

STAND. COM. REP. NO.

147

Honolulu, Hawaii

FEB 14 2011

RE: S.B. No. 174
S.D. 1

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

Sir:

Your Committee on Health, to which was referred S.B. No. 174
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to remove marijuana and tetrahydrocannabinols from the schedule I controlled substances list and places them in the more appropriate schedule III controlled substances list in order to promote statutory consistency regarding the State's classification and treatment of marijuana.

Your Committee received testimony in support of this measure from the Drug Policy Forum of Hawai'i; Democratic Party of Hawai'i; the Natural Cancer Wellness Foundation; Americans for Safe Access, Big Island Chapter; Friends 4 Justice; and twenty-eight private citizens. Your Committee received testimony in opposition to this measure from the Department of Public Safety; the Department of the Prosecuting Attorney, City and County of Honolulu; the Police Department, City and County of Honolulu; the Police Department, County of Maui; the Police Department, County of Hawai'i; the Police Department, County of Kauai; the Kona Crime Prevention Committee, Legislative Committee; and three private citizens.

Your Committee finds that Schedule II controlled substances currently include heroin and opiates like oxycodone, methadone, tapentadol, fentanyl, and amphetamine and methamphetamine, all of which have been linked to deaths by overdoses. In contrast,

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marijuana has not been linked to overdose deaths and therefore may be more appropriately classified as a schedule III controlled substance.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to allow for further discussion of this measure; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 174, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 174, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

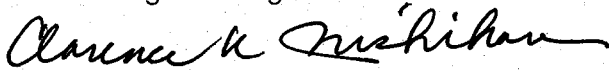


JOSH GREEN, M.D., Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 174	HTH, JDL	02/02/11		
<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
GREEN, M.D., Josh (C)		✓		
NISHIHARA, Clarence K. (VC)		✓		
BAKER, Rosalyn H.	✓			
CHUN OAKLAND, Suzanne			✓	
SHIMABUKURO, Maile				✓
WAKAI, Glenn				✓
SLOM, Sam				✓
TOTAL	1	2	1	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes