



## **Proclamation Proposal**

**WHEREAS**, the authority to decide the medical use of controlled substances is retained by the states; and

**WHEREAS**, the State of Hawai‘i lawfully exercised this authority when it adopted Act 228, Session Laws of Hawai‘i 2000, and created a state-regulated medical use of cannabis program; and

**WHEREAS**, the United States Supreme Court confirmed this authority when it found in *Gonzales v. Oregon*, 546 U.S. 243 (2006), that “[t]he Attorney General has rulemaking power to fulfill his duties under the CSA. The specific respects in which he is authorized to make rules, however, instruct us that he is not authorized to make a rule declaring illegitimate a medical standard for care and treatment of patients that is specifically authorized under state law”; and

**WHEREAS**, Governor Cayetano signed Hawai‘i’s Medical Use of Cannabis Act into law on June 14, 2000; and

**WHEREAS**, the U.S. Department of Justice and the Drug Enforcement Administration have never challenged the constitutionality of Hawai‘i’s Medical Use of Cannabis Act; and

**WHEREAS**, Hawai‘i’s Medical Use of Cannabis Program has enabled tens of thousands of patients with debilitating medical conditions to benefit from the personal medical use of Cannabis under medical supervision in Hawai‘i for the past twenty years;

**THEREFORE** I, Harry Kim, Mayor of the County of Hawai‘i, and I Wil Okabe, Managing Director, County of Hawai‘i, do hereby proclaim June 14, 2020 as

### **“MEDICAL CANNABIS DAY”**

And ask the people of the County of Hawai‘i to join us in recognizing the twentieth anniversary of the medical use of Cannabis in Hawai‘i.

Done on Hawai‘i Island, this fourteenth day of June 2020.

Submitted online June 8, 2020 on behalf of Clifton Otto, MD, Akamai Cannabis Clinic and approximately 10,000 licensed patients on Hawai‘i Island.