

Honolulu, Hawaii

FEB 16 2011

RE: S.B. No. 175
S.D. 1

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

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Health, to which was referred S.B. No. 175 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to transfer jurisdiction over the Medical Use of Marijuana Program from the Department of Public Safety to the Department of Health.

Your Committees received testimony in support of this measure from five community organizations and thirty-two individuals. Testimony in opposition was received from two state departments and one individual. Comments were received from one state department and one individual.

Your Committees find that responsibility for the Medical Use of Marijuana Program should be placed in a department that has experience working with groups of patients and health programs. Testimony indicated that easy access and easily understandable information are not currently available under the existing statutory scheme. This measure is a recommendation of the Medical Cannabis Working Group to the 2011 Legislature.

Your Committees have amended this measure by:

- (1) Requiring that the Department of Public Safety maintain a registration and certification confirmation service

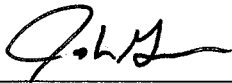


that is full time, operating twenty-four hours per day and seven days per week, and is accessible to the Department of Health;

- (2) Requiring the Department of Public Safety to facilitate the transfer of functions by collaborating with, cooperating with, and assisting the Department of Health with assuming jurisdiction of and responsibility for the Medical Use of Marijuana Program; and
- (3) Amending the language of the transfer of personnel functions, upon the recommendation of the Department of Human Resources Development, to specify that employees who are exempt from civil service and transferred as a consequence of this measure shall retain exempt status and not become civil service employees.

As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 175, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 175, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Government Operations, and
Military Affairs and Health,



JOSH GREEN, M.D., Chair



WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* <i>SB 175</i>	Committee Referral: <i>PGM/HTH, WAM</i>	Date: <i>2-8-11</i>
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	///			
KIDANI, Michelle N. (VC)	///			
BAKER, Rosalyn H.	///			
RYAN, Pohai	///			
SLOM, Sam	///			
TOTAL	5			

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:
Michelle N. Kidani

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*Only one measure per Record of Votes

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB175	Committee Referral: PEM/HTH, WAM	Date: 2-8-2011		
<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
GREEN, M.D., Josh (C)	✓			
NISHIHARA, Clarence K. (VC)				✓
BAKER, Rosalyn H.	✓			
CHUN OAKLAND, Suzanne				✓
SHIMABUKURO, Maile				✓
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	4	—	—	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Rosalyn H Baker</div>				
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*Only one measure per Record of Votes