

From: webmaster@hawaii.gov
To: DOH.OMCCR
Subject: WRITTEN TESTIMONY
Date: Thursday, September 29, 2022 10:32:22 AM

Email

[REDACTED]

Name

'Ihilani Cummings

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #2

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

I am submitting written testimony for the 10-03-2022 meeting agenda item #2 related to recreational use of cannabis.

I am against the legalization of recreational marijuana/ cannabis use.

Aloha, my name is 'Ihilani Cummings. I was born and raised on O'ahu, but have spent large portions of my life in Maui and Hawaii island. I am and have been a part of our island community my entire 40+ years of life and made a choice to raise my children here. I have worked with youth for most of my professional life, and currently work in the field of substance use and recovery homes.

As a community member and mother of five (5) children, I feel that it is important to protect the youth from cannabis usage in a recreational capacity. The youth today have so many external influences that if succumbed to can lead to developmental issues that can be carried over into adulthood. It is my dream as a parent to see my children become healthy, good, and industrious adults.

As a Hawaiian, cannabis use is not a native practice.

As an intellectual, there are many studies that indicate that cognitive and behavioral abnormalities can result from cannabis use. Also, although there are many scientific and academic studies related to marijuana usage, there are many inconclusivities related to long term impacts on people, communities, the criminal justice system, and most importantly the youth.

The current legal system here in Hawaii supports the use of medical marijuana use. However, there are many gaps in how medical cannabis is used, including issues of dosing, methods of administering cannabis as a prescription, and regulations that monitor consistency and THC levels, especially with new hybrid cannabis strains being rapidly created.

Thank you for allowing me to share my position.

Mahalo,
'Ihilani Cummings

From: webmaster@hawaii.gov
To: [DOH.OMCCR](#)
Subject: WRITTEN TESTIMONY
Date: Saturday, October 1, 2022 7:18:55 AM

Email

[REDACTED]

Name

Denise Boisvert

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #2

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

Aloha, I am submitting written testimony for the 10/3/22 meeting, agenda item #2 (although that is a guess, I'm not sure where else to put my concern).

I am not against dual use or a person's right to use cannabis. My concern is about the equity of rights for those persons who do not use it and do not want their apartments or houses engulfed by the intensely strong smoke and smell of non-edible usage.

This has happened so many times to my apartment over the years by different neighbors who move in and out around me. Many times the smell was so incredibly strong that it caused me to wake up from a sound sleep in the middle of the night. It takes hours for the smell to diminish and it gives me headaches. I know it has upset many other neighbors with little children as well.

Please include in the legislation some protection for neighbors who, although understanding of both types of use, do not want to be forced to smell it in their personal residences; and should not have to constantly keep their doors and windows closed.

One person's enjoyment or medical treatment should not infringe on the health and well-being of another person, and the results of any usage should be contained within the user's own space. The rights should be equitable.

Thank you for your kind understanding and consideration.

From: webmaster@hawaii.gov
To: [DOH.OMCCR](#)
Subject: WRITTEN TESTIMONY
Date: Monday, September 26, 2022 10:27:24 AM

Email

[REDACTED]

Name

TY Cheng

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #4

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

I am submitting written testimony for the 10/03/2022 meeting, agenda item #4 Market Structure comments.

Aloha Green Apothecary, one of Oahu's state licensed medical cannabis dispensaries, wishes to provide comment about the Market Structure report in regards to square footage cultivation licensing and previous public testimony related to the Market Structure.

Firstly, the Market Structure report provides an unrealistic and uneconomical licensing pricing structure for cultivation. I encourage the participation of smaller cultivators, but want to raise the issue that licensing for the current medical dispensary licenses will be greatly increased. At this current time, medical licensees pay \$50,000 per year after an initial \$75,000 fee. Our audited financial reports are available to the DOH regulators and they are able to attest that a number of licensees do not break even and only a few are profitable. None have returned investment to initial shareholders.

As you are aware from the Tax Reporting Group and recent Civil Beat article, the current heavy regulation leads to a higher price for medical cannabis sold at the dispensaries.

The proposed licensing structure does NOT differentiate between indoor, greenhouse or outdoor grows. The pricing proposal encourages indoor higher yielding grows which use more electricity and have a larger carbon footprint. Greenhouse grows do not yield as much as an indoor grow and requires more space due to the lack of environmental controls. Finally, the licensee pricing is too high for an outdoor grower.

For example, if the license pricing was recommended then Aloha Green Apothecary would pay an annual fee of \$400,000 per annum for its current cultivation license. Aloha Green Apothecary recently completed an indoor and greenhouse expansion of its cultivation facility to increase supply and further drive down the price of medical cannabis. Greenhouse and outdoor growing is the future for commercial cannabis as the plant is legalized and freed.

Aloha Green Apothecary is now able to provide \$220 oz of dried flower daily at our dispensaries due to finally reaching economics of scale in a regulated, lab tested, and taxed market.

Secondly, Aloha Green wishes to respond to public "cannabis hui" comments against labelling medical dispensaries as "profit driven" corporations and bad for the program. Aloha Green is owned locally and family run despite accusations. We believe in the importance of community and were recently named as #203 in Hawaii Magazine's Top 250 Most Charitable Companies in Hawaii 2021. See link: <https://www.hawaiiibusiness.com/most-charitable-companies-hawaii-list-directory/>

Aloha Green is among some of the most charitable companies in Hawaii.

Aloha Green's Top Nonprofits supported include AccesSurf, Honolulu Zoo, Hawai'i Health & Harm Reduction Center, Hawai'i Appleseed, Hawai'i LGBT Legacy Foundation; and the Last Prisoner Project. There are community and social justice organizations that are most deserving.

Aloha Green has yet to pay back initial equity investors, but we still fulfill our social mandate to support the local community especially during the pandemic. Aloha Green has shown that it prioritizes its patients and the community over corporate profits and investors. Locally owned corporations make a positive difference in our community compared to illicit businesses. We believe that the first mover medical dispensaries have an important role to play as the pillars of a proposed dual use system despite nay-sayers. Bigger does not mean badder.

I am available for live question and answer at your convenience.

Aloha
TY Cheng
President, Aloha Green Apothecary

From: webmaster@hawaii.gov
To: [DOH.OMCCR](#)
Subject: WRITTEN TESTIMONY
Date: Friday, September 30, 2022 12:31:30 PM

Email

[REDACTED]

Name

David Fukuzawa

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #2
- Agenda Item #3

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

Dear Honorable Committee Members,

I am submitting written testimony for the 10/03/2022 meeting, agenda item #2, #3, and I am against the dual use of cannabis. I understand the state is seeking ways of increasing state revenues through various taxation regulations, but by legalizing marijuana for recreation use, we create greater burdens upon our state. As both a retired law enforcement (HI State Dept of Public Safety, Corrections Division) and substance abuse counselor (Certified by the state from 1994 to 2017 as CSAC, CSJCC, CSAP), I can tell you we are making a grave error in judgement here. Our state is already short handed on substance abuse treatment centers and counselors. We are short handed in law enforcement personal at all levels of criminal justice from the police, to corrections, to attorneys for prosecuting and defending, to judges to adjudicate and make sound decisions. We lack space in our correctional facilities. And then there is the medical implications of this idea of legalizing the marijuana. Our medical system is already strapped because of COVID and the present drug related ailments, and we want to add more. Please do not do this, and keep us only at medical use for cannabis. Until the federal government legalizes cannabis in all facets of use, we should not jump the gun.

Thank you for your time and consideration in this matter.

Sincerely,
David J Fukuzawa

From: [REDACTED]
To: DOH.OMCCR
Subject: [EXTERNAL] Testimony Regarding Cannabis- SLH, 2021, Act 169
Date: Wednesday, September 28, 2022 7:42:36 PM

Testimony Regarding Cannabis- SLH, 2021, Act 169

Aloha

I am writing to you to point out a main concern for our Hawaii communities if Marijuana gets further legalized. The lack of regulations for large future commercial marijuana production facilities could burden agricultural communities as there currently are very limited laws.

On the mainland in states where marijuana already has been legalized loud concerns have been voiced by communities neighboring Marijuana grow and processing facilities due too excessive exposure to the smell, noise and lights.

ANY COMMUNITY MEMBERS, FAMILIES AND CHILDREN SHOULD NOT BE FORCED TO SMELL A STILL FEDERALLY CONTROLLED SUBSTANCE WHILE LIVING IN THEIR HOMES.

As a former holder of a medical card we have no problem with medical use of Cannabis but the general population with families and children should not be forced to sleep and live next to and with the overwhelming smell and industrial cultivation nuisances.

A large scale marijuana processing and growing facility belongs far away from ANY residence.

Please address the issue of regulations for future large marijuana cultivation sites before you expand the use of marijuana.

PLEASE PROTECT THE PEOPLE OF HAWAII.

Mahalo for your time

Jutta Mueller

Plumeria Plantation Ag Enterprise LLC

Kula, Maui.

[Sent from Yahoo Mail on Android](#)

From: webmaster@hawaii.gov
To: [DOH.OMCCR](#)
Subject: WRITTEN TESTIMONY
Date: Wednesday, September 28, 2022 10:28:34 AM

Email

[REDACTED]

Name

Judy Bisgard

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #2

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

I am submitting written testimony for the 10/03/22 meeting, agenda item #2. I am a lifetime Maui resident. Before you make any rules or give out any permits for growing marijuana, please study the problems other states are having with legalized marijuana. Thank you.

From: webmaster@hawaii.gov
To: [DOH.OMCCR](#)
Subject: WRITTEN TESTIMONY
Date: Friday, September 30, 2022 1:50:47 PM

Email

[REDACTED]

Name

John Lester

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #2
- Agenda Item #3
- Agenda Item #4

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

I am submitting written TESTIMONY REGARDING CANNABIS TASK FORCE ON SLH, 2021, Act 169. FOR AGENDA ITEMS 2, 3, & 4 - OCT 3, 2022

Aloha Dual Use of Cannabis Task Force Meeting - October 3, 2022,

As a 32-year Hawaii resident, 6-year active duty disabled Veteran, and an active State of Hawaii 329 Medical Cannabis card holder, I do understand the need for medical marijuana in our state. I laud the people of this task force and the work you are doing. I believe the system as it is now, with the distribution systems we have, is serving the public very well with minimal impact on our local society. With any expansion of this as you are considering come several areas that must be addressed.

Several areas are important to keep in mind as legislation and recommendations are made to establish a more robust and serviceable system of growing, packaging, transportation, and distribution of marijuana. Please allow me to share a few thoughts.

1. Hawaii is a conservative state regarding drug use. Citizens are tolerant of what a person does in their homes as long as it does not impact another's right to not have marijuana impact their lives or the lives of their families or homes. I believe any expansion of legislation must take the impact on others to mind. Does it impact schools – will the very potent smell of growing, harvesting, or sales intrude on a non-marijuana user's home or family?
2. Will growth, harvesting, distribution, or use impact children or underage users? What laws will be put in place to ensure people under 21 are not allowed to buy, use or transport marijuana? What will be the penalties for this and the entire structure?
3. Who will enforce any laws or regulations put into effect? As of now, many of the laws are up to the DOH to enforce, yet they do not have the manpower nor enforcement ability to ensure compliance. Just because the legislature passes a law it does not mean it will be enforced. We see this many times in our Hawaiian legal and institutional systems. What you do here may just open pandora's box of allowance

with NO way to ensure there are any effective guide rails. If you cannot ensure compliance and enforcement, you will be doing more harm than good by forcing non-marijuana users to deal with unenforced uses of the products – more fatalities on the road, more underage users, etc. You will end up alienating the general public.

4. Remember, we are a minority of the citizens in Hawaii, and as such, have minority rights to a substance and its use that will not impact the rest of our society negatively while trying to achieve the goal of making this substance in all of its forms available to its users.

5. How do you stop the millions of tourists, on vacation, from adding to the already overburdened and understaffed police due to illegal or intoxicated use of marijuana substances? I say this will be impossible to do with millions of people in vacation mode, especially a large number of young people. You may be creating a level of even more stress on our local population.

6. The extraordinarily strong smell that comes from growing marijuana has caused huge problems in adjoining neighborhoods on the mainland. There are dozens of articles addressing this on the internet. Over half of our population in a survey of over 1000 people say the smell of marijuana is a real problem (<https://www.buzzfeednews.com/article/dominicholden/americans-smell-marijuana-public-streets-canada>) This MUST be addressed. The growing areas must be kept small and isolated from the general non-use public or there is a very real direction of confrontation with the general public. Grow areas have to be kept perhaps a half mile away from existing homes and domiciles, schools, churches, playgrounds, etc. The best is to ensure carbon filtration systems are used. <https://www.wxyz.com/news/marijuana-laws-upset-canton-twp-residents-who-say-odor-from-house-is-overwhelming> - also <https://www.masslive.com/cannabis/2022/02/marijuana-odor-complaint-raises-stink-in-holyoke.html> - please review many others online.

7. Any growing facility must be approved by all neighbors within a specified radius – this is done for uses as simple as vacation rentals on Maui – certainly neighbors who own and have lives already rooted in the communities must have a say in a use as controversial as the growing of a federally illegal substance.

8. Increase in crime due to the value of the crop. We have just seen the federal government demand all local jurisdictions here in Hawaii allow for concealed carry permits. With a fast expansion of marijuana growing sights the potential for violent crime and theft increases as more grow, packaging and distribution sites are allowed, as it does with any valuable commodity that is brought into a social system. How are you going to address this?

Thank you for taking the time to take my testimony. I do hope you look at these points to ensure you don't make more of a problem versus getting the marijuana to the patients who need it. I honestly think our system now works well.

The preponderance of problems that can be caused by just opening this substance up to the public will, in my opinion, must add to our already stressed Police and also add to the stress neighbors have with each other today. Remember, changes to such fundamental things as open public or recreational use of a drug depends on the societal view of the use, not just on the ability of the government to do so.

Mahalo,

John Lester
Kihei, Hawaii

From: webmaster@hawaii.gov
To: DOH.OMCCR
Subject: WRITTEN TESTIMONY
Date: Sunday, October 2, 2022 11:58:33 AM

Email

[REDACTED]

Name

Sam De La Paz

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #2

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

I am submitting written testimony for the 10/03/22 meeting, agenda item #2.

Oct 3rd Task Force Summary Testimony

Summary Testimony for Item II on the Agenda

(Please find detailed testimony including some reference material in my full testimony submitted via email)

Dear Honorable Tax Force Members,

Thank you for the diligent and painstaking process here. Public safety is as important as undoing the harms done by the decades-long drug war. Research, education, and access to information are paramount.

Thank you for the opportunity to submit testimony today.

Hawai'i can become a leader in meaningful research and education and absolutely should. Prohibition has long hindered progress here

Regarding all of the studies linked - if groups were not STRICTLY using clean and tested Cannabis then these studies are far less relevant to a regulated Adult-Use supply chain from a scientific standpoint

Limiting the availability of THC in an adult-use supply chain will only push more people to the illicit market. Budtender and primary caregiver education, testing, research, and dosing recommendations are the answer. Tolerance levels and cannabinoid requirements vary largely.

The formation of a Public Health and Safety Advisory council is absolutely supported. However, this must include stakeholders concerned about the negative impacts of Cannabis use as well as those representing the benefits of the plant. Otherwise, you will have a biased Advisory Board.

Protection of children and youth and access to adults should certainly be the goal with any Adult-Use

legalization. What we have seen with the Candy knockoff branding (highlighted in the attachment referenced in the PHSWG testimony) is beyond deplorable. I want to highlight that these ARE NOT legitimate products that are going through a legalized supply chain. These ARE illicit products that give no regard to the risks to our children and youth. All the more reason to have a functional Adult-Use market.

I would push back on the blanket statement from this report that says "increased access that comes with adult-use" - Increased access to what demographic? Maybe to adults, but certainly not to youth when compared to gray market Cannabis.

I notice that some of the most referenced materials span a longitudinal study ending in 2014. Ideally, referenced data should be no more than 5yrs old. As an example, specific to mental health, the DSM5 (Diagnostic and Statistical Manual of Mental Disorders) is the 5th version that came out in 2013. Any reference material prior to that version has the potential to be based on outdated standards set forth by the APA (American Psychological Association). That is not including outdated in terms of prohibition and relevant data such as product contamination.

