

Honolulu, Hawaii

March 8, 2011

RE: H.B. No. 1085
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1085, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to protect public health and safety by updating Hawaii's controlled substances law to conform to federal law. Among other things, this bill:

- (1) Updates the list of controlled substances under the designation of Schedule I, Schedule II, and Schedule III controlled substances;
- (2) Requires a separate registration for each principal place of business or professional practice that recommends the medical use of marijuana;
- (3) Provides flexibility in determining the way information relevant to dispensing a controlled substance is reported;
- (4) Allows the Department of Public Safety (PSD) more flexibility in identifying and tracking the abuse of certain non-controlled substances; and
- (5) Increases the medical use of marijuana permit fee from no more than \$25 to no more than \$35.



The Department of the Prosecuting Attorney of the City and County of Honolulu, PSD, Honolulu Police Department, and Department of the Prosecuting Attorney of the County of Maui testified in support of this bill. The Drug Policy Action Group, American Civil Liberties Union of Hawaii, Drug Policy Forum of Hawaii, and numerous concerned individuals testified in opposition to this measure.

Your Committee has amended this bill by:

- (1) Deleting language that required a separate registration for each principal place of business or professional practice that recommended the medical use of marijuana;
- (2) Changing its effective date to January 7, 2059, to encourage further discussion; and
- (3) 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 is in accord with the intent and purpose of H.B. No. 1085, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1085, H.D. 2.

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


GILBERT KEITH-AGARAN, Chair



