

STAND. COM. REP. NO. 182

Honolulu, Hawaii
Feb 11, 2009

RE: H.B. No. 1191
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Health and Public Safety, to which was referred H.B. No. 1191 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA,"

beg leave to report as follows:

The purpose of this bill is to regulate the growth and availability of medical marijuana by:

- (1) Authorizing the development of registered secure growing facilities to provide a place for a limited amount of medical marijuana cultivation;
- (2) Authorizing patients and their primary caregivers who have written certification to use registered secure growing facilities, and their certified facilitators, to grow an uninterrupted allotment of marijuana for medical use;
- (3) Establishing a marijuana distribution stamp system to monitor the distribution of processed marijuana to qualifying patients or their primary caregivers;
- (4) Providing transparency to local law enforcement officers; and
- (5) Providing protection for qualifying patients and their medication.



The American Civil Liberties Union of Hawaii, Drug Policy Forum of Hawaii, Americans for Safe Access-Big Island Chapter, and numerous concerned individuals testified in support of this bill. The Department of Public Safety, Honolulu Police Department, Maui County Police Department, Hawaii Police Department, Department of the Prosecuting Attorney for the County of Maui, and Save Our Society from Drugs opposed this measure. Patients Without Time provided comments.

Your Committees have amended this bill by:

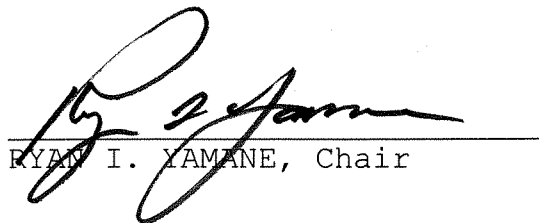
- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1191, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1191, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Health and Public
Safety,



FAYE HANCHANO, Chair



RYAN I. YAMANE, Chair



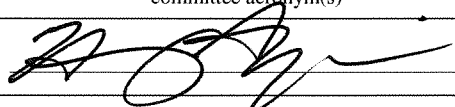
State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 1191	Committee Referral: HLT/PBS, JUD, FIN	Date: 2-05-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. NISHIMOTO, Scott Y. (VC)				✓
3. BELATTI, Della Au	✓			
4. BERTRAM, Joe, III	✓			
5. BROWER, Tom	✓			
6. CARROLL, Mele				✓
7. MIZUNO, John M.	✓			
8. SHIMABUKURO, Maile S.L.				✓
9. FINNEGAN, Lynn				✓
TOTAL (9)	5			4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Della A Belatti</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

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Record of Votes of the Committee on Public Safety

Bill/Resolution No.: HB 1191	Committee Referral: HLT/PBS, JUB, FIN	Date: 2/5/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)	✓			
2. AQUINO, Henry J.C. (VC)	✓			
3. AWANA, Karen Leinani				✓
4. KEITH-AGARAN, Gilbert S.C.	✓			
5. LEE, Marilyn B.				✓
6. NAKASHIMA, Mark M.	✓			
7. RHOADS, Karl		✓		
8. SAIKI, Scott K.	✓			
9. SOUKI, Joseph M.	✓			
10. TAKUMI, Roy M.				✓
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos				✓
TOTAL (12)	7	1		4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				