The primary focus here should be on continued research and education. It is imperative that the state of Hawai'i, the Dual Use Cannabis Task Force, and their working groups take an unbiased approach to reviewing of literature and findings. While allocating resources to further meaningful research, data collection, and community education.

Thank you for your time and consideration,

Sam De La Paz

From: [REDACTED]
To: [DOH.OMCCR](#)
Subject: [EXTERNAL] October 3rd, Cannabis Task Force Testimony - Agenda Item 2 - GreenWave/Sam De La Paz
Date: Saturday, October 1, 2022 3:43:10 PM
Attachments: [GreenWave Oct. 3rd 2022 WRITTEN Testimony - Public Health & Safety.pdf](#)

Dear honorable task force members,

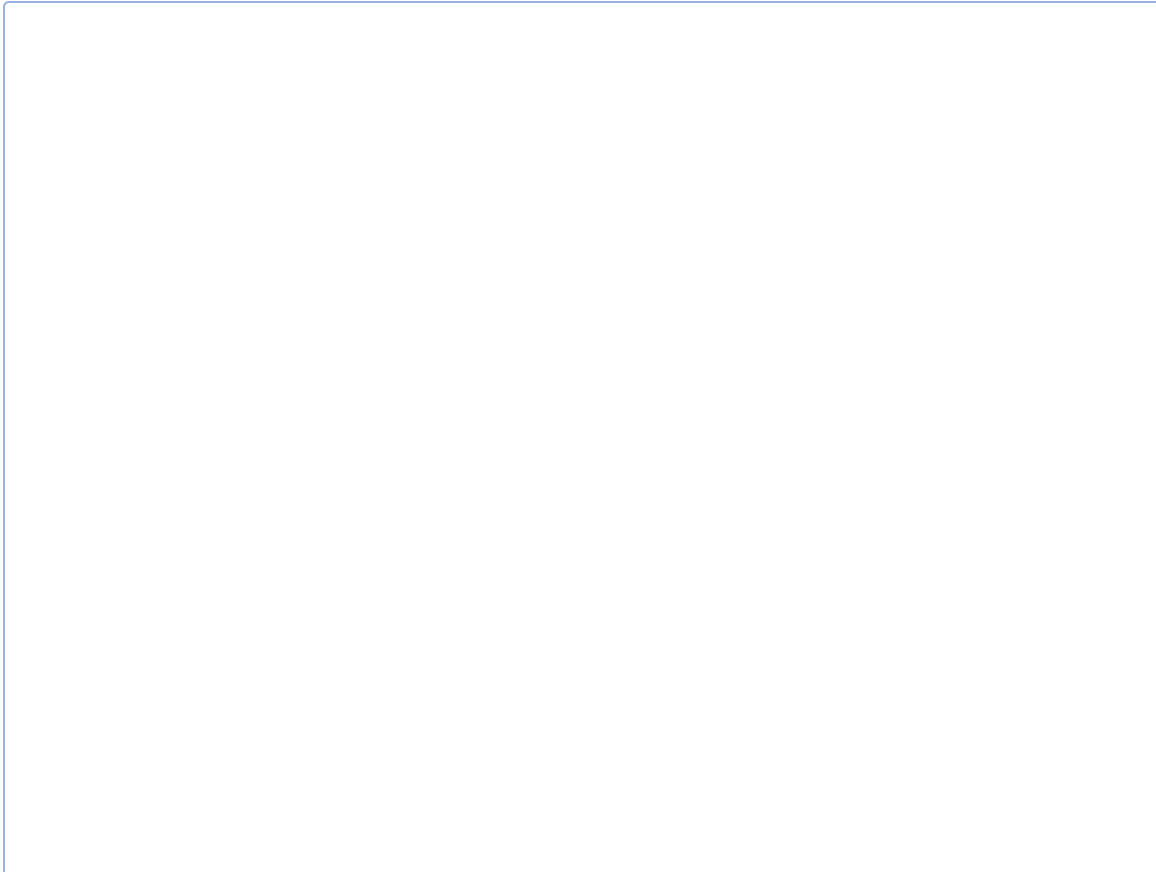
Please find written testimony attached for Agenda item 2 on the Hawai'i Dual Use Cannabis Task Force meeting coming up this Monday, October 3rd.

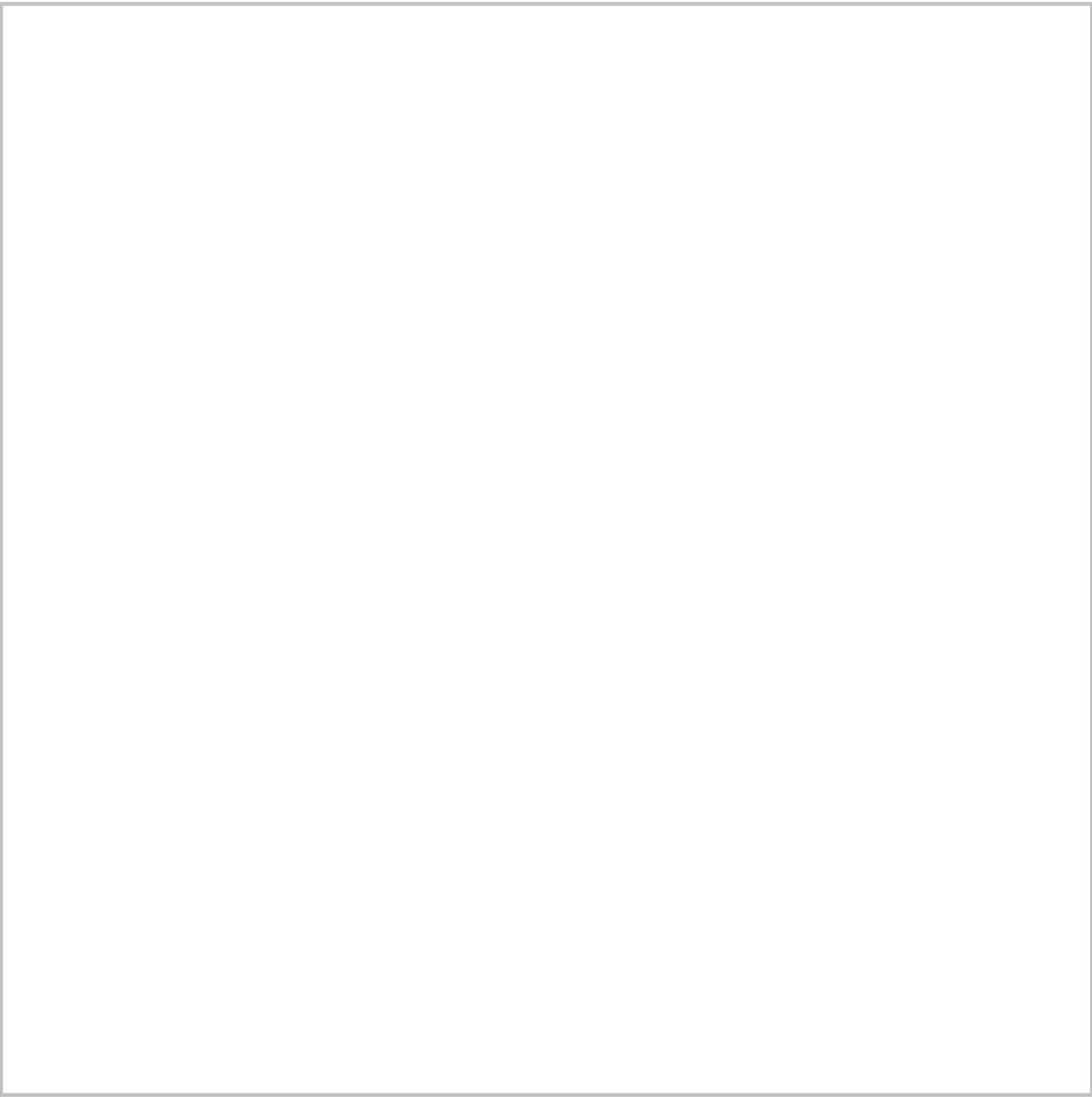
I would also like to extend an invitation to the DOH, any Task Force Members, and/or the associated working groups. Please, feel free to reach out to me anytime to discuss thoughts or ways that I may be able to support Hawai'i in forming meaningful legalization and regulatory frameworks here in Hawai'i.

I have some significant solutions and relationships to offer when it comes to Cannabis & Hemp, regenerative farming, Cannabis-specific grants, blockchain, and crypto technology (I noticed that mentioned in the last PHSWG Recommendations) and so much more. I am honored to serve the Kama'aina of Hawai'i in any way that I can.

With respect and gratitude,

Sam







October 1st, 2022

ATTN: Dual Use Cannabis Task Force

Office of Medical Cannabis Control and Regulation

4348 Waiialae Avenue #648

Honolulu, HI 96816

omccr@doh.hawaii.gov

Dear Honorable Members of the Dual Use of Cannabis Tax Force,

A heartfelt thank you to this Task Force and all of its Working Groups for the diligent and painstaking process of exploring Cannabis legalization in such a meaningful way. I know how much this is to take on. It can be difficult to pin down solutions, but sharing and understanding perspective is where it all starts. Public safety is as important as undoing the harms done by the decades-long drug war. While functional regulatory frameworks are as important as social, environmental, and economic reform and stability.

Thank you for the opportunity to submit testimony. This written testimony is in reference to the October 3rd Dual Use Cannabis Task Force Meeting.

Testimony on - Item II on the Agenda

I am very supportive of a meaningful and data-driven approach to public health and safety. I think that diligent review and assessment of public health and safety is imperative for an emerging sector centered around a substance like Cannabis. **The primary focus concerning Public Health and Safety should be on continued research and education.**

It is imperative that the state of Hawai'i, the Dual Use Cannabis Task Force, and their working groups take an unbiased approach to reviewing of literature and findings.

It appears that the documents and references included in the PHSWG recommendations are only referencing the negative impacts on public health and safety. How is this a fair and unbiased assessment of how Cannabis will affect our communities? While I understand that many studies to date may not be as robust or conclusive. However, there is mounting evidence shows the benefits of Cannabis as well. (see references below)

NOTE: Prohibition of Cannabis has been severely limiting to the amount of unbiased research, number of fair trials, and substantiated academic studies available to us today.

We must assess the amazing benefits of one of the most complex and diverse plants on our planet, just the same as the negative concerns. Studies and peer-reviewed articles are coming out daily about the positive effects of Cannabis. The data is still limited to do federal prohibition. While I notice that there are substantial articles supporting the findings of the working group, I notice that some of the most referenced materials span a longitudinal study ending in 2014. Ideally, referenced data should be no more than 5yrs old. *As an example, specific to mental health, the DSM5 (Diagnostic and Statistical Manual of Mental Disorders) is the 5th version that came out in 2013. Any reference material prior to that version has the potential to be based on outdated standards set forth by the APA (American Psychological Association).*

Please find links to some articles in the reference section at the end of this testimony.

Response to PHSWG Executive Summary

Hawai'i can become leaders in meaningful research and education. Research on the Cannabis plant has been lacking for decades due to prohibition. It is imperative that we understand the complexity of Cannabis compounds better and better as they enter our communities in a clean, tested Adult-Use or Medical capacity.

It is important to highlight that not all studies, although they may be peer-reviewed articles, may be substantiated enough or current enough to build a case for, or against LEGAL Cannabis. Nor should negative articles be the only ones relied on or reviewed. With any study or article (even peer-reviewed) it is important to assess things that increase the statistical viability of a given study or set of findings. Examples include the sample size of the test group, whether applicants were tested for other drug use, and whether the participants had preexisting conditions or any prior disposition to mental health conditions. Were findings in these studies found by thoroughly researching the Cannabis products' chemical makeup and potential contaminants? **Were participants ONLY using clean and tested Cannabis?? That is the only way that these are relevant to a regulated Adult-Use supply chain.** I will ask that you repeat that one... That is a

big one as many of these articles and findings pre-date or are non-exclusive to clean, tested Cannabis!

For example, if the studies are not strictly referencing TESTED Cannabis products then we are talking about Apples and Oranges. We do not know what the effects of the residual solvents, chemicals, pesticides, and heavy metals in untested/unregulated Cannabis may be. So how can we assert that the reactions of the sample groups are due to Cannabinoids and not residual chemicals which become exponentially more potent when decarboxylated (cooked down or combusted)?

There does not seem to be any reference to the health benefits of CBD or THC in these PHSWG findings. There are a couple of things that are important to note here. Tolerance and dosing education are very relevant topics to any use case scenario. There are some who only need about 10mg to get relief from Cannabis, while there are others that can tolerate 10x that before they can feel it. **Limiting the availability of THC in an adult-use supply chain will only push more people to the illicit market. Budtender and primary caregiver education, testing, research, and dosing recommendations are the answer.** Warnings about overconsumption can and should be conveyed through educational campaigns as well.

It is important to address the consideration of concentration caps or increased tax burden based on THC levels. Both of those measures being implemented are sure to push consumers straight to the illicit market.

This summary promulgates that there are increasing concerns about the effects of Cannabis use in adolescents and young adults. However, there are substantiated and peer-reviewed studies showing that Cannabis use by adolescents and young adults is on the decline. These studies are recent and post the Adult-Use Cannabis legalization in many states. (*see references*)

The formation of a Public Health and Safety Advisory council is absolutely supported. Any Advisory Board formation must include stakeholders concerned about the negative impacts of Cannabis use as well as those representing the benefits of the plant. Otherwise, you will have a biased Advisory Board.

Response to PHSWG Recommendations:

Protection of children and youth and access to adults should certainly be the goal with any Adult-Use legalization. **What we have seen with the Candy knockoff branding (highlighted in the attachment referenced in the PHSWG testimony) is beyond deplorable. It must be emphasized that these ARE NOT legitimate products that are going through a legalized supply chain.** These ARE illicit products that give no regard to the risks to our children and youth. All the more reason to have a functional Adult-Use market. Now, with that being said, limiting font types as some states have attempted is extreme and unnecessarily restricting. We do not want to push people to the illicit market where they can get attractive packaging. While

we also do not have to pander to the demand for candy knockoffs. Things can be packaged in a secure, attractive, and sophisticated manner without completely cutting edibles, gummies, or beverages out of the picture.

RESEARCH & EDUCATION are of the greatest importance for public health and safety. Data-driven review and assessment of populations are key to informing these studies.

Cannabis Advertising: I would like to seek clarity around the limitations of Cannabis advertising. The recommendations suggest restricting Cannabis advertising to the maximum allowable under national and state law. As it stands now for Cannabis, that is minimal to non-existent. Or is the suggestion to mirror alcohol and tobacco and to heed lessons learned there? It is tough to garner awareness and promote a regulated and tested product that you cannot advertise. It seems like yet another barrier and loophole left for the illicit market to reign superior over the regulated and tested supply chain.

Warnings: Requiring messaging about overconsumption risks sounds great, but it is not holistic if it does not include dosing information first and foremost. The primary focus should be on proper dosing and understanding individual tolerance levels.

Packaging: While I can understand images of cartoons and comics or of course candy brand knock-offs being a concern. We should not inhibit the creation of varied edibles such as gummies and chocolates as long as they are not blatantly geared toward children or the youth and have proper child-resistant packaging and dosage direction/warnings in place.

Linking taxes to THC doses/content: While the intent here is understood as coming from a good place in trying to curb adolescent access... It is a very concerning approach to regulation. This will only drive more participation in the illicit market. This will also cause the need to further "cut" the finished product with something that is potentially much more harmful than the Cannabis itself. More than the potency being of concern we need to be concerned about cutting agents and filler added to lower THC contents.

Comprehensive Surveillance to monitor Public Use and Public Health Harms

I suggest that operators support "Responsible Consumption" efforts and align with PHSWG in this way. Collaborative educational campaigns should be created that encourage dosing education, testing for preexisting conditions, and other means of stress management. Safe consumption protocols, etc. These are staples of meaningful community participation. I would recommend what is called a "Community Impact Report" and it would highlight what an operator was doing to protect and give back to their communities. It was one of the most impactful and well-received services that I and the other firms I have worked with have implemented.

Convene a Public Health Advisory Committee

As stated above, I think that this is incredibly important. However, it has to be equitably constructed with biases clearly monitored.

Working Group Report

I would push back on the blanket statement from this report that says “increased access that comes with adult-use”. Increased access to whom? To which demographic groups are we referring? Because studies have actually shown a decline in Cannabis use among adolescents and young adults post more widespread legalization (Meich et al 2022). I would argue that a functional legal supply chain, that effectively encourages the transition from gray market operators, would actually mitigate access to underage and youth. Those are our most concerning demographics are they not?

Were studies referenced in the PHSWG testimony and findings report only focused on the negative effects of Cannabis? Were studies reviewed that shed a positive light on Cannabis? If so why was not one report or study included? While I agree that public health and safety are of the utmost importance here. I do not believe that a one-sided review of the health "effects" of Cannabis is a just or fair approach. We need to understand what studies have been done that show the positive effects of Cannabis to have even a remotely fair assessment of the effects of Cannabis on our communities.

There was testimony written that suggested only reports that were not “limited, lacking, or insufficient” were included in this report. Asserting that no positive reports are relevant, validated, or sufficient. Although some more recent studies that I have found may be “inconclusive”. That does not mean that studies (many fielded during Cannabis prohibition) that are pre-legalization are the only valid reference materials. Certain referenced studies may be lacking in that they may not account for significant variables that were unknown prior to testing and legalization.

Please find some references below for other current peer-reviewed data.

While many studies today are fallible and statistically lacking, we can absolutely NOT discount one narrative in favor of another. Some of the referenced material in the body of the report is from outdated studies, most are NOT correlating data from clean, tested Cannabis which is a MAJOR variable when we are referencing a clean, tested Adult-Use product market. Others findings referenced were reviewed by the Colorado Department of Health and Public Safety and they do not disclose the number of peers or the public reviewing their findings. With the above points being made, I would argue that some of the reports cited are then limited, mixed, insufficient, or lacking. I truly believe in increased awareness around any potential negative effects of Cannabis use. It is evident that more thorough peer-reviewed research be

done on both the harms and benefits of Cannabis. I only suggest a fair and unbiased assessment.

I believe the State of Hawai'i can be a leader in these efforts. However, I think we should be very aware of implicit and explicit biases that keep us from thoroughly and fairly reviewing the information that is widely available, not to mention increasingly substantiated... I would suggest taking a much more holistic approach and reviewing relevant studies on health and public safety whether positive or negative. Focusing on the negative only does not reduce stigmas or work toward undoing the decades of prohibition that have restricted the study of the Cannabis plant. Further marginalizing our communities harmed by the drug war. Again, a fair and balanced review is paramount and that is why any Public Health Advisory Board must include Cannabis Healthcare Professionals as well as traditional Public Health and Safety experts.

ATTN: This (2017 NASEM) study is pre-legalization, pre-testing, and prior to a data-driven and increasingly educated Cannabis Market.

Excerpt A from the report: *Although molds, yeast, bacteria, heavy metals, growth enhancers, and pest control chemicals are common contaminants introduced during cultivation, manufacturing processes can also result in pesticide and residual solvent contamination of products. In addition, delivery systems such as vape hardware can be the source of heavy metals that leach into vape liquid and subsequently into the aerosol produced and inhaled by users. Finally, ingredients such as flavorings and excipients which may be considered safe for use in foods may not be similarly safe for inhalational use, as evidenced by the strong association of Vitamin E acetate, a fat-soluble vitamin that occurs naturally in many foods, with the 2019 outbreak of e-cigarette or vaping associated lung injury (EVALI).*

It is important to highlight as this is the very evidence that is lacking or unaccounted for in the studies used as a negative basis for concerns around Cannabis use in this report. How do we not know that a myriad of potential chemicals consumed within the untested Cannabis was not a contributing factor to the results of these studies? Again, fallible and statistically lacking studies are very important to review through a clear and unbiased lens.

It is also very important to review whether any articles and study groups used were strictly monitored for intake of other addictive or altering substances, such as alcohol, tobacco, or caffeine.

NOTE: Prohibition of Cannabis has been severely limiting to the amount of unbiased research, number of fair trials, and substantiated academic studies available to us today.

References:

Peer-Reviewed Articles

[Marijuana Use Shows a Sharp Decline](#)

“Marijuana, which is by far the most prevalent of the illicit drugs, showed considerable decline in 2021 of 7.1 and 6.7 percentage points in lifetime and annual prevalence, respectively, for the three grades combined; and for 30 day prevalence, there was a 3.6 percentage point decline—all significant at the $p < .001$ level. These declines from 2020 to 2021 amount to relative declines of 24%, 27%, and 25%, for the three prevalence levels, respectively.

Daily use of marijuana in the prior thirty days also saw substantial declines, with a relative decline across the three grades combined of 24%. The daily prevalence levels in 2021 were 0.6%, 3.2%, and 5.8%, in 8th, 10th, and 12th grade respectively.

Miech, R. A., Johnston, L. D., O'Malley, P. M., Bachman, J. G., Schulenberg, J. E., & Patrick, M. E. (2021). *Monitoring the future*. Retrieved September 3, 2022, from http://www.monitoringthefuture.org/pubs/monographs/mtf-vol1_2021.pdf

[Understanding the substance use of autistic adolescents and adults: A mixed-methods approach](#)

Weir, E., Allison, C., & Baron-Cohen, S. (2021, July 1). *Understanding the substance use of autistic adolescents and adults: A mixed-methods approach*. *The Lancet Psychiatry*. Retrieved September 29, 2022, from [https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366\(21\)00160-7/fulltext](https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366(21)00160-7/fulltext)

[New Momentum in exploring marijuana's medical benefits](#)

“Conclusive or Substantial Evidence for Some Effects

Despite the unknown effects, evidence is steadily mounting that at least some cannabis health claims are backed by science. In 2017, the National Academies of Sciences, Engineering, and Medicine released *The Health Effects of Cannabis and Cannabinoids*:

The Current State of Evidence and Recommendations for Research, a report by an expert committee that reviewed the available evidence for 20 indications.”

Nelson, B. (2021, August 5). *New momentum in exploring marijuana's medical benefits*.

American Cancer Society Journals. Retrieved October 1, 2022, from

<https://acsjournals.onlinelibrary.wiley.com/doi/10.1002/cncy.22492>

Above article also published by PubMed here: [New Momentum in Exploring Medical Marijuana's Benefits](#)

[PDF: Associations Between Cannabis Use and Physical Health In Early Mid-Life](#)

[WebMD: Medical Marijuana: What The Research Shows](#)

“But the scientific evidence behind the drug’s benefits remains elusive, even as 10 more states consider legalizing medical uses in 2014. The problem: In 1970, the federal government classified marijuana as an illegal, highly addictive drug with no medical value, making research harder to do.”

Dustin Sulak, DO, Maine Integrative Healthcare, Manchester.

USA TODAY, “Which states have legalized medical marijuana,” Jan. 6, 2014.

The Huffington Post, “Marijuana-Like Chemical May Help Autism And Fragile X Syndrome Symptoms,” Sept. 27, 2012.

The New York Times, “We Need Proof on Marijuana,” Feb. 12, 2014.

Ranganathan, M. National Institutes of Health RePORTER.

Ben Amar, M. *Journal of Ethnopharmacology*, April 21, 2006.

ProCon.org: “15 States with Pending Legislation to Legalize Medical Marijuana.”

Bostwick, J. *Mayo Clinic Proceedings*, February 2012.

Michael Bostwick, MD, Mayo Clinic.

Hazekamp, A. *Cannabinoids*, Feb. 13, 2010.

Grant, I. *The Open Neurology Journal*, published online May 4, 2012.

Grant, I. *Virtual Mentor*, May 2013.

Alice Mead, vice president U.S. professional relations, GW Pharmaceuticals.

GWPharm.com: "Sativex."

News release, Cannabis Science Inc.

Guzman, M. *Nature Reviews Cancer*, Oct. 3, 2003.

NORML.org: "Gliomas/Cancer," "Recent Research on Medical Marijuana,"
"Gastrointestinal Disorders."

Volicer, L. *International Journal of Geriatric Psychiatry*, 1997.

International Association for Cannabinoid Medicines.

Foroughi, M. *Child's Nervous System*, April 2011.

