

STAND. COM. REP. NO.

1518

Honolulu, Hawaii

April 8, 2011

RE: S.B. No. 1458
S.D. 2
H.D. 3

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

Sir:

Your Committee on Finance, to which was referred S.B. No. 1458, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this bill is to establish a regulated distribution program for medical marijuana by:

- (1) Establishing a five-year medical marijuana distribution pilot program in one county within the Department of Public Safety (PSD) to distribute medical marijuana to qualified patients;
- (2) Requiring qualifying patients to access medical marijuana through the compassion center, which is a medical marijuana compassion center licensee, other than the qualifying patient and the qualifying patients' physician, who has agreed to be the primary caregiver of the qualifying patient;
- (3) Authorizing PSD to assess and collect an unspecified annual fee for the issuance of a medical marijuana compassion center license and a fee for the annual renewal of a license in the same amount;

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- (4) Authorizing PSD to conduct criminal history record checks on applicants for compassion care center licenses;
- (5) Authorizing PSD to convene a task force to study and advise in the drafting of PSD's administrative rules for the pilot program; and
- (6) Requiring PSD to submit to the Legislature a status report on the pilot project with findings and recommendations, including proposed legislation, no later than 20 days prior to the convening of the 2013, 2014, 2015, and 2016 Regular Sessions.

The National Association of Reformed Criminals, Pacific Wellness Coalition, and many concerned individuals supported this bill. The City and County Department of the Prosecuting Attorney, Honolulu Police Department, Hawaii Police Department, Maui Police Department, Coalition for a Drug-Free Hawaii, and many concerned individuals opposed this bill. The Big Island Chapter of Americans for Safe Access, The Religion of Jesus Church, Friends 4 Justice, Oahu ASA, Law Enforcement Against Prohibition, the Drug Policy Action Group, American Civil Liberties Union of Hawaii, the Drug Policy Forum of Hawaii, PSD, Kahuna Compassion Consulting LLC, and many concerned individuals offered comments.

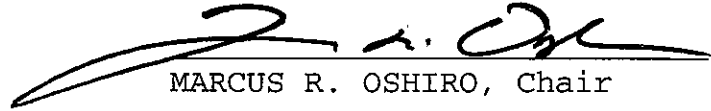
Your Committee has amended this bill by:

- (1) Establishing an administrative fee of \$10,000 for a temporary registration certification that allows out-of-state visitors who are qualifying patients or primary caregivers in their home state to obtain medical marijuana;
- (2) Changing the effective date to July 1, 2030; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1458, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1458, S.D. 2, H.D. 3.



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


MARCUS R. OSHIRO, Chair



