

STAND. COM. REP. NO.

147

Honolulu, Hawaii

FEB 11 2021

RE: S.B. No. 145
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 145 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to authorize the manufacture and distribution of cannabis seeds and cannabis clones by medical cannabis dispensary licensees.

Your Committee received testimony in support of this measure from Big Island Grown Dispensaries and the Hawai'i Cannabis Industry Association. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Department of the Attorney General and Akamai Cannabis Clinic.

Your Committee finds that patients and primary caregivers who wish to cultivate medical cannabis have no legal means of obtaining safe, laboratory-tested genetic material from which to propagate their plants. Currently, state law authorizes qualifying patients to cultivate up to ten medical cannabis plants but does not specify by what means propagules, cuttings, or other cannabis genetic material necessary to produce these plants may be obtained. This measure will allow authorized patients and primary caregivers to obtain laboratory-tested genetic material without resorting to illicit markets.

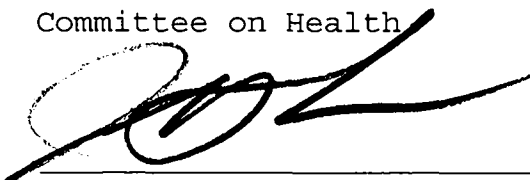


Your Committee also finds that S.B. No. 254, Regular Session 2021, is similar in content and intent as it authorizes the sale and distribution of cannabis propagules and cuttings and finds that it should be incorporated into this measure. Your Committee has also heard the Attorney General's concerns that this measure may potentially allow a patient to obtain more than the allowed ten medical cannabis plants. Therefore, your Committee has amended this measure by:

- (1) Incorporating sections 2 and 3 of S.B. No. 254 into this measure to add propagules and cuttings to the definition of "cannabis" in chapter 329D, Hawaii Revised Statutes, and authorize persons allowed to cultivate medical cannabis to also purchase propagules and cuttings;
- (2) Adding limitations to the number of propagules, cuttings, cannabis clones, and cannabis seeds a patient or primary caregiver may purchase within certain time periods;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 145, S.D. 1, and be referred to your Committee on Judiciary.

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

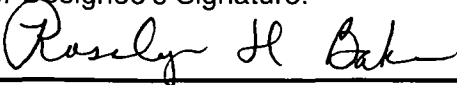


JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB149	Committee Referral: HTH, JDC	Date: 2-3-2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn (VC)	✓			
MORIWAKI, Sharon Y.		✓		
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt		✓		
TOTAL	3	2	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes