

STAND. COM. REP. NO. 1630-08

Honolulu, Hawaii

Aj-03, 2008

RE: H.C.R. No. 49
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.C.R. No. 49, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE MAUI COUNTY MAYOR AND COUNTY COUNCIL TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI,"

begs leave to report as follows:

The purpose of this concurrent resolution is to eliminate the problems faced by legal medical marijuana cardholders of the County of Maui and to meet their medical needs by requesting the Mayor and County Council of Maui to implement various measures regarding medical marijuana in the County of Maui.

The Drug Policy Action Group, Drug Policy Forum of Hawaii, representative from the 11th representative district, and several concerned individuals testified in support of this concurrent resolution. The Department of Public Safety, Department of Agriculture, Maui County Police Department, and a member of the Maui County Council opposed this measure.

Your Committee has amended this measure by:

- (1) Changing the title to read: REQUESTING THE MAYOR AND COUNTY COUNCIL OF MAUI TO EVALUATE AND, IF LEGALLY PERMISSIBLE AND PROPER UNDER STATE LAW, TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI;

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- (2) Clarifying that the 90 percent of legal medical marijuana cardholders of the County of Maui who cannot meet their medical needs due to the black market is an estimated statistic;
- (3) Deleting provisions regarding:
 - (A) Criminal theft and eradication of medical marijuana plants;
 - (B) The need for a cash crop in the County of Maui;
 - (C) Federal law reform to eliminate the problems and costs caused by the prohibition of the marijuana plant; and
 - (D) The County of Maui's commitment to the protection of civil rights and civil liberties and democracy;
- (4) Requesting the Mayor and County Council of Maui to also evaluate various measures regarding medical marijuana in the County of Maui;
- (5) Clarifying that the Mayor and County Council of Maui are requested to implement those measures only if legally permissible and proper under state law;
- (6) Removing the request that the Mayor and County Council of Maui advocate for legislative change to further legalize the medical use of marijuana at the state and federal levels; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 49, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 49, H.D. 2.



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


for TOMMY WATERS, Chair



