

Honolulu, Hawaii

FEB 06 , 2020

RE: H.B. No. 2097
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2097
entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS,"

begs leave to report as follows:

The purpose of this measure is to amend the medical cannabis
dispensary system by:

- (1) Allowing for a process to remediate and retest any batch
of cannabis that fails laboratory testing standards so
long as any final product passes such laboratory
standards;
- (2) Authorizing licensed dispensaries to manufacture and
distribute edible cannabis products, as a manufactured
cannabis product, under certain conditions; and
- (3) Authorizing licensed dispensaries to circulate, sponsor,
and promote educational and scientific information and
events related to cannabis that shall not be considered
advertising, under certain conditions.

Your Committee received testimony in support of this measure
from Kush Bottles Hawaii, Hawaii Cannabis Industry Association,
Drug Policy Forum of Hawaii, and three individuals. Your



Committee received testimony in opposition to this measure from the Department of Transportation and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, and Patients Without Time.

Your Committee finds that amendments to the medical cannabis dispensary system laws are necessary to clarify legislative intent, ensure smooth administration of the law, allow for adequate patient access based on experiences in other states that have a reasonable medical cannabis program, and resolve other issues that have arisen.

Your Committee notes the concerns raised by the Department of the Attorney General regarding the ambiguity of whether the batch of product that is allowed to be remediated and retested refers only to manufactured cannabis products or both cannabis and manufactured cannabis products.

Your Committee also notes the concerns raised by the Department of Health regarding:

- (1) The lack of flexibility in the remediation of cannabis products for the Department to ensure that products that are safe for use and the ability to respond to industry and technological innovations going forward;
- (2) The inability for the Department to approve edible cannabis products on a case-by-case basis, including the inability to establish and modify requirements or limits to ingredients or flavorings of edible cannabis products;
- (3) The risk of accidental poisoning of children from edible cannabis products; and
- (4) The risk of increased youth exposure to and broad advertising of cannabis in certain materials that may be circulated by the medical cannabis industry.

Your Committee has amended this measure by:

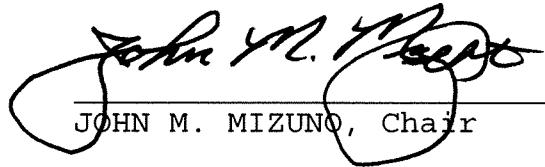
- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and



- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2097, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2097, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,



JOHN M. MIZUNO, Chair



Record of Votes of the Committee on Health

Bill/Resolution No.: HB 2097	Committee Referral: HLT, CPL/JUD, FIN	Date: 2-4-20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	✓			
2. KOBAYASHI, Bertrand (VC)	✓			
3. BELATTI, Della Au	✓			
4. NAKAMURA, Nadine K.	✓			
5. SAN BUENAVENTURA, Joy A.	✓			
6. SAY, Calvin K.Y.				✓
7. TOKIOKA, James Kunane	✓			
8. WARD, Gene			✓	
TOTAL (8)	6	0	1	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>BT Capri</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				