 32 nationwide because of our documented drug trafficking activity and threats to community safety, public health, and Hawai'i's natural environment – and as lead member of the community collaborative of federal, state, and local enforcement and community agencies focused on drug prevention and treatment across all counties, I ask you to join us as we work together to keep Hawaii safe and healthy.

**I oppose SB 3275 in its entirety.** Because of the continuing debate on whether Hawaii should legalize recreation use marijuana (we already have a safer regulated medical use marijuana law), we **requested Smart Approaches to Marijuana (SAM)** – a national bipartisan alliance of organizations and individuals dedicated to a health-first marijuana policy – to provide us with data on the impacts of marijuana use in legalized states.

Please take the time to read SAM's *Hawaii Impact Report*. It provides data from states that have legalized marijuana. It shows that costs outweigh revenues; that big business profits from the addiction it sells; that Mexican Cartel and Chinese Organized Crime come in to start illegal marijuana growing operations and, even in Hawaii, Chinese Organized Crime has its footprints in human trafficking, money laundering, and illicit drug trafficking; that marijuana use and overdose among youth increases; and that marijuana grows do irreversible environmental harm to the ecosystem – forests, species, water sources, ocean and coral life.

We hope that the report on the impacts – on youth, crime, homelessness, health, and the environment – of legalized recreational use marijuana will move you to join us in sharing this report and calling on your family, neighbors, friends, and your state legislators to oppose the legalization of recreational use marijuana for all of us and for Hawaii's future. Mahalo nui loa.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Yabuta", is written over a white background.

Gary Yabuta  
Executive Director

Hawaii High Intensity Drug Trafficking Area



February 16, 2026

## **Testimony on SB 3275: Relating to Cannabis Legalizing Low-Dose and Low-Potency Cannabis for Personal Adult Use Support With Amendments**

Aloha Chairs San Buenaventura and Keohokalole, Vice Chairs McKelvey and Fukunaga, and members of the Senate Health and Human Services and Commerce and Consumer Protection committees:

My name is Karen O’Keefe. I am the director of state policies for the nonprofit Marijuana Policy Project (MPP), the largest cannabis policy reform organization in the nation. We urge you to report SB 3275 favorably with amendments so that Hawai’i can respect the wishes of voters and join the 24 other states that have legalized cannabis for adults 21 years of age and older.

More than 20% of Hawai’i adults admit having used cannabis in the past year,<sup>1</sup> while under 2.5% are registered patients.<sup>2</sup> That means more than 17% of Hawai’i residents are lawbreakers under state law for conduct most voters believe should be legal.<sup>3</sup> Adults should not be punished for using a substance that is safer than alcohol,<sup>4</sup> and which — for many — is an over-the-counter medicine.<sup>5</sup> Forcing cannabis onto the illicit market also puts everyone involved at risk.

While we strongly support legalizing cannabis for adults 21 and older, a hallmark of responsible legalization is regulation, which is absent from SB 3275. Licensing and regulation allows for health and safety protections, such as lab testing, labeling and packaging rules, and regulations for safe extraction. We urge you to add reasonable regulatory safeguards. We also urge additional amendments, including to remove the five milligram limit for flower cannabis and to ensure unionized government workers have the same legal protections as unorganized employees.

---

<sup>1</sup> [Interactive NSDUH State Estimates](#), "Marijuana Use in Past Year Among Adults Aged 18 or Older, by State: 2022-2023," U.S. Substance Abuse and Mental Health Services Administration. Accessed February 14, 2026.

<sup>2</sup> Hawaii Department of Health, [December 2025 Data Report](#). (showing 28,735 patients); Hawaii’s adult population is 1.15 million.

<sup>3</sup> [Hawai’i Perspectives Winter 2023 Report](#).

<sup>4</sup> See, i.e. "Facts About U.S. Deaths from Excessive Alcohol Use," Centers for Disease Control and Prevention (CDC); National Academies of Sciences, Engineering, and Medicine. 2017. The health effects of cannabis and cannabinoids: Current state of evidence and recommendations for research. Washington D.C.: The National Academies Press, Conclusion 4-1, p. 221 ("Although the available evidence suggests that cannabis use is not associated with an increased risk of all-cause mortality, the limited nature of that evidence makes it impossible to have confidence in these findings." "There is insufficient evidence to support or refute a statistical association between self-reported cannabis use and all-cause

<sup>5</sup> "Cannabis Consumers in America 2023, Part 1: An Overview of Consumers Today," New Frontier Data, p. 12.

## **I. Adults should not be punished for a substance that is safer than alcohol.**

Governments should not punish adults for relaxing with a plant that is safer than alcohol.

A recent analysis by a panel of experts in Canada — where cannabis is legal nationwide — scored numerous substances based on their harms. Criteria included mortality, damage to physical health, dependence, withdrawal, impairment of mental functioning, injury to others, and organized criminal activity. Alcohol scored the highest as the most harmful at 79.<sup>6</sup> Cannabis scored far lower at 15.

While the vast majority of Canada's demand for cannabis — more than 70% according to the analysis — is being met by the country's legal regulated market, some remains on the illicit market.<sup>7</sup> The experts found the illicit market for cannabis to be cannabis's greatest harm, even though most sales are legal now. In Hawai'i, where 100% of the non-medical market is derived from the illicit market, that harm caused by illicit production and sales is far greater. Shifting to a legal, regulated market would greatly diminish that harm.

Here in the United States, the CDC reports 117,000 deaths are caused by the chronic health impacts of alcohol each year.<sup>8</sup> The CDC reports another 2,641 Americans die from alcohol poisoning every year, and 7,037 die from homicides attributed to alcohol.<sup>9</sup> While cannabis does pose some risks, they pale in comparison to alcohol.

And as cannabis legalization has spread, alcohol use has decreased.<sup>10</sup> This has also corresponded with more awareness of alcohol's risks. In 2012, just before the first two states legalized cannabis, Gallup found 66% of Americans reported drinking alcohol. In the most recent poll, in 2025, the rate had dropped to a record low of 54%. Hawai'i shouldn't be criminalizing its citizens for using the safer substance.

## **II. Adults should not be punished for a plant that is, for many, a beneficial over-the-counter medication.**

Unlike alcohol and tobacco, cannabis is a beneficial medicine.<sup>11</sup> Many adult-use consumers use it as an over-the-counter medicine for pain, anxiety, and insomnia.<sup>12</sup>

---

<sup>6</sup> Crépault J-F, Russell C, Asbridge M, et al. Drug harms in Canada: A multi-criteria decision analysis. *Journal of Psychopharmacology*. 2026;0(0). doi:10.1177/02698811251409147

<sup>7</sup> Drug harms in Canada: A multi-criteria decision analysis. *Journal of Psychopharmacology*. At p. 7.

<sup>8</sup> "Facts About U.S. Deaths from Excessive Alcohol Use," Centers for Disease Control and Prevention.

<sup>9</sup> Alcohol and Public Health: Alcohol-Related Disease Impact (ARDI), CDC.

<sup>10</sup> "U.S. Drinking Rate at New Low as Alcohol Concerns Surge," Gallup, Aug. 13, 2025.

<sup>11</sup> National Academies of Sciences, Engineering, and Medicine (2017). *The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research*. Washington (DC): National Academies Press. (A review of more than 10,000 studies, finding conclusive or substantial evidence that cannabis is beneficial for chronic pain, and that cannabinoids are effective treatments for multiple sclerosis spasms and chemotherapy-induced nausea and vomiting.)

<sup>12</sup> "Cannabis Consumers in America 2023, Part 1: An Overview of Consumers Today," New Frontier Data, p. 12.

My husband, to my relief, largely replaced his reliance on over-the-counter pain medicines with cannabis when the state we lived in legalized cannabis for adults' use. Almost one-quarter of Americans suffer from chronic pain.<sup>13</sup> For many, cannabis is a safer choice than alternatives. As the FDA explains:

There is the potential for gastrointestinal bleeding (bleeding in the stomach or elsewhere in the digestive tract) associated with all NSAIDs. The risk of bleeding is low for people who use NSAIDs intermittently. The risk of stomach problems goes up for people who take them every day or regularly, especially for people who are older than 65, people with a history of stomach ulcers, and people who take blood thinners or corticosteroids (prednisone).<sup>14</sup>

The FDA also notes that all NSAIDs except aspirin increase “the risk of heart attack or stroke. These serious side effects can occur as early as the first few weeks of using an NSAID, and the risk might rise the longer people take non-aspirin NSAIDs.” In addition, each year, acetaminophen overdoses result in about 56,000 ER visits and 500 deaths from acute liver failure.<sup>15</sup>

Meanwhile, opioids painkillers are highly addictive and result in more than 14,000 fatal overdoses each year in the United States.<sup>16</sup>

A recently released study found that jurisdictions that adopt adult-use marijuana legalization laws experience declines in opioid overdose death. “We find a statistically significant negative relationship between RML [recreational marijuana laws] and opioid overdose deaths. RML is associated with a decrease of approximately 3.51 deaths per 100,000 individuals.”<sup>17</sup>

While Hawai'i has a medical cannabis program, as was noted, the large majority of cannabis consumers are not enrolled in it. Under 2% of practitioners issue certifications. As a result, patients have to go to a cannabis-specific provider and pay out of pocket, totalling \$150-400 for a certification plus registration. Adult-use programs avoid an inequitable system where patients who can afford to shell out \$200+ up front are legally protected, while those who cannot remain criminals, or are steered toward riskier opioids and large-scale use of NSAIDs.

### **III. Consumer protection regulations are only possible with legalization.**

---

<sup>13</sup> "Chronic Pain and High-impact Chronic Pain in U.S. Adults, 2023," NCHS Data Brief No. 518, November 2024

<sup>14</sup> The Benefits and Risks of Pain Relievers: Q & A on NSAIDs with Sharon Hertz, M.D., U.S. Food and Drug Administration.

[www.fda.gov/consumers/consumer-updates/benefits-and-risks-pain-relievers-q-nsaids-sharon-hertz-md](http://www.fda.gov/consumers/consumer-updates/benefits-and-risks-pain-relievers-q-nsaids-sharon-hertz-md)

<sup>15</sup> Agrawal S, Murray BP, Khazaeni B. Acetaminophen Toxicity. [Updated 2025 Apr 10]. In: StatPearls [Internet]. Treasure Island (FL): StatPearls Publishing; 2025 Jan-. Available from:

<https://www.ncbi.nlm.nih.gov/books/NBK441917/>

<sup>16</sup> “[Drug Overdose Deaths: Facts and Figures](#),” National Institute on Drug Abuse.

<sup>17</sup> Because I Got High? Recreational Marijuana Legalization's Impact on Opioid Overdose Deaths

Elisha Kwaku Denkyirah, Raymond J. March, Veeshan Rayamajhee, Ryan M. Yonk

First published: 09 October 2025 <https://doi.org/10.1002/soej.12797> Digital Object Identifier (DOI)

Prohibition harms health and safety by making control impossible.

Because Hawai'i is a prohibition state, the cannabis most Hawai'i consumers purchase is illegal and thus unregulated, putting consumers at risk of hazardous pesticides, heavy metals, molds — and even lacing with hard drugs.<sup>18</sup>

Legalization with regulation provides consumers with a safer alternative to both illicit cannabis and potent “gas station cannabis” that is widespread in Hawai'i. To ensure safety, however, it is important to include rules on lab testing, sanitation, health and safety, labeling, dosages, potency, and packaging that appeals to minors. Regulations should include warnings and basic consumer education, including about how long edibles take to go into effect. Licensing allows for the revocation of licenses for those who break rules.

The Appendix includes some sample language to provide for regulation and licensing.

#### **IV. Youth cannabis use has decreased in most legalization states.**

Under prohibition, high schoolers often have the easiest access to cannabis. On the eve of states beginning to legalize cannabis in 2012, a Columbia University research survey of high schoolers found 40% knew a peer who sold cannabis.<sup>19</sup> Only 1% knew a peer who sold alcohol. Legalization moves cannabis sales out of schools and the streets and into the regulated, adult-only stores.

When states started legalizing cannabis, some feared youth marijuana use would increase. We now have more than a decade of data, and the opposite has happened. In 19 of the 21 states that have legalization laws old enough to have before-and-after data, high schoolers' marijuana use has decreased.<sup>20</sup> (In the other two states, the “before” year was 2021 — which was during COVID shutdowns and significantly impacted use rates.)

Nationwide, government data from both the CDC and the University of Michigan's Monitoring the Future report shows as the nation went from zero legalization states to 24, teen marijuana use has dropped significantly.<sup>21</sup> Monitoring the Future's survey data also shows the percent of 8th, 10th, and 12th graders who report cannabis is fairly easy or very easy to get has dropped dramatically.<sup>22</sup>

Moving cannabis sales from streets and schools to adult-only stores has been accompanied

---

<sup>18</sup> See: Botelho, Diane & Boudreau, April & Rackov, Andrien & Rehman, Attiq & Phillips, Bruce & Hay, Cathy & Broad, Karen & Crowhurst, Peter & Cockburn, Sara & Smith, Troy & Balonova, Barбора. (2021). Analysis of Illicit and Legal Cannabis Products for a Suite of Chemical and Microbial Contaminants; “Unintentional use of fentanyl attributed to surreptitious cannabis adulteration,” Hopwood, Taylor et al. Journal of the American Pharmacists Association, Volume 60, Issue 6, e370 - e374.

<sup>19</sup> “National Survey of American Attitudes on Substance Abuse XVII: Teens,” The National Center on Addiction and Substance Abuse at Columbia University, 2012, p. 2.

<sup>20</sup> For citations and charts with the full before-and-after data, see: “Adult-Use Cannabis Legalization Corresponds With Drops in Teen Use,” Marijuana Policy Project.

<sup>21</sup> [High School Youth Risk Behavior Survey Data](#), CDC, 1991-2023.

<sup>22</sup> [National Survey Results on Drug Use, 1975–2025](#), Monitoring the Future.

by reduced access and use of cannabis by youth. On the illegal market, no one is checking IDs before selling cannabis. In contrast, licensed cannabis stores have overwhelming compliance with age-gating.<sup>23</sup>

While middle schoolers and high schoolers are using cannabis at lower rates, seniors in legal states are finally able to try a lab-tested product that many find preferable to pain medications and sleep-aids. The age group that saw the most significant increase in cannabis use in Colorado was people older than 65. Their use of cannabis more than tripled to 9.3%.<sup>24</sup>

While SB 3275 provides that sales are only legal to other adults, licensing is important to ensure a license can be revoked or suspended for patterns of violations.

