
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that currently twenty-
2 four jurisdictions allow the use of medical marijuana. While
3 there are many differences among all of the medical marijuana
4 programs, there is also a general similarity among the statutory
5 schemes that created them. Like Hawaii, each jurisdiction
6 legalized the use of medical marijuana, tasked various
7 departments with executing the program, and gave them rule
8 making authority to bring about the purpose of the program.

9 The purpose of this Act is to establish a medical marijuana
10 commission consisting of government officials, medical
11 professionals, patients, public safety officials, and law
12 enforcement officials, to meet at least four times a year to
13 evaluate and make recommendations about the overall
14 effectiveness of the medical marijuana dispensaries in the
15 State.



1 SECTION 2. (a) There is established within the department
2 of health, for administrative purposes, the medical marijuana
3 commission.

4 (b) Notwithstanding sections 26-34 and 78-4, Hawaii
5 Revised Statutes, the commission shall consist of the following
6 members:

- 7 (1) The director of health, or the director's designee,
8 who shall serve as the chair of the commission;
- 9 (2) The director of public safety, or the director's
10 designee;
- 11 (3) A representative from the alcohol and drug abuse
12 division of the department of health;
- 13 (4) A representative from each of the four county police
14 departments;
- 15 (5) A representative of the sheriff division of the
16 department of public safety;
- 17 (6) Three licensed physicians with knowledge and
18 experience in medical marijuana issues, who shall be
19 appointed by the governor, senate president, and
20 speaker of the house of representatives, respectively;



1 (7) A registered nurse with knowledge and experience in
2 medical marijuana issues, who shall be appointed by
3 the governor;

4 (8) Three registered medical marijuana patients, who shall
5 be appointed by the governor, senate president, and
6 speaker of the house of representatives, respectively;
7 and

8 (9) A representative from the Drug Policy Forum of Hawaii.
9 Any vacancies in the commission shall be filled in the
10 manner provided for in the original appointments.

11 (c) By January 1, 2017, the commission shall have met
12 twice, thereafter the commission shall meet four times per year.
13 The commission may hold additional meetings, including public
14 meetings, as it deems necessary. The commission shall provide
15 for participation via video conference or other remote access
16 for neighbor island members. The commission's meetings shall be
17 focused on evaluating and making recommendations to the
18 governor, legislature, and department of health regarding the
19 overall effectiveness of medical marijuana dispensaries in
20 serving the needs of qualifying patients in the State, including
21 the following:



- 1 (1) The accessibility of a high quality adequate supply of
2 medical marijuana to qualifying patients throughout
3 the State;
- 4 (2) The educational and support services provided;
- 5 (3) The affordability of medical marijuana;
- 6 (4) The appropriateness of safety and security measures;
- 7 (5) The sufficiency of the number of operating
8 dispensaries to serve the number of qualifying
9 patients in the State; and
- 10 (6) A review of existing rules and regulations regarding
11 medical marijuana dispensaries in the State.
- 12 (d) The commission shall submit an annual report of its
13 findings and recommendations, including any proposed
14 legislation, to the legislature and the governor no later than
15 twenty days prior to the convening of the regular sessions of
16 2017, 2018, 2019, and 2020. The report shall include the
17 following information:
- 18 (1) The number of applications and renewals for medical
19 marijuana registry patient identification
20 certificates;



- 1 (2) The number of qualifying patients and designated
2 caregivers in each county;
- 3 (3) The types of debilitating medical conditions of
4 qualifying patients;
- 5 (4) The number of registry patient identification
6 certificates revoked for misconduct;
- 7 (5) The number of physicians providing written
8 certifications for qualifying patients;
- 9 (6) The accounting data for dispensaries regarding fees
10 and costs; and
- 11 (7) Recommendations to improve the State's medical
12 marijuana dispensary system with respect to patient
13 access, quality control, patient safety, and
14 preventing unsanctioned distribution of medical
15 marijuana.
- 16 (e) Commission members shall receive no compensation but
17 may be reimbursed for necessary expenses, including travel
18 expenses, incurred in the conduct of official commission
19 business.
- 20 (f) The medical marijuana commission shall cease to exist
21 on January 1, 2020.



1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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[Signature]

JAN 26 2016



H.B. NO. 2534

Report Title:

Medical Marijuana Commission

Description:

Establishes a medical marijuana commission to evaluate and make recommendations about the overall effectiveness of the medical marijuana dispensaries in the State.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

