

# Resolution

No. 21-19

## SUPPORTING LEGALIZING, REGULATING, AND TAXING CANNABIS FOR RESPONSIBLE, ADULT USE

WHEREAS, cannabis is in a genus of flowering plants in the family Cannabaceae; and

WHEREAS, cannabis is the correct scientific term, but has been incorrectly referred to as “marijuana,” which originated as a slang term, has no scientific basis, and carries prejudicial implications rooted in racial stereotypes from the early 20<sup>th</sup> century when cannabis use was first criminalized in the United States; and

WHEREAS, the term cannabis carries no such negative connotations and is a more accurate and appropriate term to describe the plant, but is still referred to as “marijuana” in laws, government reports, and news articles; therefore, the term marijuana will only be used within this resolution when it is in a title or law; 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, as reported in *U.S. News* on November 13, 2020, cannabis is legal for all adult use in Washington, D.C., Guam, and 15 states: Colorado, Washington, Alaska, Oregon, California, Maine, Massachusetts, Nevada, Michigan, Vermont, Illinois, Arizona, Montana, New Jersey, and South Dakota; and

WHEREAS, cannabis is legal for medical use in 34 states; and

WHEREAS, Hawai'i passed its medical cannabis statute via Act 228 (2000) and authorized the establishment and regulation of medical cannabis dispensaries via Act 241 (2015); and

WHEREAS, Hawai'i has relied on the tourism industry as its main economic driver, but was substantially impacted by the September 11, 2001 terrorist attacks, the Great Recession of 2007-2009,

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and the ongoing 2020 COVID-19 pandemic, and the need is greater than ever to immediately incentivize and develop other revenue generators; 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 National Organization for the Reform of Marijuana Laws reported in 2017 that the legal cannabis industry is responsible for the creation of an estimated 150,000 full-time jobs in the U.S., the largest number of cannabis-related jobs were in California (47,711) Colorado (26,891), and Washington (26,556); 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, according to the Marijuana Policy Project, "As of November 2020, states reported a combined total of \$6.59 billion in tax revenue from legal, adult-use marijuana sales"; and

WHEREAS, the Hawai'i Cannabis Industry Association reported the medical cannabis industry created 636 jobs in Hawai'i and generated \$141.9 million in economic output; and

WHEREAS, the State legislature enacted Act 273 (2019), which provided for the expungement of criminal records pertaining solely to the possession of three grams or less of marijuana; 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 and have not improved since 2010;
- marijuana arrests decreased after legalization or decriminalization;
- racial disparities in arrests persisted even in states that legalized or decriminalized marijuana; and

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- data-collection failures blocked a fuller understanding of racial disparities in marijuana arrests; and

WHEREAS, Act 241 (2015) regulates Hawai'i's medical cannabis dispensaries, requiring dispensary applicants to have \$1 million cash, an additional \$100,000 for each dispensary location, and to pay a \$75,000 licensing fee to the Department of Health within seven days of being selected, enabling only those who had the immediate access to that extent of capital to take advantage of the newly created legal medical cannabis market; and

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

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

1. That it supports legalizing, regulating, and taxing cannabis for responsible, adult use;
2. That it supports granting clemency or resentencing to anyone incarcerated on a marijuana conviction and expunging all marijuana convictions;
3. That it supports promoting equitable ownership and employment opportunities in a legal cannabis industry to decrease disparities in life outcomes for marginalized communities, and to address the disproportionate impacts disparate enforcement of cannabis prohibition has had on those communities;
4. That it supports investing in nonpunitive programs and community-based services and divesting from law enforcement related to cannabis;
5. That it supports the creation of a democratically selected 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

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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.

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