
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ASSESS MARIJUANA
TO DETERMINE WHETHER IT MAY BE RECLASSIFIED IN THE SCHEDULE
OF CONTROLLED SUBSTANCES.

1 WHEREAS, Act 228, Session Laws of 2000, amended state law
2 to allow qualifying patients to use marijuana for medical
3 purposes when the patient's treating physician provides a
4 professional opinion that the benefits of the medical use of
5 marijuana would likely outweigh the health risks for the
6 qualifying patient; and
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8 WHEREAS, in enacting Act 228, the Legislature found that
9 modern medical research has discovered a beneficial use for
10 marijuana in treating or alleviating the pain or other symptoms
11 associated with certain debilitating illnesses, and that there
12 is sufficient medical and anecdotal evidence to support the
13 proposition that these diseases and conditions may respond
14 favorably to a medically controlled use of marijuana; and
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16 WHEREAS, the legislative intent of Act 228 is to ensure
17 that seriously ill people are not penalized by the State for the
18 use of marijuana for strictly medical purposes, when it is used
19 in accordance with state law; and
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21 WHEREAS, despite the Legislature's recognition of the
22 possible medical benefits of marijuana, it continues to be
23 designated as a substance that has the highest degree of danger
24 or probable danger, as it is listed as a Schedule I drug in
25 section 329-14, Hawaii Revised Statutes; and
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27 WHEREAS, the Department of Public Safety is authorized to
28 make determinations regarding the proper classification of a
29 substance by assessing the degree of danger or probable danger
30 of the substance by considering factors enumerated in section
31 329-11(a), Hawaii Revised Statutes; and



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WHEREAS, after considering the factors enumerated in section 329-11(b), Hawaii Revised Statutes, the Department of Public Safety makes recommendations to the Legislature, specifying to what schedule the substance should be added, deleted, or rescheduled, if it finds the substance has a degree of danger or probable danger; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2009, the Senate concurring, that the Department of Public Safety is requested to assess the degree of danger or probable danger of marijuana, in accordance with section 329-11(a), Hawaii Revised Statutes; and

BE IT FURTHER RESOLVED that the Department of Public Safety is requested to make a recommendation in accordance with its assessment and obligations pursuant to section 329-11(b), Hawaii Revised Statutes; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor and the Director of Public Safety.

OFFERED BY:






