

MAR 07 2014

SENATE RESOLUTION

REQUESTING THE DRUG ENFORCEMENT ADMINISTRATION TO REMOVE MARIJUANA FROM SCHEDULE I OF THE FEDERAL CONTROLLED SUBSTANCES ACT IN RECOGNITION THAT MARIJUANA DOES NOT MEET THE CRITERIA OF A FEDERAL SCHEDULE I CONTROLLED SUBSTANCE, AS A CURRENTLY ACCEPTED MEDICAL USE OF MARIJUANA IN TREATMENT EXISTS IN THE UNITED STATES, INCLUDING HAWAII.

1 WHEREAS, the structure of our government allows for the
2 distribution of power between the states and the federal
3 government; and

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5 WHEREAS, a power that remains with the states is the
6 authority to accept the medical use of controlled substances;
7 and

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9 WHEREAS, Congress enacted the federal Controlled Substances
10 Act with the clear intent of allowing for changes in the
11 scheduling of controlled substances based on changes in state
12 medical use; and

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14 WHEREAS, Hawaii lawfully exercised its authority to accept
15 the medical use of controlled substances in 2000, when it
16 created the State's medical marijuana program and accepted the
17 medical use of marijuana in treatment; and

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19 WHEREAS, under the federal Controlled Substances Act,
20 scheduling under schedule I requires several findings, one of
21 which is that the drug or controlled substance has no currently
22 accepted medical use in treatment in the United States; and

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24 WHEREAS, marijuana does not satisfy that finding to be
25 scheduled as a schedule I controlled substance, as medical use
26 of marijuana in treatment currently exists and is accepted in
27 Hawaii and the United States; and

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29 WHEREAS, the Drug Enforcement Administration, the agency
30 that administers the federal regulation of controlled
31 substances, may not deny a State's authority to change the



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1 status of a controlled substance that has a currently accepted
2 medical use in treatment; and

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4 WHEREAS, Hawaii is lawfully entitled to create a state
5 regulated distribution system that will allow patients to
6 purchase marijuana for medical use; and


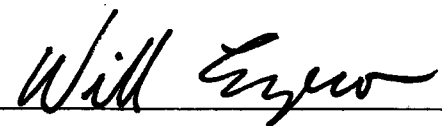

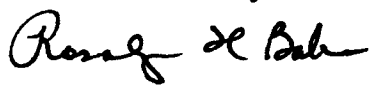

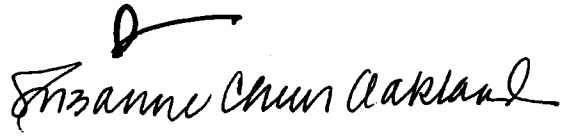
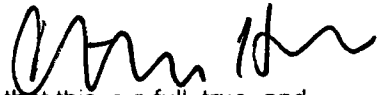
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8 WHEREAS, the Drug Enforcement Administration, by enforcing
9 an obsolete regulation that classifies marijuana as a federal
10 schedule I controlled substance and ignoring the currently
11 accepted medical use of marijuana in treatment that exists in
12 Hawaii and the United States, is preventing Hawaii from creating
13 a state regulated distribution system that complies with federal
14 law; now, therefore,

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16 BE IT RESOLVED by the Senate of the Twenty-seventh
17 Legislature of the State of Hawaii, Regular Session of 2014,
18 that the Drug Enforcement Administration is requested to follow
19 the federal Controlled Substances Act and remove marijuana from
20 federal schedule I, in recognition of the currently accepted
21 medical use of marijuana in treatment that exists in Hawaii and
22 the United States; and

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24 BE IT FURTHER RESOLVED that certified copies of this
25 Resolution be transmitted to the Attorney General of the United
26 States, Administrator of the Drug Enforcement Administration,
27 Secretary of Health and Human Services, Governor, Director of
28 Health, Director of Public Safety, and State Attorney General.

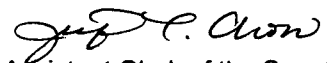
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OFFERED BY:

I hereby certify that this is a full, true, and correct copy of the original filed in this office.

Dated: APR 03 2014


Assistant Clerk of the Senate
State of Hawai'i