Naftali, T. *Clinical Gastroenterology and Hepatology*, October 2013.

Földy, C. *Neuron*, April 11, 2013.

Jung, K-M. *Nature Communications*, 2012.

Most Recent Media Articles:

FORBES: [Medical Cannabis Could Replace Addictive Opioids, Study Suggests](#)

From: [REDACTED]
To: [DOH.OMCCR](#)
Subject: [EXTERNAL] Testimony Regarding Cannabis- SLH, 2021, Act 169
Date: Thursday, September 29, 2022 10:54:24 AM

Testimony Regarding Cannabis- SLH, 2021, Act 169

September 29,

2022

Aloha Office of Medical Cannabis Control & Regulation,

As a former State of Hawaii 329 Medical Cannabis card holder, I am not against Cannabis!

But the glaring point that has not been looked at is the simple question - how will growing and distribution of marijuana as you are discussing affect the neighbors of a cannabis grower under your jurisdiction as you look to expand the use of marijuana? There is a basic right for the public not to be impacted by the use, growth, packaging or distribution of a substance like marijuana.

The majority of the Hawaii population don't want to smell or deal with the noise and ongoing growing and processing attributes of marijuana production. Many jurisdictions on the mainland have seen this scene as causes of major disruption in neighborhoods. I would be happy to give examples of this for your committee to see.

Neighbors, who own or rent or just live next to supplier, grower or manufacturer which grows or sells marijuana have an inherent right **not to be impacted by someone who wants to grow the substance.**

What are you going to do to make sure that regular people who don't want anything to do with this substance are not impacted and their rights protected?

Do we want our children smelling and dealing with this next door? I certainly don't and I am sure the majority of our population do not want it either.

Any place growing, packaging or distributing this substance should be at least 1500 feet away from existing housing, schools, playgrounds and churches to minimize the impact of the tremendously invasive smell and other attributes of the plant.

Any impact, including smell has to be addressed by your committee - upfront - now - in your deliberations, not as an afterthought.

Please take care of the majority of the citizens in your quest to expand the use of this substance.

Sincerely,

Elisabeth Bluml
Owner, Khandro Farm
Kula, Hawaii

From: webmaster@hawaii.gov
To: [DOH.OMCCR](#)
Subject: WRITTEN TESTIMONY
Date: Wednesday, September 28, 2022 5:29:15 PM

Email

[REDACTED]

Name

Matthew Heiller

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #1

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

I read the 2 page pdf of the agenda for October 3, 2022. It doesn't list anything for the meeting. Perhaps it is due to technical difficulties on my end.

Once the federal government legalizes marijuana, taxes and licensing in our state of Hawaii may become moot. A pound of marijuana flower sells for less than \$100 in Jamaica according to the "grows with the fishes" podcast.

Please keep in mind that someone who pays for a cultivation license and all of the other investment required (like lights and electricity even for outdoor cultivation) may have only 5-10 years before being faced with the prospect of competing with out of state production.

From: webmaster@hawaii.gov
To: [DOH.OMCCR](#)
Subject: WRITTEN TESTIMONY
Date: Thursday, September 29, 2022 4:36:19 PM

Email

[REDACTED]

Name

Lene Ichinotsubo

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #2

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

The DOH, Solid and Hazardous Waste Branch was asked to provide comment on, Dual Use of Cannabis Public Health Safety Working Group Report_FINAL_2022-9-26.pdf, Page 28. We have comment on the following:

“Even if made of recyclable material, the shape and size of cannabis packaging is not conducive to consumer recycling. The use of child-resistant primary packaging helps to eliminate the need for an additional exit package. In addition to compostable or biodegradable packaging materials, incentivized take-back programs are a sustainable option.”

- First sentence is unclear. For example, if the packaging is made of recyclable material (e.g., corrugated cardboard, #1 or #2 plastic, or glass), then why would size or shape of the container affect its ability to be recycled?
- Remove “or biodegradable.” Some biodegradable products are not fully organic.

TESTIMONY REGARDING CANNABIS TASK FORCE ON SLH, 2021, Act 169.
FOR AGENDA ITEMS 2, 3, & 4 - OCT 3, 2022

Aloha Dual Use of Cannabis Task Force Meeting - October 3, 2022,

As a 32-year Hawaii resident, 6-year active duty disabled Veteran, and an active State of Hawaii 329 Medical Cannabis card holder, I do understand the need for medical marijuana in our state. I laud the people of this task force and the work you are doing. I believe the system as it is now, with the distribution systems we have, is serving the public very well with a minimal impact on our local society.

With any expansion of this as you are considering come several areas that must be addressed.

Several areas are important to keep in mind as legislation and recommendations are made to establish a more robust and serviceable system of growing, packaging, transportation, and distribution of marijuana. Please allow me to share a few thoughts.

1. **Hawaii is a conservative state regarding drug use.** Citizens are tolerant of what a person does in their homes as long as it does not impact another's right to not have marijuana impact their lives or the lives of their families or homes. I believe any expansion of legislation must take the impact on others to mind. Does it impact schools – will the very potent smell of growing, harvesting, or sales intrude on a non-marijuana user's home or family?
2. **Will growth, harvesting, distribution, or use impact children or underage users?** What laws will be put in place to ensure people under 21 are not allowed to buy, use or transport marijuana? What will be the penalties for this and the entire structure?
3. **Who will enforce any laws or regulations put into effect?** As of now, many of the laws are up to the DOH to enforce, yet they do not have the manpower nor enforcement ability to ensure compliance. Just because the legislature passes a law it does not mean it will be enforced. We see this many times in our Hawaiian legal and institutional systems. What you do here may just open Pandora's box of allowance with NO way to ensure there are any effective guide rails. If you cannot ensure compliance and enforcement, you will be doing more harm than good by forcing non-marijuana users to deal with unenforced uses of the products – more fatalities on the road, more underage users, etc. You will end up alienating the general public.
4. **Remember, we are a minority of the citizens in Hawaii, and as such, have minority rights to a substance and its use that will not impact the rest of our society negatively while trying to achieve the goal of making this substance in all of its forms available to its users.**
5. **How do you stop the millions of tourists, on vacation, from adding to the already overburdened and understaffed police due to illegal or intoxicated use of marijuana substances?** I say this will be impossible to do with millions of people in vacation mode, especially a large number of young people. You may be creating a level of even more stress on our local population.

TESTIMONY REGARDING CANNABIS TASK FORCE ON SLH, 2021, Act 169.
FOR AGENDA ITEMS 2, 3, & 4 - OCT 3, 2022

6. **The extraordinarily strong smell that comes from growing marijuana has caused huge problems in adjoining neighborhoods on the mainland.** There are dozens of articles addressing this on the internet Over half of our population in a survey of over 1000 people say the smell of marijuana is a real problem (<https://www.buzzfeednews.com/article/dominicholden/americans-smell-marijuana-public-streets-canada>) This MUST be addressed. The growing areas must be kept small and isolated from the general non-use public or there is a very real direction of confrontation with the general public. Grow areas have to be kept perhaps a half mile away from existing homes and domiciles, schools, churches, playgrounds, etc. The best is to ensure carbon filtration systems are used. <https://www.wxyz.com/news/marijuana-laws-upset-canton-twp-residents-who-say-odor-from-house-is-overwhelming> - also <https://www.masslive.com/cannabis/2022/02/marijuana-odor-complaint-raises-stink-in-holyoke.html> - please review many others online.
7. **Any growing facility must be approved by all neighbors within a specified radius – this is done for uses as simple as vacation rentals on Maui – certainly neighbors who own and have lives already rooted in the communities must have a say in a use as controversial as the growing of a federally illegal substance.**
8. **Increase in crime due to the value of the crop.** We have just seen the federal government demand all local jurisdictions here in Hawaii allow for concealed carry permits. With a fast expansion of marijuana growing sights the potential for violent crime and theft increases as more grow, packaging and distribution sites are allowed, as it does with any valuable commodity that is brought into a social system. **How are you going to address this?**

Thank you for taking the time to take my testimony. I do hope you look at these points to ensure you don't make more of a problem versus getting the marijuana to the patients who need it. I honestly think our system now works well. The preponderance of problems that can be caused by just opening this substance up to the public will, in my opinion, must add to our already stressed Police and also add to the stress neighbors have with each other today. Remember, changes to such fundamental things as open public or recreational use of a drug depends on the societal view of the use, not just of the ability of the government to do so.