## **V. Cannabis legalization grows the economy, jobs, and tourism.**

Adult-use legalization can also create thousands of new jobs. Adjusting for population, based on Leafly and Vangst cannabis jobs reports for Nevada, Hawai'i can expect upwards of 5,000 new cannabis industry jobs.<sup>25</sup>

Some opponents have claimed Hawai'i's tourism industry would be negatively impacted, and "Japanese tourists will stop coming to Hawaii. Full stop."<sup>26</sup> If you look at the experience of legalization states, you'll see that those fears are not warranted.

After Colorado voters made their state the first to legalize cannabis in 2012, tourism set records. In 2019, the Colorado Tourism Office reported that Colorado continued a nine-year streak of record-setting growth in visitors, traveler spending, and tax generation in 2018.<sup>27</sup> (It hit a record again in the most recent year with data, 2023.) In 2016, a survey from the Colorado Tourism Office found that 49% of visitors consider legalization when deciding to visit.<sup>28</sup>

After Hawai'i, California is host to the second most tourists from Japan. California voters legalized cannabis in November 2016 and sales began on January 1, 2018. Tourism thrived there, too, post-legalization — *including tourism from Japan*. The year after legal sales

---

<sup>23</sup> Carla J. Berg, Katelyn F. Romm, Alexandria Pannell, Priyanka Sridharan, Tanvi Sapra, Aishwarya Rajamahanty, Yuxian Cui, Yan Wang, Y. Tony Yang, Pat [Annual Reports | Monitoring the Future](#) ricia A. Cavazos-Rehg, Cannabis retailer marketing strategies and regulatory compliance: A surveillance study of retailers in 5 US cities, *Addictive Behaviors*, Volume 143, 2023, 107696, ISSN 0306-4603, See additional sources at: "Study: Licensed Cannabis Retailers Are Strictly Complying with ID Verification Laws," NORML, April 5, 2023. Available at: <https://norml.org/blog/2023/04/05/study-licensed-cannabis-retailers-are-strictly-complying-with-id-verification-laws>

<sup>24</sup> "Impacts on Marijuana Legalization in Colorado", Colorado Division of Criminal Justice, 2021. P. 4.

<sup>25</sup> "How Many Jobs Depend on Legal Cannabis in 2017? We Did the Math" Leafly, Jan. 5, 2017 (estimates 2,295 cannabis jobs in 2016, pre-legalization); "Jobs Report 2024 Positive growth returns" Vangst (estimates 12,825 cannabis jobs in Nevada in 2023, that is a net increase of 10,530 since 2016); Hawai'i's population plus average daily visitors is half of Nevada's (1.67 million, compared to Nevada's 3.324 million).

<sup>26</sup> <https://www.staradvertiser.com/2023/10/08/editorial/island-voices/column-legalizing-marijuana-will-cause-harm/>

<sup>27</sup> "Colorado Tourism Sets All-Time Records for Sixth Consecutive Year," Colorado.com June 28, 2017.

<https://www.colorado.com/news/colorado-tourism-sets-all-time-records-sixth-consecutive-year>

<sup>28</sup> See: Jason Blevins | "Marijuana has huge influence on Colorado tourism, state survey says," The Denver Post, Oct. 2 2016.

began, in 2019, tourism to California hit a record.<sup>29</sup> Tourism crashed during COVID shutdowns, but tourism to California has rebounded since then and hit a new record in 2023 and again in 2024. While tourism from Japan to California has not fully rebounded post-COVID, Visit California data shows tourism from Japan *increased* in 2016 and 2019.<sup>30</sup>

In reality, Hawai'i is likely already missing out on tourists due to its policy of prohibition. Twenty-three percent of Americans adults admit to having used cannabis in the past year,<sup>31</sup> and 15% of adults 26 and older use cannabis at least monthly.<sup>32</sup> Just as most people who enjoy alcohol wouldn't want to vacation in a dry county, many cannabis consumers factor in the legal status when deciding where to travel. This is particularly the case since survey data shows that for most cannabis consumers.

## **VI. Suggested amendments**

We recommend several amendments to SB 3275, and offer text for them as the Appendix.

### **A. Licensing requirements and modest fees**

SB 3275 legalizes the sale of low-dose and low-potency cannabis by adults 21 and older, but does not provide for any licensing for commercial cultivation, production, and sales. Responsible regulation should include reasonable fees and licensing. Then, licenses can be revoked — and not reissued to offending parties in case of serious or repeated violations.

One option would be to start with allowing liquor licensees to sell THC-infused beverages, and medical cannabis licensees to sell “low potency” cannabis, and providing for wider licensing as soon as the regulatory authority is ready to do so.

### **B. Rulemaking**

SB 3275 legalizes the sale of “low potency” cannabis by adults 21 and older, but does not include regulations on commercial cultivation, production, and sales — apart from the five milligram per serving limit. This is particularly striking since SB 3275 gives the Department of Commerce and Consumer Affairs the power to craft rules

---

<sup>29</sup>[www.gov.ca.gov/2024/05/05/at-the-top-of-the-golden-gate-bridge-governor-newsom-announces-tourism-spending-hit-an-all-time-high-in-california/](https://www.gov.ca.gov/2024/05/05/at-the-top-of-the-golden-gate-bridge-governor-newsom-announces-tourism-spending-hit-an-all-time-high-in-california/)

<sup>30</sup> “California Travel-Related Spend & Visitation Forecast,” Visit California. (There were 537,000 visits from Japan to California in 2016, the year when California legalized — in November. That figure increased to 559,000 in 2019. Beginning in 2020, tourism crashed due to COVID. It is slowly rebounding. To access the data, click on “download report (XLS).” Unhide columns C-M. The data is row 21-5) Accessed Jan. 2, 2025.

<sup>31</sup> “Population Statistics Report: Marijuana Use or Opioid Misuse in the Past Year,” NSDUH, Sept. 2025

<sup>32</sup> “Key Substance Use and Mental Health Indicators in the United States, Results from the 2024” National Survey on Drug Use and Health, July 2025, p. 7.

for personal home cultivation. A regulatory authority, such as an Hawai'i Cannabis and Hemp Office envisioned by SB 2421, should craft responsible health and safety regulations, including:

- approving laboratories to test cannabis
- requirements for random sample testing to ensure quality control, standards for the operation of cannabis testing facilities
- safety regulations, including requirements for volatile extractions; further no one without the endorsement should be allowed to perform hazardous extractions
- security requirements, such as video surveillance and fencing around cultivation
- mandated training for those selling to adult-use consumers
- labeling requirements, including warnings and inclusion of a universal cannabinoid product symbol
- packaging rules, including forbidding products and packaging that appeals to minors (including cartoons, toys, animals, or children, and any other likeness to images, characters, or phrases that are popularly used to advertise to children)
- restrictions on advertising, including prohibition on mass-market campaigns that have a high likelihood of reaching minors

### **C. Revising the limit for raw and inhaled cannabis**

The bill allows “Five milligrams of tetrahydrocannabinol per serving, as defined by the department by rule.” It does not specify what department would craft this rule. This should be a Hawai'i Cannabis and Hemp Office, as envisioned by SB 2421.

Absorption varies dramatically based on the mode of administration of cannabis, and far more THC is needed for the same effect for inhaled cannabis.<sup>33</sup> A five milligram per serving limit is far too low for smoke, raw cannabis. A joint typically weighs between one-third and one gram. Commercially sold cannabis is typically 20-30% THC. That means that a half-gram joint at 25% THC would have 125 milligrams, and would be 25 servings. In reality, a joint is 1-5 servings, depending if the person smoking is a regulator consumer or not.

We don't endorse THC caps on flower since they require individuals with tolerance to smoke more for the same total dosage. This increases the risk of bronchitis and respiratory issues. However, if the bill's goal is to allow only lower potency cannabis,

---

<sup>33</sup> Lucas CJ, Galettis P, Schneider J. The pharmacokinetics and the pharmacodynamics of cannabinoids. *Br J Clin Pharmacol*. 2018 Nov;84(11):2477-2482. doi: 10.1111/bcp.13710. Epub 2018 Aug 7. PMID: 30001569; PMCID: PMC6177698.

instead of imposing an unrealistic 5 milligram serving limit on flower, it could instead cap flower at 30% as Connecticut, Ohio, and Vermont have done.

#### **D. Avoiding blanket revocation of parole, probation, and pre-trial release**

SB 3275 should provide that parole, probation, and pretrial release cannot be revoked for testing positive for cannabis, unless the person was ordered to abstain based on an individualized finding that their use of cannabis could create a danger to themselves or others. After legalization, there should not be a blanket condition on release requiring abstention from a plant that is legal and beneficial to many.

#### **E. Possession limits**

SB 3275 includes blanks for possession limits. We recommend allowing at least 2.5 ounces of cannabis and products with no more than 2,500 milligrams of THC outside of one's home. At home, adults should be allowed at least six plants (or 12 per household), and at least one pound of harvested cannabis.

#### **F. Union workers deserve the same rights as unorganized labor**

We were glad to see legal protections to prevent state and local government employees from being fired for using cannabis in their spare time, as long as they are not impaired at work and federal law or funding does not require otherwise.

However, the provision includes an alarming exception — for collective bargained agreements. Any government worker covered by a preexisting or future collective bargaining agreement that allows discipline for a positive test for cannabis would continue to face the possibility of being fired for using cannabis in their free time, while their non-union workers have more protections. It is profoundly concerning to see union workers be given fewer rights than their counterparts. This exception needs to be deleted.

#### **G. Unspecified violations could have excessive penalties**

SB 3275 includes numerous behaviors by cannabis consumers that are not allowed, including transporting cannabis if it is not in a sealed container, and having cannabis plants open to public view. However, it does not specify the penalty, meaning the penalty would likely be the penalty for illegal cultivation or possession of cannabis, which can carry serious jail time. The bill should include a modest civil fine to avoid this unjust result.

## VII. Concluding thoughts

While cannabis is not risk-free, it is far less dangerous than alcohol, tobacco, and some medications. Hawai'i should treat adults like grown ups who are allowed to make their own decisions about the plant. However, it should also provide for responsible regulation, which is important to protect consumers against solvents, additives, hazardous pesticides, and packaging that appeals to minors.

While states have revised some laws to try to keep up with best practices, no cannabis legalization law has been repealed. That's because they enjoy strong popular support, which increases post-legalization.<sup>34</sup>

We hope you will amend and advance SB 3275.

Mahalo for your time and consideration. Please don't hesitate to reach out if I can answer any questions.

Sincerely,

A handwritten signature in cursive script that reads "Karen O'Keefe".

Karen O'Keefe  
Director of State Policies  
Marijuana Policy Project  
202-905-2012  
kokeefe@mpp.org

---

<sup>34</sup> For the polling, see:  
<https://www.mpp.org/issues/legalization/polls-show-overwhelming-support-for-legalizing-cannabis/>

## Appendix Suggested Amendment Language

### A & B. Licensing and regulation and modest fees

#### 1. Add to § -1 Definitions.

“Cannabis establishment” means a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, a retail cannabis vendor, or any other type of cannabis business authorized and registered by the office to sell, manufacture, or test low-dose and low-potency cannabis for adults 21 years of age and older. “Cannabis establishment” includes a medical cannabis dispensary licensed under 329D, provided the dispensary complies with any application and licensing requirements and pays all required fees.

“Office” means the Hawaii cannabis and hemp office established pursuant to section A-14.

#### 2. Revise the opening language of § -11 (a) to

(a) Notwithstanding any other provision of law to the contrary, except as limited by this chapter, beginning January 1, 2027, it shall be lawful for a cannabis establishment and persons who are at least twenty-one years of age and working in their capacity as an agent of a cannabis establishment to:

#### 3. Create a new section, § -14, based heavily on provisions from SB 2421.

A-14 Hawaii cannabis and hemp office; established. (a) There shall be established the Hawaii cannabis and hemp office, which shall be a public body corporate and politic and an instrumentality and agency of the State for the purpose of implementing this chapter. The office shall be placed within the Department of Commerce and Consumer Affairs for administrative purposes only. The Department of Commerce and Consumer Affairs shall not direct or exert authority over the day-to-day operations or functions of the office.

(b) The office shall exercise its authority by and through the administrator who shall have expertise and training in the field of cannabis regulation or public health administration. The administrator shall be nominated and, by and with the advice and consent of the senate, appointed by the governor. The administrator shall be exempt from chapter 76 and shall serve at the pleasure of the governor. The term of the administrator shall be coterminous with the term of the governor.

§A-12 Hawaii cannabis and hemp office; powers and duties. (a) The office shall have the following powers and duties as provided for in this chapter to:

(1) Sue and be sued;

(2) Adopt a seal;

(3) Administer oaths and affirmations;

(4) Establish and amend a plan of organization that the office considers expedient;

(5) Adopt rules, which shall have the force and effect of law; provided that unless otherwise specified in this chapter, the rules shall be adopted pursuant to chapter 91;

(6) Oversee the medical cannabis program created by chapters 329 and 329D;

(7) Oversee the hemp registration and rulemaking outlined in chapter 328G;

(8) Establish a procedure by which low-dose and low-potency cannabis licenses or permits are awarded pursuant to this chapter;

(9) Approve or deny applications, including renewal applications and change in ownership applications, for low-dose and low-potency cannabis licenses or permits, including for cultivation facilities, cannabis testing facilities, cannabis product manufacturing facilities, and retail cannabis vendors;

(10) Revoke or suspend for cause any license, permit, or registration issued under this chapter, chapter 329D, or chapter 328G;

(11) Create a system whereby a licensed business can verify the status of other licensed businesses;

(12) Set, charge, impose, and collect fees, fines, and civil penalties as authorized by this chapter or rules adopted pursuant to this chapter; provided that all fees, fines, and civil penalties received by the office shall be deposited into the cannabis regulation and enforcement special fund;

(13) Develop forms, licenses, identification cards, and applications as are necessary or convenient in the discretion of the administrator for the administration of this chapter or rules adopted pursuant to this chapter;

(14) Investigate violations of this chapter, chapter 329D, and chapter 328G and, notwithstanding any law to the contrary, violations of chapter 322 or 342F that are related to cultivation, processing, distribution, sales, dispensing, consumption, possession, or use of cannabis or hemp, including covert operations, and refer criminal violations to the proper state, or local authorities for prosecution as appropriate.

