

STAND. COM. REP. NO. 196

Honolulu, Hawaii

Feb 12, 2009

RE: H.B. No. 1635

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

Sir:

Your Committee on Public Safety, to which was referred H.B. No. 1635 entitled:

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

begs leave to report as follows:

The purpose of this bill is to amend statutory law relating to medical marijuana by:

- (1) Establishing new recordkeeping requirements and penalties;
- (2) Amending the definitions of "debilitating medical condition", "usable marijuana", and "written certificate";
- (3) Requiring a physical examination of the patient by the prescribing physician; and
- (4) Increasing the penalty for fraudulent misrepresentation to a class C felony.

The Department of Public Safety, Honolulu Police Department, Department of the Prosecuting Attorney for the County of Maui, and Maui Police Department testified in support of this bill. The American Civil Liberties Union, Drug Policy Forum, Drug Policy Action Group, Americans for Safe Access-Big Island Chapter, and many concerned individuals testified in opposition to this measure. A concerned individual provided comments.

HB1635 HSCR PBS HMS 2009-1986



As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1635 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

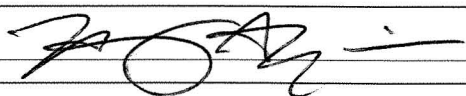
Respectfully submitted on
behalf of the members of the
Committee on Public Safety,



FAYE MANOHANO, Chair



Record of Votes of the Committee on Public Safety

Bill/Resolution No.: HB 1635	Committee Referral: PBS, JUD, FIN	Date: 2/5/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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)	8	2		2
The recommendation is: <input 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				