Mahalo,



John Lester

Kihei, Hawaii

From: webmaster@hawaii.gov
To: DOH.OMCCR
Subject: WRITTEN TESTIMONY
Date: Wednesday, September 28, 2022 3:06:01 PM

Email

[REDACTED]

Name

Marian Harvey

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #1

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

I don't know agenda item
I strongly feel that recreational users should have to pay \$
I have a medical need (glaucoma) and I strongly feel it is wrong, as in
NOT PONO, to make money each year, off of someone's disability that is permanent, that will never ever
go away, only get worse as time goes by
In these cases, it should be a one time minimal processing fee,
Which I have already overpaid and needs to be converted to LIFETIME PERMANENT DISABILITY
certificate!
Sincerely
Marian Melissa harvey
(808)6579305



Akamai Cannabis Consulting

3615 Harding Ave, Suite 304

Honolulu, HI 96816

DUAL USE OF CANNABIS TASK FORCE

MEETING 8: October 3, 2022

TESTIMONY ON AGENDA ITEM II

Clifton Otto, MD

Thank you for the opportunity to provide testimony on the following agenda item:

II. Report from Public Health and Safety Working Group

Page 7:

To guide the public health response in the State of Hawaii, the PHSWG recommends the establishment of a Public Health Advisory Committee comprising of health care professionals with medical and scientific expertise in fields that interest with cannabis use, as well as a comprehensive surveillance to monitor legalized adult-use public health and social impacts.

>>> Recommend specifically including healthcare providers whose primary specialty is Cannabinoid Medicine.

p. 20:

Public Safety Concerns

Impaired Driving

Second-Hand Smoke

>>> Criminal Activity

>>> See Letter to Congress, September 23, 2019 (attached)

However, under the Controlled Substances Act and 18 U.S.C. § 1956 and 1957, businesses and individuals who produce, sell, or possess marijuana, or engage in financial transactions with proceeds thereby derived are still in violation of federal law. This inconsistency puts a significant burden upon businesses working to operate in a legal industry in a manner that is safe and compliant with state law, as well as on law enforcement agencies trying to ensure complicity to regulations. It also represents a substantial imposition on the prerogative of states and territories to choose those policies that work best for them and their citizens.

Beyond imposing on states' rights, the status quo poses a serious threat to public safety. Under 18 U.S.C. § 1956 and 1957, financial institutions face substantial constraints in providing financial services to the cannabis industry. The result is that much of this industry is forced to conduct business on a cash-only model. In turn, this contributes to a public safety threat as cash-intensive businesses are often targets for criminal activity and make it more difficult to track revenues for taxation and regulatory compliance purposes.

Legislation such as the STATES Act, by ensuring the CSA does not "apply to any person acting in compliance with State law relating to the manufacture, production, possession, distribution, dispensation, administration, [sale,] or delivery of mari[j]juana," will strike at the root of these challenges.

>>> Having to violate federal law to participate in a state program destroys respect for the rule of law, encourages criminal activity, and interferes with patient compliance.

>>> See [HRS 329D-25](#).

>>> An industry based upon the lack of federal enforcement is unsustainable.

[Law Enforcement Perceptions of Cannabis Legalization Effects on Policing: Challenges of Major Policy Change Implementation at the Street Level](#)

p. 21:

Protecting Vulnerable Populations
Children and Youth

>>> How can we convince our youth that they need to avoid illegal drug use when we are telling everybody else that it's OK to violate federal law ?

>>> Recommend that the Legislature and the next Governor of Hawaii take further steps to end the federal conflict with marijuana and protect the State's authority over the intrastate use of cannabis.

p. 26

PRODUCT SAFETY
Laboratory Testing

A significant challenge of implementing testing requirements is the lack of standardized methods and the ever-increasing types of matrices that cannabis products represent. Another layer of complexity is regulating the testing laboratories themselves. More

states are moving toward establishing a reference or quality assurance laboratory and implementing proficiency testing processes to ensure that testing is accurate, reliable, and reproducible.

>>> Recommend a complete overhaul to the current testing program.

p. 30

A Final Word

Since cannabis remains federally illegal, the full effects of commercialization remain unknown and the resulting impacts on public health will not be realized for some time.

**>>> Two ways to address the conflict with the federal regulation of marijuana:
Change federal law
Become exempt**

Appendix 1: Key Points, June 27, 2022:

List below are potential solutions from individuals who provided written/verbal testimony:

- **Potential Solutions:** one working group that could look into what options are available in the state to avoid this conflict with DEA
 - Look into our use of Medical Cannabis Act
 - Iowa and Minnesota addressed this issue to DEA with a letter.
 - The DEA denied the petition to exempt Iowa's medical marijuana program from the Controlled Substances Act in 2020.

>>> Iowa Department of Public Health started the exemption process with a federal funding guarantee request to the DEA on April 23, 2021 (see attached).

STATE SCHEDULE I

>>> Recommend that the current state Schedule I exemption for the non-drug "medical use" of cannabis be expanded to include adult use.

Aloha.

September 23, 2019

Hon. Nancy Pelosi
Speaker of the House
H-232, The Capitol
Washington, DC 20515

Hon. Kevin McCarthy
Minority Leader
H-204, The Capitol
Washington, DC 20515

Hon. Mitch McConnell
Majority Leader
317 Russell Bldg.
Washington, DC 20510

Hon. Charles E. Schumer
Minority Leader
322 Hart Bldg.
Washington, DC 20510

Hon. Steny Hoyer
Majority Leader
H-107, The Capitol
Washington, DC 20515

Hon. Steve Scalise
Minority Whip
1705 Longworth Office Building
Washington, DC 20515

Hon. James E. Clyburn
Majority Whip
H-329. The Capitol.
Washington, DC 20510

Hon. Richard J. Durbin
Minority Whip
711 Hart Bldg.
Washington, DC 20510

Hon. Peter DeFazio
Chair
House Committee on Transportation and
Infrastructure
2134 Rayburn Office Building
Washington, DC 20515

Hon. Sam Graves
Ranking Member
House Committee on Transportation and
Infrastructure
1135 Longworth House Office Building
Washington, DC 20515

Hon. Frank Pallone
Chair
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Hon. Greg Walden
Ranking Member
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Hon. Karen Bass
Chair
House Committee on the Judiciary
2141 Rayburn House Office Building
Washington, D.C. 20515

Hon. John Ratcliffe
Ranking Member
House Committee on the Judiciary
2141 Rayburn House Office Building
Washington, D.C. 20515

Hon. Lindsey Graham
Chair
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Congressional Leaders:

We are a bipartisan group of state and territorial attorneys general who share a strong interest in defending states' rights, protecting public safety, improving our criminal justice systems, and regulating new industries appropriately. To address these concerns, we urge Congress to advance legislation like the bipartisan STATES Act (Strengthening the Tenth Amendment Through Entrusting States Act), currently proceeding as S.B. 1028 in the Senate and H.R. 2093 in the House of Representatives. The proposed STATES Act, or legislation like it, would allow each State and territory to determine, for itself, the best approach to marijuana legalization within its borders, while at the same time creating protections to ensure that such regulation does not impose negative externalities on those states and territories that choose other approaches. **Indeed, nothing in the proposed STATES Act, and nothing in this letter, is meant as an endorsement of any state or territory's particular approach to cannabis policy.** Instead, legislation like the proposed STATES Act is simply meant to ensure that if a state or territory does choose to legalize some form of marijuana use – which at least 33 states and several territories have done – its residents are not subject to a confusing and dangerous regulatory limbo.

As noted, the majority of Americans are affected by this issue. Today, some 33 states and several territories have passed laws that legalize the use of marijuana in at least some capacity. However, under the Controlled Substances Act and 18 U.S.C. § 1956 and 1957, businesses and individuals who produce, sell, or possess marijuana, or engage in financial transactions with proceeds thereby derived are still in violation of federal law. This inconsistency puts a significant burden upon businesses working to operate in a legal industry in a manner that is safe and compliant with state law, as well as on law enforcement agencies trying to ensure complicity to regulations. It also represents a substantial imposition on the prerogative of states and territories to choose those policies that work best for them and their citizens.

