

STAND. COM. REP. NO. 225-12

Honolulu, Hawaii

Feb 9, 2012

RE: H.B. No. 1963
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Public Safety & Military Affairs and Health, to which was referred H.B. No. 1963 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA,"

beg leave to report as follows:

The purpose of this measure is to update the law relating to the medical use of marijuana by:

- (1) Requiring the Department of Health to submit a report to the Legislature, including draft legislation, on recommendations to the list of authorized debilitating medical conditions;
- (2) Requiring a separate registration at each principal place of business where the applicant recommends medical marijuana;
- (3) Clarifying definitions with respect to the medical use of marijuana;
- (4) Establishing a suspension period for those who violate medical marijuana program conditions;
- (5) Limiting the amount of marijuana that can be possessed at a location; and



- (6) Increasing the penalties for fraudulent misrepresentations about the medical use of marijuana.

The Department of Public Safety, Honolulu Police Department, Coalition for a Drug-Free Hawaii, and numerous individuals testified in support of the measure. The Department of the Attorney General, County of Maui Department of the Prosecuting Attorney, the Maui Police Department, and the Hawaii Police Department testified in support of the measure, with amendments. The Department of Health and the Hawaii County Office of the Prosecuting Attorney testified in support of the intent of the measure. The Drug Policy Forum of Hawaii, Community Alliance on Prisons, American Civil Liberties Union of Hawaii, Big Island Chapter of Americans for Safe Access, Hawaii Medical Association, and numerous individuals commented on the measure.

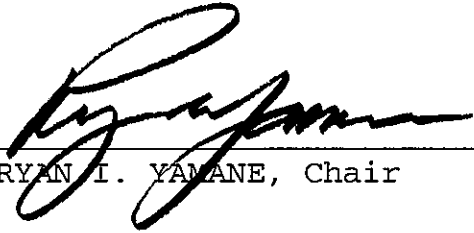
Your Committees have amended this measure by:

- (1) Requiring a person who recommends the medical use of marijuana to obtain a registration issued by the Department of Public Safety;
- (2) Prohibiting a qualifying patient or caregiver from maintaining or possessing marijuana plants or usable marijuana at a particular address or property with other patients or caregivers, under certain conditions;
- (3) Clarifying the definition of "debilitating medical condition"; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

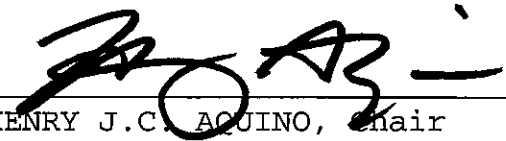
As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1963, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1963, H.D. 1, and be referred to the Committee on Judiciary.



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



RYAN I. YAMANE, Chair



HENRY J.C. AQUINO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 225-12

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.: HB 1963	Committee Referral: PBM/HLT, JUD, FIN	Date: 2/2/2012		
<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)				
PBM Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	✓			
2. CULLEN, Ty (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. LEE, Marilyn B.	✓			
5. LUKE, Sylvia	✓			
6. OKAMURA, Tom				✓
7. SAIKI, Scott K.				✓
8. SOUKI, Joseph M.			✓	
9. TAKAI, K. Mark	✓			
10. TAKUMI, Roy M.				✓
11. YAMASHITA, Kyle T.	✓			
12. FONTAINE, George R.	✓			
13. JOHANSON, Aaron Ling	✓			
TOTAL (13)	9	6	1	3
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				

State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 1963	Committee Referral: PBM/ALT, JUD, FIN	Date: 02/02/2012		
<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)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. MORIKAWA, Dee (VC)	✓			
3. BELATTI, Della Au				✓
4. HANOHANO, Faye P.			✓	
5. JORDAN, Jo	✓			
6. LEE, Chris	✓	✓		
7. MIZUNO, John M.		✓		
8. WOOLEY, Jessica		✓		
9. CHING, Corinne W.L.		✓		
10. PINE, Kymberly Marcos		✓		
TOTAL (10)	3	5	wr 1	1
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: _____ <i>KL</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				