(15) Gather facts and information applicable to the office's obligation to investigate applicants or licensed businesses for:

(A) A violation of this chapter or any rules adopted pursuant to this chapter;  
or

(B) A wilful violation of an order of the office;

(16) Seize and remove from the licensed premises of a licensed business any cannabis, low-dose and low-potency cannabis, hemp, equipment, supplies, documents, or records obtained or possessed in violation of this chapter for the purpose of examination and inspection;

(17) For cause, demand and be granted access to all books, papers, and records of licensed businesses for the purposes of audit, examination, inspection, and photocopying; provided that the audit, examination, inspection, and photocopying may take place on the licensed business's licensed premises or elsewhere as practicable and in the presence of the licensed business or its agent;

(18) Establish additional restrictions, requirements, or conditions, consistent with those prescribed in this chapter, chapter 329D, and chapter 328G relating to the standards and requirements for cultivating, processing, packaging, advertising, distributing, or dispensing cannabis, low-dose and low-potency cannabis, or hemp, including the ability to regulate ingredients, and the types, forms, potency, and concentration of cannabis products or hemp extract products that may be processed or sold, to ensure the health and safety of the public and the use of proper ingredients and methods in the processing of all cannabis and hemp to be sold or consumed in the State and to ensure that cannabis products and hemp extract products are not packaged, marketed, or otherwise sold in a way that targets minors or promotes excessive use of cannabis or cannabis use disorders;

(19) Conduct hearings as required by law pursuant to chapter 91; provided that the office may examine witnesses and take testimony, receive and determine the relevance of evidence, issue subpoenas, regulate the course and conduct of the hearing, and make a final ruling;

(20) Appoint hearings officers to conduct hearings as provided by law and under conditions that the office shall establish by rules. Each hearings officer shall

be deemed to be an agent of the office with all powers associated with that designation;

(21) Develop and maintain a seed-to-sale tracking system;

(22) Administer and manage a state cannabis testing facility;

(23) Recommend changes to improve the administration of this chapter relating to the regulation of hemp, medical cannabis, and low-potency cannabis;

(24) Exercise the powers and perform the duties in relation to the administration of the office as necessary but not specifically vested by this chapter, including budgetary and fiscal matters; and

(25) Coordinate with state and county law enforcement agencies to effectuate the purposes of this chapter.

§A-13 Administrator; powers and duties. The administrator shall have the following powers and duties as provided for in this chapter to:

(1) Exercise the powers and perform the duties in relation to the administration of the office;

(2) Execute all instruments necessary or convenient for accomplishing the purposes of this chapter;

(3) Enter into agreements or other transactions with a person, including a public entity or other governmental instrumentality or governmental authority in connection with its powers and duties under this chapter;

(4) Employ, subject to chapter 76, officers and employees, permanent and temporary, as required;

(5) Apply for and accept, on behalf of the office, advances, contributions, grants, and loans of money or property, or other things of value from any source, to be held, used, and applied for the office's purposes;

(6) Provide and pay for advisory services and technical assistance as may be necessary in the administrator's judgment to carry out this chapter as provided by law;

(7) Be present, through the office's inspectors and agents, at any time, at the licensed premises of a licensed business for the purposes of exercising the office's regulatory responsibilities or inspecting the licensed premises and all equipment and supplies located at the licensed premises;

(8) Delegate the powers provided in this section to other officers, contractors, or employees of the office as may be deemed appropriate by the administrator; and

(9) Delegate powers and duties of the administrator to other state or county departments or agencies pursuant to memoranda of agreement for the purposes of implementing the provisions of this chapter related to administration, investigation, inspection, fee collection, document management, education and outreach, distribution of individual licenses approved by the office, and technical assistance pertaining to the cultivation of cannabis.

§A-14 Administrative rules; authority. (a) No later than December 31, 2027, the office shall adopt interim rules, which shall be exempt from chapters 91 and 201M, to effectuate the purposes of this chapter; provided that the interim rules shall remain in effect until December 31, 2032, or until rules are adopted pursuant to subsection (c), whichever occurs sooner.

(b) The office may amend the interim rules to effectuate the purposes of this chapter, and the amendments shall be exempt from chapters 91 and 201M; provided that any amended interim rules shall remain in effect until December 31, 2032, or until rules are adopted pursuant to subsection (c), whichever occurs sooner.

(c) No later than December 31, 2032, the office shall adopt rules pursuant to chapter 91 to effectuate the purposes of this chapter.

§A-15 Administrative rules; mandatory. (a) The rules adopted pursuant to section A-14 shall include:

(1) Procedures for applications that an applicant for a license, permit, or registration must follow and complete before consideration by the office;

(2) A schedule of reasonable fees, including application, license, permit, endorsement, registration, and renewal fees, in amounts necessary to pay for all regulation and enforcement costs of the office; provided that fees may be relative to the volume of business conducted or to be conducted by the licensed business;

(3) Qualifications for licensure or permitting and minimum standards for employment that are directly and demonstrably related to the operation of a licensed business;

(4) Procedures and policies to promote and encourage full participation in the regulated cannabis industry by people from disproportionately impacted areas;

(5) Requirements for licensure, permitting, and registration, including updating and renewing licensure, permitting, and registration;

(6) Procedures and grounds for penalties for violation of this chapter, including the administrative hold, suspension, or revocation of a license, permit, or registration;

(7) Requirements for recordkeeping by a licensed business, including the keeping of books, financial records, statements, or other records of a licensed business;

(8) Requirements and procedures to track cannabis cultivated, processed, transported, delivered, distributed, dispensed, tested, sold, or destroyed by licensed businesses;

(9) Security requirements for a licensed business sufficient to deter and prevent theft and unauthorized entrance into restricted areas containing cannabis, which shall include the use of security cameras; provided that the requirements shall not prohibit the cultivation of cannabis outdoors or in greenhouses;

(10) Health and safety standards, including

(i) standards regarding sanitation for the preparation, storage, handling, and sale of edible low-dose and low-potency cannabis products and compliance with chapter 321 and health inspections by the department of health;

(ii) Standards for the extraction of cannabis and hemp and manufacture of cannabis and hemp products, including requiring an endorsement for volatile extractions;

(iii) Restrictions or prohibitions on additives to cannabis and hemp and cannabis-infused products, including but not limited to those that are toxic or designed to make the product more addictive;

(iv) Standards for the operation of cannabis testing facilities, including requirements for equipment and qualifications for personnel;

(vi) Procedures and notices relating to all recalls of any products.

(11) Requirements for random sample testing to ensure quality control, including by ensuring that cannabis and cannabis-infused products are accurately labeled for potency. Unless the office determines that remediation or treatment are sufficient to ensure product safety, the testing analysis must include testing for residual solvents, poisons, or toxins; harmful chemicals; dangerous molds or mildew; filth; and harmful microbials such as E. coli or salmonella and pesticides;

(12) Regulations on advertising, marketing, and signage including, but not limited to:

(i) a prohibition on mass-market campaigns that have a high likelihood of reaching minors; and

(ii) a prohibition on cannabis products that are named, packaged, marketed, or designed in a way that mimics or is likely to cause confusion with commercially available, trademarked non-cannabis products, including relating to their logos, the sound of the product or brand, packaging, taste, appearance, and commercial impression.

(13) Procedures and policies, in consultation with the Department of Agriculture, to promote and encourage full participation in the regulated low-dose and low-potency cannabis industry by legacy growers and farmers and agricultural businesses, with emphasis on promoting small farms, diversified agriculture, and indigenous farming practices;

(14) Requirements for the safe disposal of excess, contaminated, adulterated, or deteriorated cannabis and hemp;

(15) Requirements for a process allowing the administrator to order a prohibition on the sale of cannabis found to be detrimental to health or especially appealing to persons under the age of twenty-one;

(16) Requirements for a process allowing a cannabis business to voluntarily submit a cannabis product, its packaging, and intended marketing to the office for review of whether the cannabis product is especially appealing to persons under the age of twenty-one;

(18) Prohibitions or restrictions on the use of a synthetic cannabinoid or artificially derived cannabinoid in any cannabis product or hemp product.

(b) For the purposes of this section:

"Artificially derived cannabinoid" means a chemical substance created by a chemical reaction that changes the molecular structure of any chemical substance derived from the plant of the genus Cannabis. "Artificially derived cannabinoid" does not include:

(1) A naturally occurring chemical substance that is separated from the plant of the genus Cannabis by a chemical or mechanical extraction process; or

(2) Cannabinoids that are produced by decarboxylation from naturally occurring cannabinoid acid without the use of a chemical catalyst.

"Synthetic cannabinoid" means a cannabinoid that is:

(1) Produced artificially, whether from chemicals or from recombinant biological agents, including yeast and algae; and

(2) Not derived from the plant of the genus Cannabis, including biosynthetic cannabinoids.

§A-16 Cannabis regulation and enforcement special fund; established. (a) There shall be established in the treasury of the State the cannabis regulation and enforcement special fund to cover the costs of:

(1) The operations of the office; and

(2) Implementing, administering, and enforcing this chapter.

(b) The following shall be deposited into the cannabis regulation and enforcement special fund:

(1) Fees, fines, and civil penalties received pursuant to this chapter and rules adopted pursuant to this chapter;

(2) Appropriations made by the legislature to the special fund;

(3) Interest earned or accrued on moneys in the special fund; and

(4) Contributions, grants, endowments, or gifts in cash or otherwise from any source.

## **5. Add a new section 6 and renumber what is now 6 to 7.**

All functions of the Department of Health Office of Medical Cannabis Control and Regulation shall be transferred to the Hawaii Cannabis and Hemp Office.

All employees who occupy civil service positions and whose functions are transferred by this Act shall retain their civil service status, whether permanent or temporary. Employees shall be transferred without loss of salary, seniority (except as prescribed by collective bargaining agreements), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws and this Act; provided that the employees possess the minimum qualifications and public employment requirements for the class or position to which transferred or appointed, as applicable; provided further that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

Any employee who, before this Act, is exempt from civil service and is transferred as a consequence of this Act may continue to retain the employee's exempt status, but shall

not be appointed to a civil service position because of this Act. An exempt employee who is transferred by this Act shall not suffer any loss of prior service credit, any vacation and sick leave credits previously earned, or other employee benefits or privileges as a consequence of this Act; provided that the employee possesses legal and public employment requirements for the position to which transferred or appointed, as applicable; provided further that subsequent changes in status may be made pursuant to applicable employment and compensation laws. The Hawaii cannabis and hemp office to which the employee is transferred may prescribe the duties and qualifications of the employees and fix their salaries without regard to chapter 76, Hawaii Revised Statutes.

## **B. Revising the limit for raw and inhaled cannabis.**

### **In -1 Definitions change "Low-dose and low-potency cannabis" to:**

"Low-dose and low-potency cannabis" means cannabis that:

(1) May be legally possessed or consumed by a person who is at least twenty-one years of age pursuant to this chapter; and

(2) Contains not more than:

(A) **If cannabis is sold in edible form, five** milligrams of tetrahydrocannabinol per serving;

(B) If **cannabis is sold** in liquid form, five milligrams of tetrahydrocannabinol per twelve ounces, **or**

**(C) If cannabis is sold in raw, botanical, or flower form, no more than 30% of its content may be tetrahydrocannabinol or tetrahydrocannabinolic acid.**

## **C. Avoiding blanket revocation of parole, probation, and pre-trial release.**

Add to § -11:

**(g) Notwithstanding any other provision of law, unless there is a specific finding that the individual's use, cultivation, or possession of cannabis could create a danger to the individual or another person, it shall not be a condition of release from parole, probation, or pre-trial detention to:**

**(1) abstain from conduct allowed by this chapter; or**

**(2) test negative for cannabis, tetrahydrocannabinol, or any other cannabinoid or metabolite of cannabis.**

**D. Possession limits**

Fill in the blanks to allow adults to possess up to 2.5 ounces of cannabis products with a total of 2,500 milligrams of THC outside of one's home. At home, adults should be allowed at least six plants (or 12 per household), and at least one pound of harvested cannabis.

**E. Union workers deserve the same rights as unorganized labor.**

In § -11 (f) (1). strike "or in accordance with the applicable collective bargaining agreement; or" to read:

(1) Conducting drug testing and using the results of those tests for the discipline of an employee if the testing is done to comply with federal requirements; or

**F. Unspecified violations could have excessive penalties**

**Add to § -11**

**(c) Any person violating this section shall be guilty of a violation and shall be fined no more than \$130. A person found responsible for a violation under this section may request, and shall be granted, a penalty of up to ten hours of community service in lieu of a fine.**

**Add to § -12**

**(h) Any person violating (c) or (d) section shall be guilty of a violation and shall be fined no more than \$500, and forfeiture of the plants. A person found responsible for a violation under this section may request, and shall be granted, a penalty of up to 30 hours of community service in lieu of a fine.**



**TESTIMONY OF TINA YAMAKI, MANAGING DIRECTOR  
HAWAII TRANSPORTATION ASSOCIATION  
FEBRUARY 17, 2026  
SB 3275 RELATING TO CANNIBIS**

Aloha Chair San Buenaventura and Chair Keohokalole and members of the Senate Committee on Health and Human Services and the Senate Committee on Commerce and Consumer Protection. I am Tina Yamaki, Managing Director of the Hawaii Transportation Association and I appreciate this opportunity to testify.

The Hawaii Transportation Association (HTA Hawaii) was founded in 1938 and incorporated in 1963, and is a private, non-profit trade organization dedicated to the service and assistance to the commercial ground transportation industry in the State of Hawaii. Our members include family owned small and medium sized businesses, independent owner operators, and national motor carriers range from delivery services to passenger carriers - as well as allied industry partners.

HTA Hawaii strongly opposes SB 3275. This measure beginning January 1, 2027, legalizes the cultivation, sale, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use by persons over the age of twenty-one; legalizes cannabis accessories; legalizes the cultivation of low-dose and low-potency cannabis for personal adult use; and requires the Department of Commerce and Consumer Affairs to adopt rules to effectuate the legalization of low-dose and low-potency cannabis.

Hawaii's economy depends heavily on tourism. Legalizing cannabis—even “low-dose/low-potency”—creates real risks to traveler perception and visitation.

Officials and Japanese travel industry representatives have publicly expressed concerns that legal recreational cannabis would discourage visitors from Japan, where marijuana is illegal and culturally stigmatized. A decline in Japanese tourism alone could translate into lower airline bookings, affecting Oahu, Maui, Kauai, and Hawai'i Island; reduced hotel occupancy; fewer excursions and ground transportation bookings; and job losses in the transportation, hospitality, food service, and rental services. Unlike economic models that project modest tax revenue, the loss of outbound tourism dollars could exceed cannabis tax collections, because Japan is one of Hawaii's top markets by volume and spending and Japanese travelers often book full-service itineraries and are high-value consumers. These losses would disproportionately harm small businesses, tourism operators, and transportation providers statewide.

