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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

January 29, 2021

Director of Council Services
Traci N. T. Fujita, Esq.

RECEIVED

2021 JAN 29 AM 11:56

**OFFICE OF THE
COUNTY CLERK**

The Honorable Alice L. Lee
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair Lee:

SUBJECT: **SUPPORTING LEGALIZING, REGULATING, AND
TAXING RESPONSIBLE, ADULT-USE CANNABIS**
(PAF 20-030)

May I request the attached proposed resolution, entitled "SUPPORTING LEGALIZING, REGULATING, AND TAXING RESPONSIBLE, ADULT-USE CANNABIS," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Keani N.W. Rawlins-Fernandez".

KEANI N.W. RAWLINS-FERNANDEZ
Council Vice-Chair

paf:mas:20-030b

Enclosure

COUNTY COMMUNICATION NO. 21-94

Resolution

No. _____

SUPPORTING LEGALIZING, REGULATING, AND TAXING RESPONSIBLE, ADULT-USE CANNABIS

WHEREAS, cannabis is the scientific name for a plant genus often referred to colloquially as marijuana; and

WHEREAS, Hawai'i residents and public officials increasingly recognize the importance of cannabis as a growth industry; and

WHEREAS, as reported in *Business Insider* on January 6, 2021, "Marijuana is legal for all adults in 11 states, and for medical purposes in 34"; and

WHEREAS, growth in the cannabis industry has the potential to diversify the County's economy and reduce its reliance on the tourism industry; and

WHEREAS, the Controlled Substances Act of 1970 does not recognize the difference between medical and recreational use of cannabis, and both remain illegal under Federal law; and

WHEREAS, the State Legislature legalized cannabis for medical use in 2000, but recreational use remains illegal; and

WHEREAS, according to the Colorado Department of Revenue, it has collected \$1.6 billion in revenue in marijuana excise tax since 2014; and

WHEREAS, the Marijuana Policy Project reported: "As of November 2020, states reported a combined total of \$6.59 billion in tax revenue from legal, adult-use marijuana sales"; and

WHEREAS, in November 2016, President Barack Obama said he would like to treat cannabis "as a public-health issue, the same way we do with cigarettes or alcohol" and called the patchwork of state and federal laws regarding the drug "untenable"; and

WHEREAS, the *Applied Health Economic and Health Policy* journal reported on January 25, 2021, that the enactment of marijuana

Resolution No. _____

legalization in Canada preceded a “marked decline” in the volume of opioids prescribed to patients enrolled in both public and private health care plans; and

WHEREAS, the State legislature enacted Act 273 (2019), with the following stated purposes:

- “Provide for the expungement of criminal records pertaining solely to the possession of three grams or less of marijuana;”
- “Decriminalize the possession of three grams or less of marijuana and establish that such possession of that amount is a violation punishable by a monetary fine of \$130;” and
- “Establish a marijuana evaluation task force to make recommendations on changing marijuana use penalties and outcomes in the State”; and

WHEREAS, Act 273 did not include treatment-program language; and

WHEREAS, an American Civil Liberties Union report last year, “A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform,” found:

- marijuana arrests were still widespread across the country;
- extreme racial disparities in marijuana possession arrests persisted throughout the country;
- marijuana arrests decreased after legalization or decriminalization;
- racial disparities in arrests persisted even in states that legalized or decriminalized marijuana; and
- data-collection failures blocked a fuller understanding of racial disparities in marijuana arrests; and

WHEREAS, convictions for small amounts of cannabis can result in punitive collateral consequences, disproportionately affecting people of color; now, therefore,

Resolution No. _____

BE IT RESOLVED by the Council of the County of Maui:

1. That it supports legalizing, regulating, and taxing responsible, adult-use cannabis;
2. That it supports granting clemency or resentencing to anyone incarcerated on a cannabis conviction and expunging all cannabis convictions;
3. That it supports investing in nonpunitive programs and community-based services and divesting from law enforcement;
4. That it supports treating cannabis as a public-health issue;
5. That it supports the creation of a Hawai'i cannabis control board; and
6. That certified copies of this Resolution be transmitted to the Honorable Mazie Hirono, United States Senator; the Honorable Brian E. Schatz, United States Senator; the Honorable Kaiali'i Kahele, United States Representative; the Honorable Scott Saiki, Speaker, Hawaii State House of Representatives; the Honorable Ron Kouchi, President, Hawaii State Senate; Maui County's delegation to the State Legislature; the Honorable David Y. Ige, Governor, State of Hawaii; and the Honorable Michael P. Victorino, Mayor, County of Maui.