

Honolulu, Hawaii
March 12, 2010

RE: S.B. No. 2213
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of '2010
State of Hawaii

Sir:

Your Committees on Public Safety and Health, to which was referred S.B. No. 2213, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO COUNTIES,"

beg leave to report as follows:

The purpose of this bill is to authorize each county to establish compassion centers to dispense medical marijuana to qualifying patients and caregivers registered with the Department of Public Safety (DPS).

Advocates for Consumer Rights, American Civil Liberties Union of Hawaii, NORML Foundation, Law Enforcement Against Prohibition, The Drug Policy Action Group, The Drug Policy Forum, the Representative of District 11, and a multitude of concerned individuals testified in support of this bill. Several concerned individuals supported this measure with amendments. DPS, the Department of the Attorney General, Honolulu Police Department, Hawaii County Police Department, Kauai Police Department, Maui Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney Maui County, Department of the Prosecuting Attorney Kauai County, Department of the Prosecuting Attorney Hawaii County, Coalition for a Drug-Free Hawaii, and several concerned individuals opposed this measure. Medical Cannabis Working Group, Hawaii Substance Abuse Coalition, and several concerned individuals provided comments.

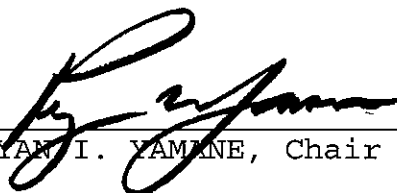


Your Committees have amended this bill by:

- (1) Prohibiting compassion centers from being established within 50 miles of each other and not within two miles of a school;
- (2) Deleting the requirement that \$15 of the \$30 general excise tax on the sale of an ounce of marijuana be deposited into the general fund of the county where the sale occurred;
- (3) Making a violation of GET tax laws result in immediate rescission of a compassion center license, which will result in the compassion center's closure until the violation is addressed;
- (4) Requiring that the record of sale made by the compassion center be kept for five years along with the prescribing physician's name;
- (5) Removing certain provisions regarding county ordinances and criminal offenses since all ordinances should follow state law; and
- (6) Allowing non-residents to purchase marijuana for medical use with approved government identification, verified information on the prescribing physician, and temporary residence information.

As affirmed by the records of votes of the members of your Committees on Public Safety and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2213, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2213, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

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



RYAN I. YAMANE, Chair



FAYE MANOHANO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 716-10

Record of Votes of the Committee on Public Safety

| Bill/Resolution No.: SB 2213, SD2 | Committee Referral: PBS/HLT, JUD, FIN | Date: 3/11/10 | | |
|--|---|-------------------------|------|---------|
| <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) | 4 | 5 | 1 | 2 |
| 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 | | | | |