Cannabis tax revenue in other states provides headline numbers but deeper context matters: In major legal states like California, Colorado, and Washington, cannabis tax collections frequently amount to less than 1%–1.5% of total state revenue. Even in peak years, cannabis taxes are not a dependable or large budget solution. Costs associated with enforcement, health services, public education, and impaired driving response offset revenue gains. Furthermore, cannabis legalization does not yield transformative fiscal benefit when compared with the broader needs of the state budget.

Commercial operators from tourism to transportation to manufacturing face workplace safety and compliance challenges. Federal law still classifies cannabis as a Schedule I controlled substance, meaning workplace drug testing can result in employee disqualification regardless of state legalization. Commercial drivers and safety-sensitive workers must meet federal drug standards and employers incur additional costs for testing, training, compliance, and liability management. In transportation and service sectors, these added burdens increase operational complexity and raise insurance premiums. These increased operational costs would be passed down to their clients who would pass it down to the consumer making Hawaii AN even more expensive place to live.

This measure requires the Department of Commerce and Consumer Affairs to develop and implement rules for the adult-use cannabis market. This potentially entails hiring regulators and inspectors; building tracking and reporting systems; developing compliance frameworks; conducting extensive public outreach; and enforcing new laws and penalties. These administrative costs will consume a sizable portion of early tax revenues. Additionally, regulatory complexity opens avenues for illicit market persistence if licensing and enforcement are not sufficiently robust.

This measure frames legalization around “low-dose/low-potency” products. However, there is no scientifically reliable roadside test for cannabis impairment that we are aware of; THC levels do not correlate consistently with impairment in

the way blood alcohol levels do; and even low-potency cannabis can affect motor coordination, reaction time, perception, and judgment. States that legalized recreational cannabis have seen an increase in cannabis-involved traffic fatalities; higher rates of drug-impaired driving citations as enforcement improves; and law enforcement resource strain due to difficulty distinguishing between recent use and impairment. These outcomes are observed even when legalization policies emphasize lower potency, because impairment does not neatly track THC concentration.

Even “low dose” products are not without health risk. Cannabis use disorders occur in approximately 10% of adult users and can become more common when access is normalized. Adolescents are especially vulnerable to long-term cognitive effects and increased substance use. Emergency department visits related to cannabis overconsumption (especially edibles) have increased in legal states. Furthermore, legalization tends to increase perceived safety of cannabis, reduce deterrence among younger populations; and normalize frequent use. These patterns translate into actual costs for treatment, education, and workforce productivity.

For these reasons we urge you to defer this measure.

Mahalo for this opportunity to testify.

**SB-3275**

Submitted on: 2/16/2026 9:22:04 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By                     | Organization   | Testifier Position | Testify              |
|----------------------------------|--|--------------------|----------------------|
| Shelby "Pikachuy"<br>Billionaire | Testifying for Kingdom of<br>The Hawaiian Islands &<br>Ohana Unity Party | Support            | Remotely Via<br>Zoom |

Comments:

**\*\*Testimony in Strong Support of SB3275 – Relating to Cannabis (Low-Dose and Low-Potency Cannabis Legalization)\*\***

Aloha kakou, Chair and Members of the Committee,

I am Master Shelby "Pikachu" Billionaire, HRM, Kingdom of The Hawaiian Islands, H.I., Chairman of the Ohana Unity Party. Aloha nui loa from the heart of our islands, where we live guided by the enduring spirit of **\*\*aloha\*\***—love, compassion, mercy, kindness, and grace—and where **\*\*‘ohana\*\*** means we protect and uplift every member, never turning away from those in need, as the ‘ōlelo no‘eau wisely teaches: \*‘Ike aku, ‘ike mai. Kōkua aku, kōkua mai. Pēlā ka nohona ‘ohana.\* “Observe others, be observed. Help others, be helped. That is the way of family life.”

Today, I stand in full, enthusiastic support of SB3275, urging its passage to bring responsible, limited legalization of low-dose and low-potency cannabis for personal adult use, while safeguarding our keiki, kupuna, and communities with common-sense rules. This thoughtful bill adds a new chapter to the Hawaii Revised Statutes, legalizing—from January 1, 2027—the cultivation, sale, processing, purchasing, possession, transport, and use of **\*\*low-dose and low-potency cannabis\*\*** (defined as ≤5 mg THC per serving, or per 12 ounces if liquid) for adults 21 and older. It also legalizes cannabis accessories and directs the Department of Commerce and Consumer Affairs (DCCA) to adopt rules under chapter 91 for implementation, including restrictions on personal cultivation to prevent illicit activity.

Key authorized conduct includes personal cultivation of a limited number of plants in private residences (secured, not publicly visible, inaccessible to under-21s), possession and storage limits, child-resistant sealed packaging for products, no public consumption or visible transport, and strong protections: no disqualification from medical care (unless risk-based), no automatic denial of custody/visitation/parenting rights (unless proven danger to a child), and no employment discipline solely for compliant use or cannabinoid presence (with exceptions for federal requirements or impairment). In our Hawaiian way, we know **\*\*ua ola loko i ke aloha\*\***—“love gives life within”—and that true progress comes from reducing harm, fostering justice, and mālama our people.

Current laws criminalize adults for possessing small amounts of a natural herb now federally recognized as Schedule III with medical value, fueling black markets that undermine safety and divert resources from real threats like fentanyl and meth. SB3275 offers a balanced, incremental approach: it focuses on **low-dose/low-potency** products to minimize risks (especially to youth), excludes high-potency forms and medical cannabis (preserving the existing program), maintains prohibitions on use in schools, child care facilities, vehicles, and public spaces, respects private property rights (landlords/associations can prohibit), and includes affirmative defenses for compliant actions against marijuana prosecutions.

This is not full recreational legalization—it's a cautious step forward that prioritizes public health, child protection, and **kuleana** to our 'ohana. By legalizing low-dose options responsibly, we can shrink illicit markets, reduce unnecessary arrests for minor possession, provide adults safe access to a regulated product, and align with evolving federal views—all while upholding strict safeguards. Hawaii can lead with wisdom, showing the nation how to modernize laws with aloha 'āina and aloha kekahi i kekahi—"love one another." **In closing**, with deepest aloha and a call to mālama our 'ohana by embracing sensible reform,

I respectfully ask the Committee to pass SB3275 without delay. Key reasons include: **- Targeted legalization** of low-dose/low-potency cannabis ( $\leq 5$  mg THC per serving) for adults 21+ starting January 1, 2027—allowing possession, use, transport, sale, and personal cultivation in limited, secure home settings while excluding high-potency products and medical cannabis. - Strong child and public safety protections: child-resistant packaging, no public/visible consumption, no use in schools/child care/vehicles, secured cultivation, and landlord rights to prohibit—prioritizing **mālama** for our keiki.

- Meaningful safeguards for families and workers: no automatic loss of custody/visitation/parenting rights (unless danger proven), no employment penalties for compliant use or presence (with impairment/federal exceptions), and no denial of medical care without risk assessment. - DCCA rule-making authority to implement restrictions, prevent illicit diversion, and ensure smooth, accountable rollout—embodying **kuleana** and transparency. - True embodiment of Hawaiian values: **aloha**, **'ohana**, **mālama**, and **kōkua aku, kōkua mai**—reducing harm from outdated prohibition, promoting justice and safety, and showing Hawaii leads with heart, caution, and wisdom.

Mahalo nui loa for your kuleana in this important work. I am available for any questions and urge you to pass SB3275—let us move forward with aloha in action, protecting our people while honoring progress.

Master Shelby "Pikachu" Billionaire, HRM Kingdom of The Hawaiian Islands, H.I. Ohana Unity Party, Chairman [www.Ohanaunityparty.com](http://www.Ohanaunityparty.com) [Presidentbillionaire@gmail.com](mailto:Presidentbillionaire@gmail.com)

*Dedicated to safe, responsible, humane, and effective drug policies since 1993*

## **TESTIMONY SUPPORTING SB 3275, WITH AMENDMENTS**

TO: Chair Keohokalole, Vice Chair Fukunaga, and CPN Committee  
Chair San Buenaventura, Vice Chair McKelvey, and HHS Committee

FROM: Nikos Leverenz, DPFH Board President

DATE: February 17, 2026 (9:45 A.M.)

---

Drug Policy Forum of Hawai'i (DPFH) **supports** SB 3275, which legalizes the cultivation, sale, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use by persons over the age of twenty-one; legalizes cannabis accessories; legalizes the cultivation of low-dose and low-potency cannabis for personal adult use; and requires the Department of Commerce and Consumer Affairs to adopt rules to effectuate the legalization of low-dose and low-potency cannabis.

This bill would legalize the sale of “low-dose and low-potency cannabis” products with up to five milligrams of THC per serving to adults 21 and older. For beverages, it allows up to five milligrams per 12 ounces. For edibles and flower, an unspecified department would determine what constitutes a serving.

While this bill moves the state in the right direction away from cannabis prohibition, we join the Hawai'i Alliance for Cannabis Reform in urging amendments to regulate and license cannabis sales so that consumers can access products that are safe, tested, and of the composition and potency pursuant to its labeling.

DPFH also supports sensible regulations to better ensure the participation of legacy growers and those from under resourced rural communities. Regulations should also provide canopy caps to forestall prospective cartelization and monopolization and cultivate a craft cannabis industry that can offer quality products to consumers.

Since 1993 DPFH has advanced public discussions and policy changes around Hawai'i's drug polices, which continue to advance severe criminal penalties and extended periods of criminal

legal supervision. DPFH also supports policy changes around substance use and behavioral health issues that are anchored in harm reduction, public health, and human rights. These changes include broader access to community-based behavioral health treatment, the repeal of cannabis prohibition in favor of rational regulation, reducing the severity of sentencing laws, prosecutorial practices, penological practices, and criminal legal supervision, and advancing other changes to laws and policies that reduce the impact of the criminal legal system on individuals and families from under-resourced communities.

Mahalo for the opportunity to provide testimony.



## **SB3275 Legalize Low Dose Cannabis**

### COMMITTEE ON HEALTH AND HUMAN SERVICES

Sen. Joy San Buenaventura, Chair

Sen. Angus McKelvey, Vice Chair

### COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Sen. Jarrett Keohokalole, Chair

Sen. Carol Fukunaga, Vice Chair

Tuesday, Feb 17, 2026: 9:45: Room 229 Videoconference

## **Hina Mauka Comments to Oppose SB3275.**

*ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Brian Baker. I am the President and CEO for Hina Mauka, a mental health and substance use disorder treatment and prevention agency for thousands of adults and adolescents on Oahu and Kauai, including recovery-oriented services and housing transitional living programs.*

Hina Mauka does not support cannabis legalization. We believe the State must first address the existing and well-documented youth cannabis crisis before expanding legal access in any form. Unfortunately, **SB3275 does not include dedicated, ongoing funding for evidence-based youth prevention, early intervention, or adolescent treatment capacity.**

Legalization without built-in public health infrastructure shifts predictable costs onto schools, families, healthcare systems, and community organizations that are already strained, as well as putting our keiki at risk.

**The bill's "low-dose" framework does not eliminate risk to youth.** In fact, it does precisely the opposite. Broader adult access increases availability in homes, heightens diversion risk, and **further reduces perceived harm among minors.** Without strict statutory definitions, testing standards, marketing restrictions, and enforcement funding, loopholes are inevitable.

Mahalo for the opportunity to submit testimony.

**SB-3275**

Submitted on: 2/14/2026 2:15:47 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By    | Organization                     | Testifier Position | Testify                |
|-----------------|----------------------------------|--------------------|------------------------|
| Cindy R Ajimine | Testifying for One Impact Hawaii | Oppose             | Written Testimony Only |

Comments:

Honorable Committee Chairs and Members:

I am a life-long, 3rd generation Hawaii resident & voting constituent. I am a former pot user & have counseled & assisted people who have moved to stronger drugs & are now struggling with the social & economic ramifications of abuse & addiction.

I **STRONGLY OPPOSE** passage of this bill.

1. This bill expands use to general adult consumption **without clear safeguards addressing youth access, impaired driving, mental health impacts, or public health costs**. Hawaii already allows medical marijuana. This bill is **NOT a Hawaii voter priority**.
2. **"Low potency" does not mean low risk**. The bill defines low-dose cannabis as up to 5 mg THC per serving, but cumulative consumption can still create impairment. Packaging limits do NOT prevent overuse, especially with edibles & those struggling with addictive tendencies.
3. The bill limits consequences for cannabis use in areas like **employment & custody disputes, potentially creating conflicts with employers, landlords, & federal law**. The Dept. of Commerce & Consumer Affairs would be required to build an entirely new regulatory system, **adding costs \$\$\$** and administrative complexity without clear revenue guarantees.

Thank you very much & I beg you to listen to the voice of the people who are vested in future generations & our island culture vs. the purported "monies" which can be made. This will inevitably have to be used to address addiction, crime, homelessness, & other socio-economic impact of drug use.



**Akamai Cannabis Consulting**

3615 Harding Ave, Suite 304  
Honolulu, HI 96816

**TESTIMONY ON SENATE BILL 3275  
RELATING TO CANNABIS**

Clifton Otto, MD

**COMMITTEE ON HEALTH AND HUMAN SERVICES**

Senator Joy A. San Buenaventura, Chair  
Senator Angus L.K. McKelvey, Vice Chair

**COMMITTEE ON COMMERCE AND CONSUMER PROTECTION**

Senator Jarrett Keohokalole, Chair  
Senator Carol Fukunaga, Vice Chair

Tuesday, February 17, 2026, 9:45 AM  
Conference Room 229 & Videoconference

**COMMENTS**

A state program cannot be consistent with public health and safety if its users and producers must violate federal law to participate.

Until cannabis is federally de-scheduled, we are much better off sticking with medical use and protecting the intrastate medical use of cannabis in Hawaii, especially with federal rescheduling on the horizon.

Aloha.

