

Honolulu, Hawaii

APR 08 2011

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

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 1085, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to amend the State's controlled substances law.

Specifically, the measure:

- (1) Makes the Hawaii statutes on controlled substances consistent with federal laws on controlled substances;
- (2) Adds substances of concern to the list of controlled substances that must be electronically reported to Hawaii's electronic prescription monitoring program; and
- (3) Increases the fee for the registration certificate for qualifying patients for the medical use of marijuana.

Your Committee received comments in support of this measure from Department of the Prosecuting Attorney, City and County of Honolulu; and Myron Berney, ND LAc, Medicine Buddhas and Bodhisativas Natural Cancer Wellness Foundation.

Your Committee received comments in opposition to this measure from Jeanne Y. Ohta, Executive Director, Drug Policy Forum



of Hawaii; Andrea Tischler, Co-Chair, Big Island Chapter Americans for Safe Access; and fifteen individuals.

Your Committee notes that the majority of the testimony in opposition to this measure regarded the increase in the fee charged for registration certificates to qualifying patients for the medical use of marijuana.

Your Committee has amended this measure by:

- (1) Correcting the name of a controlled substance; and
- (2) Changing the fee charged for registration certificates to qualifying patients for the medical use of marijuana to an unspecified amount.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1085, H.D. 2, S.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, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1085, HD2, SD1	JDL, WAM	4-1-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.				/
ENGLISH, J. Kalani				/
ESPERO, Will	/			
FUKUNAGA, Carol	/			
KIM, Donna Mercado	/			
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			
RYAN, Pohai	/			
TOKUDA, Jill N.	/			
WAKAI, Glenn	/			
SLOM, Sam			/	
TOTAL	11	0	1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes