

STAND. COM. REP. NO.

3074

Honolulu, Hawaii

MAR 24 2006

RE: H.B. No. 2410
H.D. 1
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B.
No. 2410, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,"

begs leave to report as follows:

The purpose of this measure is to clarify that the exception from certain requirements of the Uniform Controlled Substances Act for any over-the-counter sale, transfer, furnishing, or receipt of a drug containing pseudoephedrine or norpseudoephedrine is subject to compliance with the additional restrictions on the sale of over-the-counter pseudoephedrine products imposed by Act 193, Session Laws of Hawaii 2005.

Your Committee received testimony in support of this measure with recommended amendments from the Department of Public Safety and the Department of the Prosecuting Attorney, City and County of Honolulu.

Your Committee finds that new federal regulations affecting Chapter 329, Hawaii Revised Statutes, were signed into law by President Bush and will take effect on September 30, 2006. The Department of Public Safety submitted testimony with recommended amendments that will bring Chapter 329, Hawaii Revised Statutes, into conformance with these new regulations.

Accordingly, your Committee has amended this measure by:

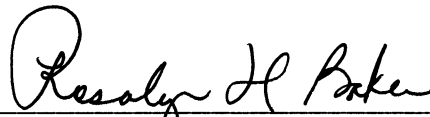


- (1) Reducing the amount of dispensable grams to 3.6 grams per day without regard to the number of transactions, or nine grams a month, except when dispensed pursuant to a prescription;
- (2) Requiring pseudoephedrine products to be moved behind the counter and that purchasers must provide identification to the retailer who must record identifying information of that purchaser; and
- (3) Requiring pseudoephedrine purchasers to sign a written log or receipt.

Your Committee further amended this measure by adding the drug Zopiclone, trade name Lunesta, to schedule IV of the controlled substances list.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2410, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2410, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Health,




ROSALYN H. BAKER, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Health
(Bills and Resolutions)

Measure:* <i>HB 2410 HDI</i>	Committee Referral: <i>HTH, JHW</i>	Date: <i>3/20/06</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
BAKER, Rosalyn H. (C)	✓			
CHUN OAKLAND, Suzanne (VC)	✓			
HANABUSA, Colleen	✓			
TSUTSUI, Shan S.	✓			
WHALEN, Paul				✓
TOTAL	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.