91-1841 Fort Weaver Road  
Ewa Beach, Hawaii 96706  
Phone 808.681.3500  
Fax 808.681.5280  
www.childandfamilyservice.org

BOARD OF DIRECTORS

Glen Kaneshige  
CHAIR

Beth Whitehead  
FIRST VICE CHAIR

Erin Kirihara  
SECOND VICE CHAIR

Michael Young  
SECRETARY

Rob Nelson  
TREASURER

Louise Ing  
PAST CHAIR

Amanda Pump  
PRESIDENT & CEO

Shannon Alivado  
Catherine Camp  
Clayton Chun  
Marivic Dar  
Donalyn Dela Cruz  
Yunji de Nies  
Christopher Dods  
Art Gladstone  
Scott Higashi  
Kris Hui  
Cyrus Johnasen  
Trinette Kaui  
Scott Miyasato  
Dr. Diane Paloma  
Lisa Rapp  
Andrew Rosen  
Anela Santiago  
Jim Takatsuka  
Ramsay Taum  
Agatha Viernes-LeGros  
Roy A. Vitousek III  
Will Yeh

Dr. Carl Bonham  
UH SYSTEM LIAISON

EMERITUS BOARD MEMBERS

Jeff Watanabe  
Lynn Watanabe

ACCREDITATIONS  
Council on Accreditation  
Better Business Bureau

AFFILIATIONS  
Kauai United Way  
Maui United Way  
Hawaii Island United Way



**To the Honorable Members of the Hawaii State Legislature:**

We are writing to express our strong opposition to **SB2420, SB2421 in the Senate, and HB1624, HB1625 in the House**, which propose the legalization or expansion of recreational marijuana use in Hawaii. While proponents often emphasize potential tax revenue, it is critical that the Legislature fully consider the public health risks, especially for our youth, and the long-term societal costs, including projected rehabilitation and treatment expenses.

As the oldest and largest community-based safety net organization in Hawaii, **Child & Family Service** has a mission to strengthen families and foster the healthy development of children. For decades, we have worked directly with Hawaii's children and families to prevent abuse, support healthy development, and provide intervention services when challenges arise. Given our work, we are deeply concerned about the potential impact of expanded recreational marijuana access on the children and families we serve.

Scientific research demonstrates that cannabis use poses significant risks to adolescents and young adults. Because the human brain continues to develop into the mid-20s, exposure to psychoactive compounds in marijuana during this period can increase the risk of mental health challenges, including depression, anxiety, and other psychiatric conditions. Young people who begin using marijuana early are also more likely to develop long-term dependence, and this, in turn, creates a greater need for medical and behavioral health services, placing additional burdens on families and Hawaii's healthcare system. Evidence from other states with legalized recreational cannabis shows that teen use rates often rise post-legalization, and normalization of use can further encourage early experimentation. Accidental exposures among children, particularly to edible products that resemble candy, have also increased, creating additional strain on emergency services and public health infrastructure.

In addition to these health concerns, legalization is likely to increase the number of individuals requiring treatment for cannabis use disorder. Research indicates that approximately 10% of cannabis users develop



**“We’re all about FAMILY”**

*Mission: Strengthening Families and Fostering the Healthy Development of Children*

91-1841 Fort Weaver Road  
Ewa Beach, Hawaii 96706  
Phone 808.681.3500  
Fax 808.681.5280  
www.childandfamilyservice.org

BOARD OF DIRECTORS

Glen Kaneshige  
CHAIR

Beth Whitehead  
FIRST VICE CHAIR

Erin Kirihara  
SECOND VICE CHAIR

Michael Young  
SECRETARY

Rob Nelson  
TREASURER

Louise Ing  
PAST CHAIR

Amanda Pump  
PRESIDENT & CEO

Shannon Alivado  
Catherine Camp  
Clayton Chun  
Marivic Dar  
Donalyn Dela Cruz  
Yunji de Nies  
Christopher Dods  
Art Gladstone  
Scott Higashi  
Kris Hui  
Cyrus Johnsen  
Trinette Kauai  
Scott Miyasato  
Dr. Diane Paloma  
Lisa Rapp  
Andrew Rosen  
Anela Santiago  
Jim Takatsuka  
Ramsay Taum  
Agatha Viernes-LeGros  
Roy A. Vitousek III  
Will Yeh

Dr. Carl Bonham  
UH SYSTEM LIAISON

EMERITUS BOARD MEMBERS

Jeff Watanabe  
Lynn Watanabe

ACCREDITATIONS  
Council on Accreditation  
Better Business Bureau

AFFILIATIONS  
Kauai United Way  
Maui United Way  
Hawaii Island United Way



dependence, with higher rates among adolescents. The costs of comprehensive rehabilitation including therapy, counseling, and support services range from \$5,000 to \$60,000 per individual. Even conservatively, if legalization contributes to just 1,000 to 3,000 additional treatment episodes statewide over the next five years, the resulting expenditures could total \$10 million to \$36 million. These figures do not include indirect costs such as increased healthcare utilization, lost productivity, educational impacts, and additional mental health support expenses that would ultimately affect Hawaii taxpayers.

Given the clear risks to youth, the potential for increased dependence, and the significant fiscal burden associated with treatment, **Child & Family Service respectfully urges the Hawaii State Legislature to reject SB2420, SB2421, HB1624, and HB1625.** Protecting public health, preventing adolescent use, and prioritizing evidence-based education and prevention programs must remain the focus, rather than expanding adult recreational access. Thank you for your thoughtful consideration of the long-term health and fiscal impacts these bills would impose on Hawaii's residents, particularly our children and families.

Sincerely,

A handwritten signature in black ink that reads 'Amanda Pump'.

Amanda Pump



**“We’re all about FAMILY”**

*Mission: Strengthening Families and Fostering the Healthy Development of Children*



## Hawai'i Alliance for Cannabis Reform In Support of SB 3275 With Amendments

February 16, 2026

Aloha Chairs Keohokalole and San Buenaventura, Vice Chairs Fukunaga and McKelvey, and members of the Senate Commerce and Consumer Protection and Health and Human Services committees:

The Hawai'i Alliance for Cannabis Reform (HACR) works to end cannabis prohibition for adults 21 and older, and to regulate and tax the sale of cannabis in Hawai'i with a focus on reparative justice and inclusion for communities and individuals most impacted by criminalization.

Every year, Hawaii's cannabis laws needlessly ensnare hundreds of people — disproportionately Native Hawaiian people — in its criminal justice system.<sup>1</sup> Long after jail sentences are complete and fines are paid, cannabis arrest records derail lives, making it hard to get a job, education, and housing.<sup>2</sup>

Like alcohol prohibition a century ago, cannabis prohibition has failed. It wastes taxpayer dollars, perpetuates racial disparities, puts consumers at risk, and locks people up for minor offenses in overcrowded jails and prisons. Legalizing and responsibly regulating cannabis and THC-infused products would grow the economy, increase freedom, and promote health and safety. It would also move sales above ground so workers don't face felonies.

SB 3275 would legalize the sale of “low-dose and low-potency cannabis” products with up to five milligrams of THC per serving to adults 21 and older. For beverages, it allows up to five milligrams per 12 ounces. For edibles and flower, an unspecified department would determine what constitutes a serving.

SB 3275 is a significant step in the right direction. However, it needs amendments to regulate and license cannabis sales, so that consumers can purchase a lab-tested, safe product, and to ensure responsible packaging and labeling. We also urge

---

<sup>1</sup> FBI Crime Data Explorer, 2024 data. (Showing 268 cannabis possession arrests 96 of which are Native Hawaiian or other Pacific Islander, or 36%, According to the census, 10.4% of residents identify as Native Hawaiian or other Pacific Islander alone.).

<sup>2</sup> See: Jamiles Lartey, "How Criminal Records Hold Back Millions of People," The Marshall Project, April 1, 2023.

prioritization of legacy operators and social equity applicants in licensing and the inclusion of canopy caps, to avoid monopolization and allow opportunities for small farmers.

It's time to move cannabis to the legal, regulated market and to stop derailing lives and pouring tax dollars down the drain.

Mahalo for your time and public service,

The Hawai'i Alliance for Cannabis Reform  
info@legalizehawaii.org  
LegalizeHawaii.org

Member Organizations:

ACLU of Hawai'i ♦ Cannabis Society of Hawai'i ♦ Hawaiian Council  
Doctors for Drug Policy Reform ♦ Drug Policy Forum of Hawai'i  
Last Prisoner Project ♦ Marijuana Policy Project

To: The Honorable Members of the Senate Committee on Commerce and Consumer Affairs and Committee on Health and Human Services

Re: **STRONG OPPOSITION to SB 3275 – Relating to Cannabis**

Distinguished Chairs and Committee Members,

My name is **Laverne Moore**. I have been a teacher in Hawai'i for **54 years**. I am writing to you today to express my **strenuous opposition** to [SB 3275](#).

While this bill specifically targets "low-dose and low-potency" cannabis, my half-century of experience in our schools tells me that any move toward legalization—regardless of the dosage mentioned in the text—poses a direct threat to the safety and success of our students.

### **Why "Low-Dose" Does Not Mean "Low-Risk" for Students**

- **The Illusion of Safety:** By legalizing "low-potency" cannabis, the state is effectively validating it as a safe recreational product. To a student, "low-potency" is a distinction without a difference. It lowers their perception of risk and makes it significantly harder for us, as educators, to explain why they should stay away from these substances.
- **Commercial Normalization:** [SB 3275](#) authorizes the sale and personal cultivation of cannabis. In 54 years of teaching, I have seen that whenever a substance becomes commercially available and grown in homes, the "trickle-down" effect to minors is inevitable. We are essentially inviting these products into the environments where our children live and play.
- **A New Burden for Schools:** Our teachers and administrators are already overwhelmed. Introducing a new class of legal cannabis products will lead to more disciplinary issues, more impaired students in the classroom, and more resources diverted away from instruction and toward substance-use intervention.

### **A Plea from Five Decades in the Classroom**

I have dedicated my entire adult life to the children of Hawai'i. I have seen them at their best, and I have seen them struggle when they lose their way. We should be making it easier for our children to focus, learn, and grow—not more difficult.

[SB 3275](#) is a step in the wrong direction for our community and our schools. I strongly urge you to **vote NO** and protect the future of our keiki.

Mahalo for your time and for your service to our state.

Sincerely, **Laverne Moore** Retired Educator (54 Years of Service) [Your City/Neighborhood, HI]



**SB-3275**

Submitted on: 2/16/2026 8:44:47 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b>      | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b> |
|--------------------------|---------------------|---------------------------|----------------|
| Shanelle-Leilani Solomon | Individual          | Support                   | In Person      |

Comments:

Legalize cannabis in Hawai'i!

Marcus R. Oshiro  
Wahiawa, Hawaii

February 15, 2026

## **Written Testimony in Opposition to SB 3275**

### **Summary of the measure:**

SB 3275 would legalize the cultivation, sale, processing, purchasing, possession, transport, and use of **low-dose and low-potency** cannabis for personal adult use by persons over twenty-one beginning January 1, 2027, legalize cannabis accessories, permit personal cultivation of **low-dose and low-potency** cannabis, and require **the Department of Commerce and Consumer Affairs (DCCA)** to adopt rules to effectuate its purpose.

The bill is currently referred to CPN/HHS and WAM/JDC and is scheduled for a public hearing on February 17, 2026.

### **Core objections and policy concerns:**

- **Undefined potency and measurement standards.** The bill legalizes “low-dose and low-potency” cannabis without numeric statutory definitions, testing methodologies, or accredited lab requirements. That legal vagueness will produce inconsistent enforcement and market confusion.
- **Delegation of essential protections to rulemaking.** Critical public-health safeguards—potency caps, mandatory third-party testing, standardized labeling, child-resistant packaging, and advertising limits, etc. —are left to administrative rules rather than established in statute, risking a period in which products are available without enforceable consumer protections.
- **Premature timeline and agency capacity risk.** The bill sets a January 1, 2027, effective date while directing DCCA to adopt rules; it does not require independent fiscal or public-health impact studies, nor does it provide transition funding or staffing authorizations to ensure DCCA can implement licensing, testing, inspection, and enforcement in time. However, waiver of Chapter 91 public vetting procedures will not provide a cure but instead be a glaring example of “agency capture” and weaken consumer product safety and law enforcement.

### **The low-dose/low-potency conundrum and consumer welfare tradeoffs:**

- **Regulatory micromanagement of product form.** By focusing on per-unit dose or potency limits without addressing total possession or purchase limits, the bill places government in the role of dictating product size and packaging rather than managing overall consumer exposure and dosage safety. That forces regulators to

police packaging and unit design while leaving consumers free to aggregate and purchase many units, producing little net public-health benefit. Similarly, definitions appear arbitrary and subjective where nothing in the measure suggest any scientific basis for “low-dose” and “low-potency” distinction.

- The measure does not provide sufficient direction for producers and sellers to ensure that industry standard measurements will be enforced on both potency and dosage specifications per the legislative directive. Without specific third-party standards each producer or seller will set their own thus defeating the purpose for protecting consumer safety and retail product quality and quantity.
- **Loss of bulk purchase benefits for consumers.** Many medical and adult consumers buy in bulk to reduce cost and packaging waste and then portion products at home. A regime that mandates single-serve or low-potency packaging would eliminate those savings and increase packaging waste.
- **Enforcement mismatch and administrative burden.** Limiting per-unit potency while allowing unlimited purchases shifts enforcement resources toward packaging compliance and away from preventing diversion or overconsumption, creating an inefficient regulatory focus. Again, nowhere in the measure is there any objective or scientific basis for the imposition of these seemingly subjective limits.

### **Fiscal, equity, and legal risks**

- **Unspecified revenue and cost modeling.** The bill does not require conservative revenue projections, startup cost estimates, or contingency funding for regulatory programs, exposing the State to budgetary risk if receipts underperform.
- **Federal harmonization unresolved.** The bill does not reconcile Hawaii’s low-potency approach with federal hemp/cannabis thresholds (for example, delta-9 concentration by weight) or explain how state per-serving rules will interact with federal standards, creating legal uncertainty for producers and retailers.

### **Conclusion and requested committee action**

SB 3275 addresses a significant policy question but, as drafted, places government in the awkward position of micromanaging product form and potency while failing to define potency numerically, diminishes consumer bulk-purchase benefits, and fails to provide statutory consumer protection and public-health and fiscal safeguards.

**For these reasons I suggest the committee defer this measure or provide substantive amendments to address present drafting shortcomings.**

**LATE**

Aloha Chair, Vice Chair, and Members of the Committee,

I write in respectful opposition to SB3275 from a prevention and public health standpoint. While I recognize the intent behind this measure may be to address serious harms in our communities, I urge you to carefully consider the long-term prevention implications and unintended consequences this bill may create.

Effective prevention policy is rooted in upstream solutions that reduce risk factors before harm occurs, strengthen protective factors, and support individuals and families early. Decades of prevention science show that punitive or reactive approaches, when not paired with strong prevention infrastructure, often fail to reduce the underlying drivers of harm. Instead, they can divert limited resources from evidence-based strategies that have been proven to work.

Primary prevention requires sustained investment in education, early intervention, community-based services, culturally grounded programs, and family support systems. In Hawai'i, prevention efforts are most effective when they are trauma-informed, culturally responsive, and community-led. Policies that increase system involvement can inadvertently discourage individuals from seeking help early, particularly in communities already facing stigma or historical mistrust of government systems.

