WHEREAS, Hawaii's Medical Use of Marijuana Law was enacted on June 14, 2000, as Act 228, Session Laws of Hawaii 2000, to provide medical relief for seriously ill individuals in the State; and

WHEREAS, implementation of Act 228, Session Laws of Hawaii 2000, recognizes the beneficial use of marijuana in treating or alleviating pain or other symptoms associated with certain debilitating illnesses, and recognizes the medical benefits of marijuana; and

WHEREAS, Hawaii's Medical Use of Marijuana Law is silent on how patients can obtain medical marijuana if they or their caregivers are unable to grow their own supplies of medical marijuana; and

WHEREAS, many of the State's almost 13,000 qualifying patients lack the ability to grow their own supply of medical marijuana due to a number of factors, including disability, limited space to grow medical marijuana, and an inadequate supply of medical marijuana to take care of their medical needs; and

WHEREAS, a regulated statewide dispensary system for medical marijuana is urgently needed by qualifying patients in the State; and

WHEREAS, 20 states and Washington, D.C., have medical marijuana laws, and 13 of these 20 jurisdictions have an active regulated system of dispensaries; and
WHEREAS, several other states are in the process of implementing laws relating to the establishment of dispensaries for medical marijuana; and

WHEREAS, a regulated statewide dispensary system for medical marijuana will enable qualifying patients to obtain an inspected, safe supply of medical cannabis that is labeled as to the composition, strain, and strength of the cannabis to be most helpful to each patient's condition; and

WHEREAS, in response to Act 29, First Special Session Laws of Hawaii 2009, the Legislative Reference Bureau published a report entitled, "Access, Distribution, and Security Components of State Medical Marijuana Programs," which discussed the policies and procedures for access, distribution, security, and other relevant issues related to the medical use of marijuana in all states that had a medical marijuana program; and

WHEREAS, establishment of a tightly regulated statewide dispensary system was the number one recommendation of the 2010 Medical Marijuana Working Group; and

WHEREAS, the transfer of Hawaii's Medical Marijuana Program from the Department of Public Safety to the Department of Health in 2015 is an acknowledgement by the Legislature that the program is a public health program; and

WHEREAS, a tightly regulated dispensary system for medical marijuana will comport with the spirit and intent of the Medical Use of Marijuana Law: compassion for Hawaii's suffering patients and the provision of safe, legal, and reliable access for qualifying patients; and

WHEREAS, there are many models of medical marijuana dispensary systems available in other state jurisdictions, including models that were enacted after the passage of Hawaii's Medical Use of Marijuana Law; and

WHEREAS, to provide equitable access to medical marijuana, the unique geography of the State, with its four counties on different islands must be considered in the design and implementation of a regulated statewide dispensary system for medical marijuana; now, therefore,
BE IT RESOLVED by the House of Representatives of the
Twenty-seventh Legislature of the State of Hawaii, Regular
Session of 2014, the Senate concurring, that the Public Policy
Center in the College of Social Sciences at the University of
Hawaii at Manoa (Public Policy Center) is requested to convene a
Medical Marijuana Dispensary System Task Force (Task Force) to
develop recommendations for the establishment of a regulated
statewide dispensary system for medical marijuana to provide
safe and legal access to medical marijuana for qualified
patients; and

BE IT FURTHER RESOLVED that the Task Force be assigned to
the Public Policy Center for administrative purposes and is
requested to make recommendations and propose legislation on the
design and structure of a regulated statewide dispensary system
for medical marijuana; and

BE IT FURTHER RESOLVED that the Task Force shall be
comprised of:

(1) The Attorney General, or the Attorney General's
designee;
(2) The Director of Health, or the Director's designee;
(3) The Director of Public Safety, or the Director's
designee;
(4) The Director of Taxation, or the Director's designee;
(5) The Director of Commerce and Consumer Affairs, or the
Director's designee;
(6) The Director of the Public Policy Center, or the
Director's designee;
(7) The Prosecuting Attorney of the City and County of
Honolulu, or the Prosecuting Attorney's designee;
(8) A police chief chosen by the Law Enforcement
Coalition, or the police chief's designee;
(9) The Chairperson of the Senate Committee on Health;
(10) The Chairperson of the House Committee on Health;

(11) A state senator who is selected by the Senate President to serve on the Task Force;

(12) A state representative who is selected by the Speaker of the House of Representatives to serve on the Task Force;

(13) A representative from the University of Hawaii College of Tropical Agriculture and Human Resources;

(14) A representative of the Drug Policy Forum of Hawaii;

(15) A physician participating in Hawaii's Medical Marijuana Program;

(16) Two participants in Hawaii's Medical Marijuana Program, one of whom is a patient who is over the age of 18, and one of whom is a parent or guardian of a patient who is under the age of ten;

(17) A caregiver participating in Hawaii's Medical Marijuana Program;

(18) A representative from the American Civil Liberties Union of Hawaii;

(19) A representative from the Hawaii Medical Association; and

(20) A representative from the Coalition for a Drug-Free Hawaii; and

BE IT FURTHER RESOLVED that the issues to be addressed by the Task Force include the appropriate number and location of dispensaries statewide; the design of a tax structure (state and county); location and restriction issues; methodology for ensuring safety of supply; a framework for cultivating and manufacturing medical marijuana products; regulations to ensure security and public safety; restrictions on advertising; issues raised and compliance with any guidelines and/or directives issued by federal agencies with respect to medical marijuana; and
BE IT FURTHER RESOLVED that no later than September 1, 2014, the Legislative Reference Bureau is requested to complete and submit to the Task Force an updated report on the policies and procedures for access, distribution, security, and other relevant issues related to the medical use of cannabis in all states that currently have a medical cannabis program; and

BE IT RESOLVED that, as part of its report, the Legislative Reference Bureau is requested to examine and include information concerning the policies and procedures adopted by other states relating to the growth and cultivation of medical marijuana and the regulation of medical marijuana dispensaries; and

BE IT FURTHER RESOLVED that the Task Force is requested to hold at least one public hearing to receive public input on the updated report received from the Legislative Reference Bureau containing the policies and procedures for access, distribution, security, and other relevant issues related to the medical use of cannabis in all states that currently have a medical cannabis program; and

BE IT FURTHER RESOLVED that the Task Force is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2015; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor, President of the Senate, Speaker of the House of Representatives, Attorney General, Director of Health, Director of Public Safety, Director of Taxation, Director of Commerce and Consumer Affairs, Director of the Public Policy Center in the College of Social Sciences at the University of Hawaii at Manoa, Prosecuting Attorney of the City and County of Honolulu, Executive Director of the American Civil Liberties Union of Hawaii, Executive Director of the American Policy Forum of Hawaii, Dean of the University of Hawaii College of Tropical Agriculture and Human Resources, Executive Director of the Hawaii Medical Association, Law Enforcement Coalition, Executive Director of the Coalition for a Drug-Free Hawaii, and Acting Director of the Legislative Reference Bureau.