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TESTIMONY ON HOUSE BILL 2260 HOUSE DRAFT 1
RELATING TO CANNABIS

By
Clifton Otto, MD

House Committee on Consumer Protection & Commerce
Representative Aaron Ling Johanson, Chair
Representative Lisa Kitagawa, Vice Chair

Tuesday, February 15, 2022; 2:00 PM
State Capitol, Room 329 & Videoconference

Thank you for the opportunity to offer **COMMENTS** on this measure.

Patients and Dispensaries should not have to violate federal law to participate in Hawaii's Medical Cannabis Program. This is an enormous Commerce and Consumer Protection issue. Please add the following amendment to this bill to help end this unnecessary conflict:

SECTION 8. The following sub-section is amended to read as follows:

§329D-25 Coordination among state and federal agencies. The department shall initiate ongoing dialogue among relevant state and federal agencies to identify processes and policies that ensure the privacy of qualifying patients and qualifying out-of-state patients and the compliance of qualifying patients, primary caregivers, qualifying out-of-state patients, and caregivers of qualifying out-of-state patients and medical cannabis dispensaries with state laws and regulations related to medical cannabis; provided that the department shall also file for a federal exemption under 21 CFR 1307.03 and 21 CFR 1308.43 for the state authorized use of cannabis in Hawaii.

Dispensaries should be allowed to transport cannabis material between islands, especially when a legal pathway for such transport already exists. Please correct the current blockade of dispensary inter-island transport by adopting the following amendments:

Page 17, Line 13:

(m) [A] ~~Except as authorized by subsection (r), a dispensary shall not transport cannabis or manufactured cannabis products to another county or another island; provided that this subsection shall not apply to the transportation of cannabis or any manufactured cannabis product solely for the purposes of laboratory testing pursuant to section 329D-8, and subject to subsection (j) [i], if no certified laboratory is located in the county or on the island where the dispensary is located; provided further that a dispensary shall only transport samples of cannabis and manufactured cannabis products for laboratory testing for purposes of this subsection in an amount and manner prescribed by the department, in rules adopted pursuant to this chapter, and with the understanding that state law and its protections do not apply outside of the jurisdictional limits of the State~~ a legal pathway for the inter-island transport of cannabis and manufactured cannabis products exists under [14 CFR 91.19](#).

Page 20, Line 10:

(s) The department of transportation shall adopt rules pursuant to rulemaking procedures to implement this section.

Aloha.