Research consistently shows that prevention is most effective when it strengthens protective factors such as positive youth development, stable housing, economic security, and access to behavioral health services. When policies focus predominantly on consequences after harm has occurred, they risk reinforcing a cycle of crisis response rather than prevention. This not only strains public systems but also fails to produce sustainable reductions in risk behaviors.

Hawai'i has made important progress in adopting trauma-informed, culturally responsive, and community-driven prevention approaches. SB3275 risks moving in the opposite direction if it emphasizes consequences over early intervention and support. Prevention frameworks emphasize proportionality, equity, and analysis of unintended impacts. It is critical to assess whether this measure could disproportionately affect Native Hawaiian, Pacific Islander, and other historically underserved communities, potentially widening disparities rather than reducing them.

Please do not support SB3275; instead, prioritize investments in early intervention programs, school- and community-based prevention services, behavioral health access, workforce development in prevention science, and culturally grounded initiatives that address root causes.

Mahalo for the opportunity to provide testimony and for your commitment to the health and well-being of Hawai'i's families and communities.

Respectfully,

Jennie Foutch

**LATE**

**SB-3275**

Submitted on: 2/17/2026 12:40:52 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By | Organization | Testifier Position | Testify   |
|--------------|--------------|--------------------|-----------|
| Marion Logan | Individual   | Oppose             | In Person |

Comments:

Dear Members of the Committee,

Aloha and thank you for serving Hawaii and governing with our people at the forefront of your mind and hearts as you serve.

I stand in opposition to SB 3275 that will legalize the cultivation, sale, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use by persons over the age of twenty-one.

Please note the problematic issues this bill causes:

**1. Low dose and/or low potency is not defined**

This is full legalization for recreational use. Who will regulate it? Under what public safety conditions will determine what is low potency?

**2. It is unnecessary**

The Federal Government has already changed marijuana from a schedule 1 to a schedule 3. Let them research, determine safe amounts (or in this case low dose and/or low potency), and give direction to states from scientific research. Let the Federal Government lead and fund this initiative.

**3. Public normalization impacts youth and families**

Even with age limits, legalization sends a cultural signal that marijuana use is safe or benign. Research from other states shows increased youth perception of safety following legalization. Low self-perception of harm leads to increased usage. Let's perpetuate the truth about the dangers of marijuana to our population and not lies. It will be too costly to our keiki and families!

Pushing this bill forward will negatively impact our future generations. Marijuana legalization will contribute to the mental health crisis already existing throughout Hawaii. It does not help but hurts our population.

**SB-3275**

Submitted on: 2/13/2026 3:58:44 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b>       | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------------|---------------------|---------------------------|---------------------------|
| Lynn Murakami<br>Akatsuka | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I strongly oppose SB 3275 in its entirety. I oppose legalizing the personal adult use of cannabis and decriminalizing certain marijuana-related offenses in Hawaii. Let's keep Hawaii safe on the roads as well as pedestrians, in our homes and at work, and keep our children and youths safe from the consequences of the cannabis impacting the brains of individuals with long term use.

Thank you for the opportunity to testify in strong opposition of SB 3275.

**SB-3275**

Submitted on: 2/13/2026 2:23:47 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By    | Organization | Testifier Position | Testify                |
|-----------------|--------------|--------------------|------------------------|
| Terri Yoshinaga | Individual   | Oppose             | Written Testimony Only |

Comments:

- **This bill legalizes recreational marijuana under a new label**

Despite being framed as “low-dose and low-potency,” this bill legalizes the cultivation, sale, and use of cannabis for adults beginning in 2027. It creates a new legalization pathway rather than simply refining existing policy.

- **It expands marijuana access without addressing existing harms**

Hawaii already allows medical marijuana. This bill expands use to general adult consumption without clear safeguards addressing youth access, impaired driving, mental health impacts, or public health costs.

- **“Low potency” does not mean low risk**

The bill defines low-dose cannabis as up to 5mg THC per serving, but cumulative consumption still creates impairment. Packaging limits do not prevent overuse, especially with edibles.

- **Legalization includes cultivation and normalization**

This proposal allows adults to grow cannabis plants at home and possess larger amounts within private residences. Home cultivation increases diversion risks and makes enforcement more difficult.

- **Weakens community protections over time**

The bill creates broad legal exemptions and affirmative defenses for marijuana offenses, signaling a major shift in state policy and making future expansion easier.

- **Creates new legal conflicts and unintended consequences**

The bill limits consequences for cannabis use in areas like employment and custody disputes, potentially creating conflicts with employers, landlords, and federal law.

- **Adds regulatory burden without proven benefit**

The Department of Commerce and Consumer Affairs would be required to build an entirely new regulatory system, adding costs and administrative complexity without clear revenue guarantees.

- **Public normalization impacts youth and families**

Even with age limits, legalization sends a cultural signal that marijuana use is safe or benign. Research from other states shows increased youth perception of safety following legalization.

- **Hawaii should learn from other states**

States that legalized marijuana are now grappling with increased ER visits, impaired driving concerns, and regulatory struggles. Hawaii should not rush into legalization under a rebranded framework.

- **Not the right direction for Hawaii's future**

This bill moves Hawaii toward broader marijuana legalization through incremental steps. Policymakers should prioritize prevention, treatment, and family wellbeing instead of expanding access.

**SB-3275**

Submitted on: 2/13/2026 6:25:46 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By       | Organization | Testifier Position | Testify                |
|--------------------|--------------|--------------------|------------------------|
| Matthew P Anderson | Individual   | Support            | Written Testimony Only |

Comments:

Aloha,

My name is MatthewAnderson, a resident of Lahaina, Maui, and I am writing to urge you to finally pass legislation to legalize adult-use cannabis in Hawaii.

Maintaining the status quo is currently failing our state on three critical fronts: public safety, social justice, and economic responsibility.

First, from a safety perspective, our current prohibition guarantees that the market remains unregulated and dangerous. Without legal oversight, consumers are exposed to products that may be contaminated with pesticides or mold, and there is no way to enforce age verification to keep cannabis out of the hands of minors. A regulated market is the only way to ensure strict testing and ID checks.

Second, we must address the injustice of our current laws. Hawaii's "decriminalization" threshold of just 3 grams is the lowest in the nation and leaves too many of our citizens—particularly Native Hawaiians and working-class residents—vulnerable to life-altering criminal records for non-violent behavior. We are wasting valuable law enforcement resources that should be focused on serious crime, not penalizing personal use.

Finally, we are ignoring the economic reality. By refusing to legalize, we are forfeiting millions in potential tax revenue that could support our schools, infrastructure, and affordable housing. Instead of funding our state, that money continues to flow into the illicit market.

We cannot afford to wait any longer. We need a system that protects consumers, restores justice, and boosts our economy. I ask for your full support in legalizing adult-use cannabis this session.

Mahalo,

Matthew Anderson

**SB-3275**

Submitted on: 2/13/2026 7:08:51 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Alfred Hagen        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Aloha,

I oppose SB3275. Low Potency? It's hard not to be cynical. Sure, some may buy the so-called low potency marijuana but when they want a stronger punch they'll head to the streets for the "good" stuff.

But, it's still about the money, sacrificing our children and young adults to the lucre. The passage of this bill will rob our children of light and joy.

Respectfully,

Alfred Hagen

**SB-3275**

Submitted on: 2/13/2026 5:41:42 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Jacob Wiencek       | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Aloha Committee Members,

It is long past time to legalize cannabis for personal adult consumption. Let's **PASS** SB3275!

**SB-3275**

Submitted on: 2/14/2026 12:25:57 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By      | Organization | Testifier Position | Testify                |
|-------------------|--------------|--------------------|------------------------|
| Barilyne Sakamoto | Individual   | Oppose             | Written Testimony Only |

Comments:

**I STRONGLY OPPOSE passage of this bill in any form.**

Here are the primary reasons cited against the legalization of adult-use cannabis:

- **Mental Health Concerns:** Opponents argue that increased potency in modern cannabis is linked to higher rates of mental health issues, including psychosis and dependency, particularly among younger users.
- **Public Safety and Impaired Driving:** Critics point to the practical difficulties law enforcement faces in accurately identifying and testing drivers who are operating vehicles while under the influence of cannabis.
- **Persistent Illicit Markets:** Evidence from other states suggests that legalization does not necessarily eliminate the black market. Illegal operations often continue to exist in parallel with the regulated market, sometimes undercutting legal prices.
- **Federal Conflict:** Because cannabis remains illegal under federal law, critics argue that state legalization creates significant legal and financial hurdles for businesses, such as limited access to traditional banking and the inability to take standard federal tax deductions.
- **Risk to Children:** Even with "low-dose" labeling, opponents fear that increased availability and the presence of cultivation in homes could lead to accidental ingestion by children or normalize use among minors.
- **Regulatory Burden:** Some argue that the Department of Commerce and Consumer Affairs (DCCA) may face significant challenges in creating and enforcing a complex new regulatory framework, especially regarding "low-potency" definitions.
- 
- Please oppose this bill it will be negative impact on our state with not being able to control who is using cannabis. It will be dangerous if people are driving, helping and caring for people while under the influence of this drug.

Sincerely yours,

Barilyne Sakamoto

**SB-3275**

Submitted on: 2/14/2026 2:16:00 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| E.L. Brown          | Individual          | Oppose                    | Written Testimony Only |

Comments:

I oppose this measure. It is a disappointment. The mere fact that it has been introduced and given a hearing is quite telling about the cannabis lobbyists' relentless efforts and resources that are targeted at good legislators so they can help sell out our State and future generations.

This bill promotes and fosters a practice of creating drug dealers out of our 21+ year olds, who, if this becomes law, have explicit permission by the State to grow, sell and use cannabis. They can't even do anything close to this with tobacco or alcohol. Moreover, if you believe finding young people to fill traditional jobs is a challenge these days, if this bill becomes law our young population may forego cheap pay in the hotel or tourist industry, and, turn into cannabis drug dealers and drug-dealer "influencers" as a side gig. People will then flock to Hawaii, not because we're Hawaii, but because they'll see on social media all the publicity about State-sanctioned drug dealing and will want to come here to partake in the game.

This bill also welcomes 21+ year-olds, who are high on the job, to own, carry and even use cannabis on the job. Where are employers' rights? Where is their protection from the grievances and workplace hostility claims and even lawsuits that will result because won't be able to adequately protect their workplace from employees who are high on cannabis?

And legislators please don't fool yourselves into believing that "low-dose" or "low potency" is the key to safeguarding cannabis users and the public. That's complete bologna. Humans react differently to drugs and many will experience harmful, long-term effects including waking up one day realizing that they can't make it through a day without getting high. This bill, therefore, does a great job of escorting our young people right into the world of addiction.

Finally, if you are part of a family that has not yet experienced the negative, addictive, generational effects that marijuana and cannabis use or dealing, by a single family member, can have on the whole, then this law will welcome you to the situation. It won't be long before your

kids, and grandkids, will view smoking, digesting, and growing and dealing in cannabis/marijuana, from their own homes, as a normal thing. And when the disease of addiction takes over them inevitably, they and your entire family will be imprisoned by the trap that well-intended law makers laid out for them through supporting outrageous legislation such as this.

Please do not use bills like this as a vehicle to turn our beautiful State into a cannabis slum. .

**SB-3275**

Submitted on: 2/14/2026 3:04:57 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| JOHN L PANG  | Individual   | Oppose             | Written Testimony Only |

Comments:

I **STRONGLY OPPOSE** passage of this bill.

1. This bill expands use to general adult consumption **without clear safeguards addressing youth access, impaired driving, mental health impacts, or public health costs**. Hawaii already allows medical marijuana. This bill is **NOT a Hawaii voter priority**.

2. **"Low potency" does not mean low risk**. The bill defines low-dose cannabis as up to 5 mg THC per serving, but cumulative consumption can still create impairment. Packaging limits do NOT prevent overuse, especially with edibles & those struggling with addictive tendencies.

3. The bill limits consequences for cannabis use in areas like **employment & custody disputes, potentially creating conflicts with employers, landlords, & federal law**. The Dept. of Commerce & Consumer Affairs would be required to build an entirely new regulatory system, **adding costs \$\$\$** and administrative complexity without clear revenue guarantees.

**SB-3275**

Submitted on: 2/14/2026 3:59:51 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Glen Kagamida       | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

STRONG OPPOSE!

**SB-3275**

Submitted on: 2/15/2026 3:52:42 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Mandy Chang  | Individual   | Oppose             | Written Testimony Only |

Comments:

In recent years I've heard from families living in States where marijuana has become legal and none of them have had a kind word to say for the way it has impacted their communities. They've seen an increase in crime as well as a rise in companies of all types needing to fill employment openings without success. In these States the housing market has continued to climb - pricing families out of what should be reasonably affordable homes. These families have also felt increasingly unsafe as the feel of neighborhoods change. We live in a State that cannot afford to continue to move in a direction that is unsafe and unfriendly for families' abilities to thrive. On Oahu our crime has skyrocketed, and we are 400+ police officers short - we cannot afford to invite more crime, more illegal activity and more danger to our island. The streets of Kapolei look like a homeless shelter and our parks have mentally ill individuals and those affected by drugs yelling and wandering around scaring our keiki - and our adults. It is no longer possible for most working-class families to afford even a starter home on Oahu. Our roads would also become more dangerous with the addition of those who would be driving under the influence of marijuana. Let's not continue down a path leading to more brokenness and loss of Aloha. I strongly urge you to vote NO on SB2421.

Further reasons to oppose any bill related to allowing or supporting the legalization of marijuana in Hawaii:

- 1. Conflict with Federal Law:** Marijuana remains illegal under federal law. Allowing ten ounces (or up to two pounds of marijuana) in homes—far beyond the need for personal use.
- 2. Youth Impact:** Increased availability will lead to higher use among Hawaii's keiki, who already struggle with e-cigarette usage. States with legalized marijuana have reported spikes in ER visits by children.
- 3. Higher Potency:** Today's marijuana has far higher THC levels than older strains like "Maui Wowie," increasing the risk of abuse and adverse effects.
- 4. Drugged Driving:** Marijuana-related incidents already account for 22% of Hawaii's fatal crashes (2013–2017), according to the Department of Transportation.
- 5. Persistent Black Market:** Legalization won't eliminate illegal sales, which will continue to evade taxes and target youth.

6. **Enforcement Challenges:** Marijuana plants can grow over eight feet tall, yielding significant amounts of THC-laden product, especially in edibles, where potency varies, and abuse is common.

