

Honolulu, Hawaii

APR 22 2010 , 2010

RE: S.B. No. 2745
S.D. 2
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

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

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2745, S.D. 2, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to update the Uniform Controlled Substances Act, and to:

- (1) Restore the emergency scheduling of the Schedule I controlled substance Salvia divinorum, Salvinorin A, and Divinorin A as hallucinogenic substances;
- (2) Add Tapentadol, Fospropofol, and Lacosamide to schedules II, IV, and V, respectively;
- (3) Modify the show cause process and include therein the denial of an application for registration; and



- (4) Authorize the imposition of administrative fines where a person subject to the requirements of the Controlled Substance Electronic Accountability Prescription System intentionally or knowingly fails to transmit required information, and adding thereto a request from the designated state agency for data correction.

To ensure consistency in the regulation and enforcement of controlled substances, the Federal Controlled Substances Act serves as the basis for classification of all controlled substances on a national level. Section 329-11(a), Hawaii Revised Statutes, requires the Department of Public Safety to make appropriate revisions to update chapter 329, Hawaii Revised Statutes, relating to the Uniform Controlled Substances Act, to conform to changes in federal law.

Your Committee on Conference has amended this measure by changing the effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2745, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2745, S.D. 2, H.D. 1, C.D. 1.

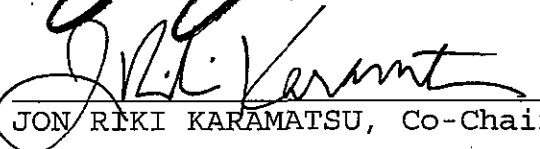
Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


 RYAN L. YAMANE, Co-Chair


 WILL ESPERO, Chair


 JON RIKI KARAMATSU, Co-Chair

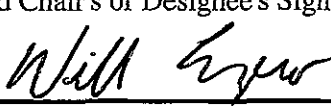
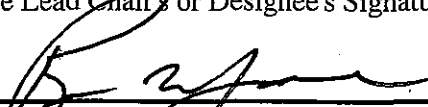

 BRIAN T. TANIGUCHI, Co-Chair



Hawaii State Legislature

Record of Votes of a
Conference Committee

86-10

Bill / Concurrent Resolution No.: SB 2745, SD 2, HD 1					Date/Time: 4/16/10 10:00 AM						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
ESPERO, Will, Chr.		✓				YAMANE, Ryan I., Co-Chr.		✓			
TANIGUCHI, Brian T., Co-Chr.		✓				KARAMATSU, Jon Riki, Co-Chr.		✓			
HEMMINGS, Fred					✓	BELATTI, Della Au		✓			
						MARUMOTO, Barbara C.					✓
TOTAL		2			1	TOTAL		3			1
A = Aye		WR = Aye with Reservations			N = Nay			E = Excused			
Senate Recommendation is:					House Recommendation is:						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:						
											
Distribution:					Distribution:						
Original <i>File with Conference Committee Report</i>					Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>		