Beyond imposing on states' rights, the status quo poses a serious threat to public safety. Under 18 U.S.C. § 1956 and 1957, financial institutions face substantial constraints in providing financial services to the cannabis industry. The result is that much of this industry is forced to conduct business on a cash-only model. In turn, this contributes to a public safety threat as cash-intensive businesses are often targets for criminal activity and make it more difficult to track revenues for taxation and regulatory compliance purposes.

Legislation such as the STATES Act, by ensuring the CSA does not “apply to any person acting in compliance with State law relating to the manufacture, production, possession, distribution, dispensation, administration, [sale,] or delivery of mari[j]uana,” will strike at the root of these challenges. In particular, it will lift the cloud of regulatory uncertainty that hangs over legitimate businesses operating in most states in the union and in several territories. In turn, this will reduce the industry's reliance on cash, bring greater clarity to the industry, prevent crime by limiting opportunities for potentially violent robberies and thefts, and ensure that each state has the freedom to determine policy in this area. At the same time, the Act also includes crucial guardrails to ensure that the choices any state makes does not adversely impact its neighbors.

Ultimately, legislation like the proposed STATES Act recognizes the reality on the ground: across the country, state governments, America’s “laboratories of democracy,” have been working toward those cannabis policies that work best for them. Against this backdrop, the CSA’s outdated restrictions imperil states’ rights, and in the process, impose serious regulatory and public safety consequences. As law enforcement officers and as lawyers representing our states and territories, we believe the time has come to do better. We urge the adoption of legislation like the proposed STATES Act.

Sincerely,



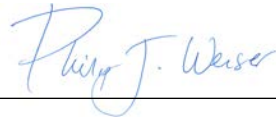
KARL RACINE
District of Columbia Attorney General



XAVIER BECERRA
California Attorney General



AARON FORD
Nevada Attorney General



PHIL WEISER
Colorado Attorney General



LETITIA JAMES
New York Attorney General



WILLIAM TONG
Connecticut Attorney General



KEVIN CLARKSON
Alaska Attorney General



KWAME RAOUL
Illinois Attorney General



TOM MILLER
Iowa Attorney General



ANDY BESHEAR
Kentucky Attorney General



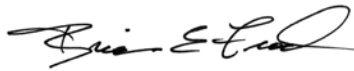
HECTOR BALDERAS
New Mexico Attorney General



AARON FREY
Maine Attorney General



ELLEN ROSENBLUM
Oregon Attorney General



BRIAN FROSH
Maryland Attorney General



JOSH SHAPIRO
Pennsylvania Attorney General



MAURA HEALEY
Massachusetts Attorney General



PETER NERONHA
Rhode Island Attorney General



DANA NESSEL
Michigan Attorney General



T.J. DONOVAN
Vermont Attorney General



KEITH ELLISON
Minnesota Attorney General



BOB FERGUSON
Washington Attorney General



Protecting and Improving
the Health of Iowans

Kim Reynolds, Governor

Adam Gregg, Lt. Governor

Kelly Garcia, Interim Director

April 23, 2021
United States Drug Enforcement Administration
8701 Morrissette Drive
Springfield, VA 22152

RE: Iowa - Seeking Guarantee

Dear U.S. Drug Enforcement Administration,

During the 2020 legislative session, the eighty-eighth Iowa General Assembly passed House File 2589. House File 2589 was signed into law by Governor Kim Reynolds on June 29, 2020.

Section 31 of House File 2589, Protection of Federal Funding requires the Iowa Department of Public Health to request guarantees from agencies of the federal government as follows:


"The department of public health shall request guarantees from the agencies of the federal government providing funding to educational and long-term care facilities that facilities with policies allowing patients to possess medical cannabidiol on the grounds of the facilities consistent with chapter 124E or allowing facility staff to administer medical cannabidiol to a patient shall not lose eligibility for any federal funding due to such policies."

The Iowa Department of Public Health hereby respectfully requests the guarantee as directed by the Iowa General Assembly. Questions about this communication can be directed to me by email at sarah.reisetter@idph.iowa.gov.

Thank you for your consideration.

Sincerely,

**Sarah G.
Reisetter**

 Digitally signed by Sarah G.
Reisetter
Date: 2021.04.22 15:04:22 -05'00'

Sarah G. Reisetter
Deputy Director
Iowa Department of Public Health

Cc: U.S. Food and Drug Administration
U.S. Centers for Medicare and Medicaid Services
U.S. Department of Education

IDPH Strategy: Seeking DEA Exemption

- In their 2019 Annual Report, the Board recommended that IDPH seek protections for schools and facilities participating in our program and acting in compliance with Chapter 124E.
- The General Assembly prescribed in HF2589 that IDPH “seek guarantees” that Federal funding to institutions and facilities acting in compliance with Chapter 124E not have their funding withheld due to participation in Iowa’s program.
- The Department has determined that it will move forward with seeking an exception for cannabis as a schedule I substance in Iowa from the DEA, in attempt to minimize conflict between State and Federal Law.
- The Department will seek this exception using Title 21 Code of Federal Regulations 1307.03.

Sec. 31. PROTECTION OF FEDERAL FUNDING. The department of public health shall request guarantees from the agencies of the federal government providing funding to educational and long-term care facilities that facilities with policies allowing patients to possess medical cannabidiol on the grounds of the facilities consistent with chapter 124E or allowing facility staff to administer medical cannabidiol to a patient shall not lose eligibility for any federal funding due to such policies.

§1307.03 Exceptions to regulations.

Any person may apply for an exception to the application of any provision of this chapter by filing a written request with the Office of Diversion Control, Drug Enforcement Administration, stating the reasons for such exception. See the Table of DEA Mailing Addresses in **Sec. 1321.01** of this chapter for the current mailing address. The Administrator may grant an exception in his discretion, but in no case shall he/she be required to grant an exception to any person which is otherwise required by law or the regulations cited in this section.

[75 FR 10676, Mar 9, 2010]

From: webmaster@hawaii.gov
To: [DOH.OMCCR](#)
Subject: WRITTEN TESTIMONY
Date: Thursday, September 29, 2022 6:47:01 PM

Email

[REDACTED]

Name

Elisabeth Bluml

Please enter your phone number

[REDACTED]

Please select the meeting date that you are submitting written testimony for.

October 3, 2022

Please select the agenda items numbers you are submitting written testimony for.

- Agenda Item #2
- Agenda Item #3
- Agenda Item #4

Please indicate the agenda item numbers you are submitting testimony for and enter your written testimony below:

I am submitting written testimony for 10/03/2022 meeting, agenda #2, #3, #4,

Testimony Regarding Cannabis- SLH, 2021, Act 169

Aloha Office of Medical Cannabis Control & Regulation,

As a former State of Hawaii 329 Medical Cannabis card holder, I am not against Cannabis!

But the glaring point that has not been looked at is the simple question - how will growing and distribution of marijuana as you are discussing affect the neighbors of a cannabis grower under your jurisdiction as you look to expand the use of marijuana? There is a basic right for the public not to be impacted by the use, growth, packaging or distribution of a substance like marijuana.

The majority of the Hawaii population don't want to smell or deal with the noise and ongoing growing and processing attributes of marijuana production. Many jurisdictions on the mainland have seen this scene as causes of major disruption in neighborhoods. I would be happy to give examples of this for your committee to see.

Neighbors, who own or rent or just live next to supplier, grower or manufacturer which grows or sells marijuana have an inherent right not to be impacted by someone who wants to grow the substance.

What are you going to do to make sure that regular people who don't want anything to do with this substance are not impacted and their rights protected?

Do we want our children smelling and dealing with this next door? I certainly don't and I am sure the majority of our population do not want it either.

Any place growing, packaging or distributing this substance should be at least 1500 feet away from existing housing, schools, playgrounds and churches to minimize the impact of the tremendously invasive smell and other attributes of the plant.

Any impact, including smell has to be addressed by your committee - upfront - now - in your deliberations, not as an afterthought.

Please take care of the majority of the citizens in your quest to expand the use of this substance.

Sincerely,

Elisabeth Bluml

Owner, Khandro Farm

Kula, Hawaii