Thank you for your time,  
Amanda Chang of Kapolei

**SB-3275**

Submitted on: 2/14/2026 9:07:15 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Samantha Roldan     | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Samantha Roldan, and I respectfully submit testimony in support of this measure establishing a regulated framework for low-dose and low-potency cannabis for adults age twenty-one and older.

This bill reflects a cautious, public health–focused approach. By limiting THC to five milligrams per serving and distinguishing medical cannabis under Hawaii Revised Statutes Chapter 329D and hemp under Hawaii Revised Statutes Chapter 328G, the proposal prioritizes safety and clarity over broad commercialization.

Key strengths of the bill include:

- Preservation of DUI and public safety laws
- Prohibition of use in schools, childcare facilities, and correctional settings
- Child-resistant packaging requirements
- Restrictions on public consumption and transport
- Protection of medical cannabis access and patient rights
- Balanced workplace protections that still allow discipline for on-the-job impairment

At the same time, I respectfully urge careful attention to regulatory complexity and enforcement capacity. The bill establishes detailed compliance standards involving:

- Packaging and labeling requirements
- Home cultivation safeguards
- Strict compliance provisions tied to legal defenses

To ensure success, the Legislature should prioritize:

- Adequate staffing and laboratory testing capacity
- Consistent enforcement guidance
- Public education alongside regulation

With strong implementation and oversight, this measure can provide accountability, reduce illicit market activity, and protect public safety.

For these reasons, I respectfully urge the Committee to pass this bill while ensuring the regulatory framework is practical, clear, and well-resourced.

Mahalo for the opportunity to testify.

Samantha Roldan

**SB-3275**

Submitted on: 2/15/2026 11:53:12 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Brett Kulbis | Individual   | Oppose             | Written Testimony Only |

Comments:

Chair San Buenaventura, Chair Keohokalole, and Committee Members,

My name is Brett Kulbis, I'm a 26yr retired Navy Veteran, who took a solemn oath to defend the Constitution from all enemies foreign and domestic, and that oath didn't expire when I retired. I live in Ewa Beach.

I STRONGLY OPPOSE BILL SB-3275.

SB-3275, would legalize so-called “low-dose and low-potency” marijuana for “recreational” use in Hawai’i. While the bill attempts to appear modest by limiting THC per serving, in reality it normalizes non-medical marijuana use, expands commercial access, and embeds marijuana more deeply into our communities. From a veteran that prioritizes family stability, public safety, and personal responsibility, this is a step in the wrong direction.

First, SB-3275 will make marijuana more available and visible in homes and neighborhoods, increasing the risk of youth exposure and use. The bill allows possession, home storage, and home cultivation of multiple plants per residence for “personal adult use,” which inevitably means more product in households where children and teens live and visit. Even with requirements that plants not be visible to the public and marijuana be stored away from minors, these rules are difficult to monitor and enforce in private residences. Other states’ experience shows that when adults’ “recreational” use is normalized, youth perception of risk drops and use rises, with long-term academic, mental-health, and workforce consequences.

Second, SB-3275 undermines important tools for protecting children and maintaining safe workplaces. The bill explicitly states that lawful marijuana use, by itself, cannot be grounds to deny custody, visitation, or parenting time, and that no presumption of neglect or endangerment shall arise merely from conduct allowed under this part. It also limits the ability of state and local government employers to take adverse action based solely on the presence of cannabinoids, except in narrow circumstances. These provisions make it harder for family courts, child-welfare workers, and public employers to act proactively when marijuana use is part of a broader pattern of risky behavior, especially in safety-sensitive positions and vulnerable family situations.

Finally, the bill creates a complex new regulatory framework that will strain enforcement and invite abuse, while still failing to address key public-safety issues. SB-3275 hinges legality on “strict compliance” with detailed rules about storage, visibility, packaging, and plant numbers,

yet enforcement agencies already struggle with limited resources. At the same time, the bill does not solve the core challenge of policing marijuana impairment on the roads and at work, even as it dramatically increases lawful access.

I urge you to defer indefinitely SB-3275 and instead focus on strengthening our existing medical program, supporting treatment and prevention, and preserving safe, drug-free environments for Hawaii's keiki, families, and workers.

Respectfully,

Brett Kulbis

**SB-3275**

Submitted on: 2/15/2026 12:58:35 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Carrie Ann Shirota  | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair, Vice Chair and Committee Members,

I support SB3275 Relating to Cannabis with amendments, which would legalize the cultivation, sale, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use by persons over the age of twenty-one by 2027.

As a general principle, I support cannanibis legalization and respecting the right of individuals to consume substances, with reasonable health and safety protections and regulations in place. These regulations are noticably absent from this measure.

I respectfully urge this Committee to pass SB3275 with any amendments proposed by Marijuana Policy Project.

Sincerely,

Carrie Ann Shirota, Esq.

Honolulu, Hawaii

## **Testimony in Opposition to SB3275 Relating to Cannabis**

COMMITTEE ON HEALTH AND HUMAN SERVICES

Chair: Senator Joy San Buenaventura

Vice Chair: Senator Angus McKelvey

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Chair: Senator Jarrett Keohokalole

Vice Chair: Senator Carol Fukunaga

Hearing Date: Tuesday, February 17, 2026

Time: 9:45 a.m.

Location: Room 229

### **Aloha Chair San Buenaventura, Vice Chair McKelvey, Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committees:**

I respectfully submit testimony in strong opposition to SB3275, which would legalize low-dose cannabis in Hawai'i. I am speaking as a concerned citizen who has seen firsthand the negative consequences of cannabis use among both youth and adults. While this bill is framed as a limited and cautious step, legalization of cannabis at any dose presents serious risks to public health, safety, and community well-being.

#### **Real-World Harm and Public Safety Risks**

My opposition is not theoretical. Within the last month, someone I know was hit by a driver who was under the influence of cannabis. Drug-impaired driving is a real and growing problem in states that have legalized marijuana, and THC impairment is difficult to measure and enforce. Legalizing cannabis—even at low doses—will inevitably increase access, use, and normalization, which in turn increases the likelihood of impaired driving and traffic injuries.

Hawai'i's roads are already dangerous. Increased cannabis availability places not only users at risk, but also innocent passengers, pedestrians, and families who share the road. Any policy that increases the likelihood of impaired driving should be approached with extreme caution.

#### **Low-Dose Cannabis Is Not Harmless**

The idea that low-dose THC is safe or benign is misleading. THC is a psychoactive substance that affects judgment, reaction time, memory, and emotional regulation—even at small doses. For some individuals, particularly those with underlying mental health vulnerabilities, even low-dose cannabis can trigger anxiety, panic, psychosis, or worsening depression.

### **Normalization Leads to Increased Youth Use**

One of my greatest concerns is the normalization of cannabis use. Legalization sends a powerful message that cannabis is safe and socially acceptable. When perceived risk goes down, use goes up—especially among youth. This pattern has been observed repeatedly in states that have legalized marijuana.

Low-dose legalization does not stay confined to adults. Reduced perception of harm among adults trickles down to adolescents, leading to increased experimentation and use. Youth brains are still developing, and exposure to THC during adolescence has been associated with long-term cognitive, emotional, and mental health consequences.

### **A Slippery Slope Toward Broader Legalization**

SB3275 does not exist in isolation. Across the country, cannabis legalization has followed a predictable pattern: initially limited measures are followed by broader legalization, higher-potency products, and commercial expansion. Once cannabis is legalized in any form, it becomes far more difficult to prevent escalation.

Consumers do not remain limited to low-dose products, and regulatory systems struggle to keep pace with diversion, misuse, and market pressure for stronger THC products. The result is increased harm that far exceeds the scope originally promised.

### **Public Health and Social Costs**

States that have legalized cannabis have seen increases in cannabis use disorder, emergency room visits related to THC exposure, drug-impaired driving, and accidental ingestion by children. These harms place additional strain on healthcare systems, schools, behavioral health providers, and public safety resources.

### **Conclusion**

SB3275 asks this Legislature to accept increased public safety risks and long-term social costs in exchange for a policy that offers no clear public health benefit. Low-dose cannabis legalization is not a harmless compromise—it is the first step down a path that other states now regret.

For the sake of Hawai'i's youth, families, and communities, I respectfully urge you to oppose SB3275 and prioritize prevention, safety, and the well-being of our people.

Mahalo for the opportunity to submit testimony.

Dr. Colleen Fox, Makiki

**SB-3275**

Submitted on: 2/15/2026 4:04:56 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Doreen Morimoto     | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Dear Chairman, Vice Chairman and members of this committee,

I oppose this bill SB3275.

Legalizing the possession, cultivation of low dose cannabis will "open the door" for other illegal activities. And other potential problems.

What are the possession and cultivation amount? How will this be controlled?

Please protect our state and future generations,

Doreen Morimoto

AYMAN EL-SWAIFY PUBLIC TESTIMONY  
SB3275 - RELATING TO CANNABIS

My name is Ayman El-Swaify and I am OPPOSED to Senate Bill 3275. I am a 60-year Hawaii resident and voting constituent.

This Senate Bill seeks to legalize “low-dose” and “low potency” marijuana for recreational purposes.

This Bill will start us down the slippery slope toward full legalization. There is no real difference here. “Others have legalized it, so we should, too” is a weak argument. As I listened in on related 2025 House Bill testimony, I was aghast at the number of mitigations and guard rails that are required. To me, this alone is a very telling indication, and should pause our consideration of opening this Pandora’s box. But as if that weren’t enough, our very own City Prosecutor’s Office, Department of Health, and Police Department also testified in 2025 AGAINST legalizing recreational marijuana.

We can argue all day that legalizing will make marijuana safer and that our guardrails will keep it from our keiki. I don’t believe it and there is plenty of evidence to the contrary.

(1) Crime Issues:

Per a January 2026 article in the Epoch Times

<https://www.theepochtimes.com/article/oklahoma-legalized-medical-marijuana-then-came-the-chinese-organized-crime-5964130>...

“When Oklahoma legalized medical marijuana on June 26, 2018, many people were hopeful that it would stimulate the economy while helping eligible patients. They expected the 7 percent excise tax and state and local property taxes on sales to bring in more money for schools and infrastructure, create new jobs, and help the economy thrive. Few people expected organized crime to rise to the levels it has, according to Mark Woodward, public information officer for the Oklahoma Bureau of Narcotics. Woodward said at least 85 percent of the illegal grow facilities that popped up in Oklahoma have ties to Chinese organized crime.”

I have heard from many in legalized States that say the marijuana in their locations EASILY makes its way to minors because the adults that buy it legally turn around and sell to minors in order to make money and buy harder drugs. It then turns neighborhoods that house the dispensers into ghetto-like semblances of their former selves.

(2) Physical health issues:

Per a September 2025 article in the Epoch Times

<https://www.theepochtimes.com/health/new-research-warns-of-female-fertility-risks-from-marijuana-use-5912601>), exposure to marijuana could affect the health of a woman’s eggs and raise the risk of genetic problems in embryos.

A 2022 study published in the Journal Radiology, and reported on by the Wall Street Journal on 11/15/22, observed that marijuana smokers displayed higher rates of emphysema, bronchial thickening, bronchiectasis, mucoid impaction, and gynecomastia.

Per the CDC website, “Cannabis and Public Health”...

- (a) Cannabis use directly affects brain function—specifically the parts of the brain responsible for memory, learning, attention, decision making, coordination, emotions, and reaction time.
- (b) Cannabis can make the heart beat faster and raise blood pressure immediately after use. It could also lead to increased risk of stroke, heart disease, and other vascular diseases.
- (c) Edibles, or food and drink products infused with cannabis, have some different risks than smoked cannabis, including a greater risk of poisoning.

(3) Psychological health issues:

Today’s marijuana is incredibly potent compared with what folks my age may remember from the 60s and 70s. Per the NIH, “today’s cannabis products can contain levels of tetrahydrocannabinol (THC) as high as 90 percent, a staggering leap from the two to three percent THC concentrations typical of the 1970s. This isn’t just a nostalgic nod to simpler times; it’s a public health alarm.”

A May 4, 2023 Article published by the NIH found that long-term marijuana use increases the likelihood of mental health disorders, including schizophrenia. Daily users are five times more likely to develop psychosis than non-users. Marijuana-related emergency room visits have surged, particularly among adolescents and young adults, in states with legalized recreational use.

A 2023 study in the Cambridge publication Psychological Medicine (also reported in the Harvard Public Health journal on 12/12/2024) finds that the proportion of schizophrenia cases that may be attributed to cannabis has consistently increased over the past five decades. This echoed a previous 2021 JAMA Psychiatry study of seven million Danish citizens which found that their cases of schizophrenia have increased 3- to 4-fold during the past 2 decades.

Please let this next fact sink in: A 2022 Stanford Medicine article entitled, “Investigating psychiatric illnesses of mass shooters“, found in analyzing 35 surviving mass shooters between 1982 and 2019, that 28 of them were likely suffering from an untreated psychiatric illness at the time of the shooting.

I therefore appeal that each of you please OPPOSE SB3275. Please do not be the legislature that welcomes these myriad social ills into our beloved State.

**SB-3275**

Submitted on: 2/15/2026 4:59:41 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Linda Miyata | Individual   | Oppose             | Written Testimony Only |

Comments:

Aloha Senators,

I respectfully ask you to oppose SB 3275. As a teenager I smoked a lot of pot and I can tell you first hand that it affects your ability to drive safely. I could hardly see straight and I could've killed someone or myself in a car accident. Please do not subject our keiki or our community to these unnecessary risks.

These bills move Hawai‘i closer to broad marijuana legalization and commercialization. While the proposals may differ in scope, both expand normalization of cannabis in our communities.

Many families and health professionals remain concerned about long-term public health impacts, especially for youth. Other states continue to grapple with increased potency products, impaired driving, and youth exposure after legalization.

Please take a cautious approach and prioritize the long-term well-being of Hawai‘i’s families.

**This bill legalizes recreational marijuana under a new label**

- **It expands marijuana access without addressing existing harms**
- **“Low potency” does not mean low risk**
- **Legalization includes cultivation and normalization**

**Weakens community protections over time**

- **Creates new legal conflicts and unintended consequences**

**Adds regulatory burden without proven benefit**

- **Public normalization impacts youth and families**

- **Hawaii should learn from other states**
- **Not the right direction for Hawaii's future**

Thank you for your service to our state.

Linda

**SB-3275**

Submitted on: 2/15/2026 5:09:24 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Wai Yi Ng           | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I strongly support.

**SB-3275**

Submitted on: 2/15/2026 5:49:03 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| David Norris        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I support this with reservations even as a non cannabis user. It's time to stop harassing people and charging them for growing and consuming a plant.

my reservations would be that there still need to be a very clear line and restriction for use while driving, in public etc just as alcohol is regulated.

**SB-3275**

Submitted on: 2/15/2026 5:56:07 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Courtney Kacir      | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Aloha Chair San Buenaventura and Committee Members,

I am a registered nurse. I **SUPPORT** SB 3275.

Please delete "in accordance with the applicable collective bargaining agreement". Union members should not have fewer legal protections than they would have at non-union workplaces.

Mahalo Nui Loa,

Courtney Kacir

**SB-3275**

Submitted on: 2/15/2026 7:09:43 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Kawika Dean         | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Aloha my name is Kawika Dean. I am in support of SB3275.

As a retired collegiate athlete, I use cannabis medicinally for my injuries incurred while playing college sports. I am also a farmer that would appreciate the opportunity to grow cannabis safely in the privacy of my own residence. As Kanaka Maoli pakalolo is in my roots. The ability to share the healing and cultural knowledge of cannabis with the upcoming generation is invaluable.

Please consider voting in favor of SB3275. Aloha Aina and Ku kia'i aina.

Kawika Dean

**SB-3275**

Submitted on: 2/15/2026 10:52:01 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Catherine Collado   | Individual          | Oppose                    | Written Testimony Only |

Comments:

I STRONGLY OPPOSE SB3275 re: cannabis. We already know, at least within the past 50 years, that cannabis is the gateway drug to other harder drugs. It will be impossible to monitor the use of cannabis and control the potency of this drug. In addition, how is anyone going to be able to control its distribution to all who are younger than 21 years of age? Those who are 21 years old or older will sell this to underaged children. Yes, children. Not to mention its distribution among those who visit Hawai'i within the tourist industry. There is also a high potential for additional drugs and/or contaminants in the cannabis which can cause mental illness and death. Please reconsider. Again I strongly OPPOSE SB3275.

**SB-3275**

Submitted on: 2/15/2026 11:58:53 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Kathy Otani         | Individual          | Oppose                    | Written Testimony Only |

Comments:

I oppose SB3275 because I live in a townhouse complex and my health will be impacted by second hand cannabis smoke drifting through the vents, walls, electrical outlets, plumbing, etc. Also, the odor makes me nauseous.

Please vote against this bill. Thank you.

**SB-3275**

Submitted on: 2/16/2026 7:06:44 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Lora Burbage        | Individual          | Oppose                    | Written Testimony Only |

Comments:

Aloha,

I oppose SB 3275. Legalizing marijuana for recreational use is not good for anyone, especially children. This will end up in the hands of our keiki, don't allow that. I work with homeless and low income people and consistently hear and see the devastating affects of addiction. The trade off for tax revenue verses the harm this law will cause is absolutely not worth it.

Don't fool yourself into thinking there is a way to keep the marijuana being sold to "low dose" levels!

Mahalo for doing the right thing!

Lora Burbage

**SB-3275**

Submitted on: 2/16/2026 7:09:16 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| caroline ginnane    | Individual          | Support                   | Written Testimony Only |

Comments:

I support this bill. Legalizing recreational cannabis is something long overdue in Hawai'i. This opens up a new sector of economic development that will open doors for new tax revenue to bring improvements to our state which are badly needed. It will give our tired tourism industry a new angle. It opens doors for new culinary opportunities. Cannabis vs alcohol is less likely to incite violence. Lose dose as proposed in this bill is low risk. HI has been missing the boat for years and it's time to step into a new era.

**SB-3275**

Submitted on: 2/16/2026 7:23:32 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Drew Erickson       | Individual          | Support                   | Written Testimony Only |

Comments:

Chair, Vice Chair, and Members of the Committee,

I write in strong support of SB 3275.

As co organizer of the Hawaii Cannabis Expo, now entering our tenth year, I work directly with local entrepreneurs, patients, advocates, and industry professionals. Our event brings together thousands of attendees and businesses each year. I see firsthand the demand for a responsible and regulated adult use framework in Hawaii.

SB 3275 takes a measured step by legalizing low dose and low potency cannabis for adults 21 and over. It recognizes current realities while prioritizing public safety and structured oversight.

Prohibition has not reduced access. It has pushed commerce into the illicit market where there is no testing, labeling, or accountability. Regulation improves consumer protection and establishes clear standards.

A limited potency model allows Hawaii to move cautiously while gathering real data. States with regulated markets have reduced cannabis related arrests and generated significant tax revenue for public programs. Hawaii should move forward with a controlled and responsible framework.

This bill also creates opportunity for local farmers and small businesses. A clear legal structure allows responsible participation instead of continued uncertainty.

I respectfully urge you to pass SB 3275.

Mahalo for your time and consideration,

Drew Erickson  
Co Organizer, Hawaii Cannabis Expo

February 15, 2026

## Testimony Regarding SB3275

I write in opposition to SB3275, which would legalize the cultivation, sale, processing, purchasing, possession, transport, and use of low-dose and low-potency cannabis for personal adult use beginning January 2027,

### Negative Experience Encountered by States

A recent **New York Times** article (dated February 11, 2026) did a reversal on its position on recreational marijuana. The widespread serious health issues caused by marijuana has alarmed even past advocates. Many negative health impacts such as psychological and physical impairments and the perception that marijuana is a harmless drug with no addictive features were false. The alleged health benefits of marijuana use for medical purposes also don't hold up.

### Enabling Widespread Usage with Unenforceable Restrictive Laws

The **same New York Times** article stated that the National Survey on Drug Use and Health showed that 18 million people in the US use marijuana on a daily basis, reflecting a tripling of such use since 2012.

### Creating Serious Social Impacts

It is my view that marijuana, like any substance abuse drugs or similar intoxicating substances (like alcohol) causes short-term euphoria for the users, but long-term mental and physical impairments. If it impacted only the user, it would be sad, but, since it often impacts and creates collateral damage to those around the person, it causes serious negative social problems. The list includes:

1. Lost of a potentially productive and contributing member of society
2. Homeless (drug addicted) individuals that harms themselves and the community, and costing our Hawaii millions of dollars (just go to the emergency rooms of our hospitals and you can see its negative impact on all of Hawaii)
3. Reckless road driving that leads to serious accidents when impaired people drive
4. Since marijuana can be smoked, the substance can drift to neighboring families that negatively impact their lives
5. Marijuana often leads to more intoxicating drug usage
6. Increase in crime as people need funds to purchase their drugs

Remember an ounce of prevention is worth a pound of cure. Don't legalize marijuana to avoid these problems.

A real life situation that I was made aware of was the negative impact of someone who used marijuana daily. The person would drive recklessly in and around cars on the road, gun his vehicle in the late night, and smoke in the vehicle at night with friends, the smoke of which would drift into people's homes. Discussing the type of situation with people who understand Hawaii's current laws, I was made aware that controlling marijuana is really unenforceable. I can imagine what the result will be of legalizing its use in our community.

**SB-3275**

Submitted on: 2/16/2026 9:44:25 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| JOEL BURBAGE        | Individual          | Oppose                    | Written Testimony Only |

Comments:

Aloha, my name is Joel Burbage, and I am submitting this testimony against the proposed legalization of low-level marijuana usage.

I am blessed to full-time houseless and youth ministry on the west side of Oahu, and I have personally seen the ill effects of marijuana usage among young people. So many kids have fallen prey to the temptations of marijuana over usage and the associated lack of drive, and spiral into homelessness and hard drug usage.

I personally know of one young man who is quite intelligent and has a lot of natural talent and was advancing in the ranks as a surfer, but got into weed usage and his life basically completely fell apart. He went from having a bright future ahead of him to just hanging around on the street corners and in the park, getting completely wasted, and ruining his life. I have not seen him in the past few months, in fear that he may have even perished.

This story is only one of countless of our keiki who have gone through the same thing. We need less of this, not more.

Also, once you open the door to legalization, who is going to be running around measuring people's weed usage? This is a foolish ploy to normalize usage of this drug, and our keiki are the ones who will suffer.

For this reason, I am highly opposed to any efforts to legalize even smaller amounts of this scourge on our community, our keiki, and our beloved Aina.

Mahalo for your time,

Minister Joel Burbage

**SB-3275**

Submitted on: 2/16/2026 9:52:27 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Theresa Armbruster  | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

**OPPOSE OPPOSE OPPOSE!!!**

Making so called "low dose" pot legal can still be Lethal to health & public safety!!! States that have legalized pot have seen increases in pot-related traffic fatalities, wide range of health & mental health issues...

Legalizing pot only leads to more crime, corruption & rot! Don't let Hawaii go to pot!!!

Please vote NO to SB2376

**SB-3275**

Submitted on: 2/16/2026 10:41:26 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Ellen Godbey Carson | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

Please vote NO to legalizing cannibas. It will do more harm than good.

**SB-3275**

Submitted on: 2/16/2026 11:29:44 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Pa'ani              | Individual          | Support                   | Written Testimony Only |

Comments:

My name is Paani Yap, and I am a proud resident of Hawai'i. I am here today in strong support of SB 3275, Relating to Cannabis.

This issue matters to me because it is about fairness, reality, and the future of our communities.

Cannabis is already here in Hawai'i. It has been here for decades. Prohibition has not removed it from our neighborhoods, our beaches, or our communities. What prohibition has done is push it into the shadows, into an unregulated system where there are no safeguards, no quality control, and no accountability.

Legalization is not about encouraging use. It is about acknowledging reality and choosing to regulate instead of criminalize. It is about creating clear age restrictions, requiring lab testing, enforcing labeling standards, and ensuring that what adults choose to consume is safe and controlled.



**SB-3275**

Submitted on: 2/16/2026 3:03:52 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| Submitted By   | Organization | Testifier Position | Testify                |
|----------------|--------------|--------------------|------------------------|
| Reina Loughlin | Individual   | Oppose             | Written Testimony Only |

Comments:

Protect Hawai‘i’s Keiki — Please Vote No on SB 2421 & SB 3275

I’m writing to respectfully urge you to oppose SB 2421 and SB 3275.

As a mother of 5 ranging in ages 6 up to 24 years of age, I have first hand experience of the influence, concern, and impact of substances that are illegal, as well as the abuse and negative side effects of legal substances meant to help people, but end up a double edged sword.

Risks of legalizing marijuana outweigh the benefits. Let’s not create additional problems but find better solutions and safeguards that serve everyone.

These bills would expand marijuana legalization in Hawai‘i and normalize cannabis use across our communities. As someone who cares deeply about our keiki, I am concerned about the message this sends to young people.

Even policies framed as “low potency” contribute to a culture that makes marijuana more accessible and socially acceptable. Many parents and educators are already navigating serious mental health and substance use challenges among youth.

Please stand with families and vote no on these measures.

Mahalo for your service.



**LATE**

**SB-3275**

Submitted on: 2/16/2026 6:50:34 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Haunani Dato        | Individual          | Oppose                    | Written Testimony Only |

Comments:

To whom it may concern,

My name is Haunani Dato. I am Kanaka, born and raised on Kauai. I oppose bill SB3275 due to the fact that allowing legalization even in low dose will be impossible to enforce and ensure the dose amount when people are growing their own marijuana. I have seen with my own eyes that enforcement of rules regarding the legal use of "medical marijuana" is not possible therefore, enforcing the rules on this will not be done either. I lived next door to a person who has a medical marijuana card. This person smoked the marijuana resulting in polluting the air in our house. My family and I got bombed by the stink marijuana smoke all day long and it negatively affected our life. My children would be woken up in the middle of the night with headaches due to the stench! The smoking of marijuana should be illegal everywhere, especially in residential areas due to the fact that the smell carries over to neighboring homes and forces children and adults alike to have to smell and breathe polluted air. The worse thing is that non-smokers and non-drug users will be forced to put up with smelling that terrible smell in their own homes. Please think about how this will affect non-smokers and drug free people in the community. To illustrate, a law was passed so that citizens are not allowed to burn rubbish in their yards in residential areas due to the smoke affecting their neighbors. This should be applied to the smoking of marijuana as well. Clean air should be automatic for everyone, especially in our homes.

Also, for marijuana to be used recreationally is absurd to me. I see no good coming out of a bunch of stoned out citizens. People are careless as it is. Imagine careless stoned people. Legalization of marijuana sets up society for failure and its an excuse for people to be mediocre instead of being the best version of themselves with a clear mind.

Mahalo for your time,

Haunani Dato

**LATE**

**SB-3275**

Submitted on: 2/17/2026 8:44:36 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Gail Tamaribuchi    | Individual          | Oppose                    | Written Testimony Only |

Comments:

Dear leaders,

I oppose this bill! Can we really keep the drug cartels and other dark shady characters from coming into our beautiful islands? Do we have the manpower in our law enforcement to keep a careful eye that only monitored low doses are distributed? No way because it's not being done now with fentanyl or THC Delta 8!!

I am worried about my future grandkids. They should not grow up in an environment that normalizes mood altering substances like Marijuana! When they go to the beach or parks, they will be exposed to Marijuana smoke. We know people drink alcohol at beaches even though it's illegal, how will they monitor THC smoking?

It's not fun to visit Las Vegas or Colorado anymore. The smell of Marijuana is all over the place and gets into your clothing and hair. The dispensaries look seedy like sex shops!

We will spend more money trying to get dispensaries to stick within guidelines on staying in low dosages but how will they compete with the drug dealers who will have higher doses readily available and probably for cheaper costs?!

**LATE**

**SB-3275**

Submitted on: 2/17/2026 9:11:32 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Kai Luke            | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair, Vice Chair, and Distinguished Committee Members,

As a voting member of the community, I appreciate you hearing this bill.

With the United States Department of Health and Senior Services holding patent 6630507b1 titled “Cannabinoids as Antioxidants and Neuroprotectants” filed in 1999, there is recorded historical evidence of the potential therapeutic benefits of Cannabis.

This may have enormous effects going forward as all humans have an “Endocannabinoid System” or ECS that helps to regulate the body via homeostasis.

While many of the global community moves towards future proofing health initiatives with Cannabis, we lack the cohesiveness to provide a safe and strong foundation to build on the understanding of plant medicine.

Please support the majority of the community’s choice to participate in the growing cannabis sector and let the resources benefit the entire community.

I support this bill with amendments and need to see more inclusion for minorities and the underserved indigenous communities that are most impacted by reefer madness and the war on cannabis.

Thank you for allowing me to testify.

Mahalo,

Kai Luke

**LATE**

**SB-3275**

Submitted on: 2/17/2026 9:33:12 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Gregory Misakian    | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I strongly oppose SB3275.

Gregory Misakian