

STAND. COM. REP. NO.

543

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 1458
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 S.B. No. 1458, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to establish a fully integrated licensing system under the Department of Health for the cultivation and distribution of medical marijuana to promote the safe and effective regulation of medical marijuana.

Your Committee received comments in support of this measure from Jeanne Ohta, Executive Director, Drug Policy Forum of Hawaii; Pamela Lichty, MPH, President, The Drug Policy Action Group; Jay Fleming, Law Enforcement Against Prohibition; Andrea Tischler, Co-Chair, Big Island Chapter Americans For Safe Access; and fifty-one individuals.

Your Committee received comments in opposition to this measure from the Prosecuting Attorney, City and County of Honolulu; Gary A. Yabuta, Chief of Police, Police Department, County of Maui; and three individuals.

Your Committee finds that medical marijuana needs to be effectively regulated to ensure safe and reliable cultivation, distribution, and use. Your Committee further finds that licensing those involved in this process, setting standards for licensees, and requiring that the facilities used be secure and monitored is an effective way to ensure that medical marijuana is



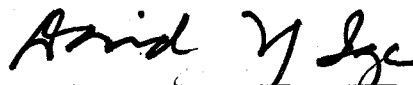
cultivated, distributed, and used appropriately. The measure also provides for licensing fees and taxation of medical marijuana that will support regulations and generate revenues for the general fund.

Your Committee has amended this measure by:

- (1) Clarifying that those convicted of a felony within ten years preceding application for a license shall be ineligible for licensing;
- (2) Deleting a provision relating to contiguous location of licensees while retaining language regarding minimum distance between licensees;
- (3) Correcting language to reflect the current text of the Hawaii Revised Statutes;
- (4) Correcting an internal cross-reference; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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 S.B. No. 1458, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1458, 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:		
SB1458 SDI	H/H/PGM, WAM	2/24/11		
<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	1	1	1
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;"> Suzanne Chun Oakland </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes