



GOV. MSG. NO. 1168

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 30, 2013

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 30, 2013, the following bill was signed into law:

SB1180 HD1

RELATING TO EMERGENCY SCHEDULING OF
CONTROLLED SUBSTANCES
ACT 068 (13)

Aloha
Sincerely,
Neil Abercrombie

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO EMERGENCY SCHEDULING OF CONTROLLED SUBSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 329-11, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:

3 "(e) The administrator may make an emergency scheduling by
4 placing a substance into schedule I, II, III, IV, or V on a
5 temporary basis, if the administrator determines the action is
6 necessary to address or avoid a current or imminent danger to
7 the health and safety of the public. In making the
8 determination of whether to emergency schedule a substance, the
9 administrator shall assess the degree of danger or probable
10 danger of the substance by considering the following:

11 (1) The actual or possible abuse of the substance
12 including:

13 (A) Its history and current pattern of abuse;

14 (B) The scope, duration, and significance of abuse;

15 and

16 (C) A judgment of the degree of actual or possible

17 detriment that may result from the abuse of the

18 substance; and

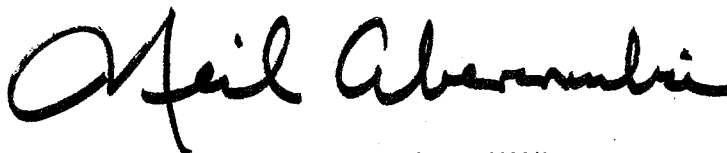


1 (2) The risk to public health.
2 The department shall post a public notice thirty days prior to
3 the effective date of the emergency scheduling action, at the
4 state capitol, in the office of the lieutenant governor, and on
5 the department's website for public inspection. If a substance
6 is added or rescheduled under this subsection, the control shall
7 be temporary and, if the next regular session of the state
8 legislature has not enacted the corresponding changes in this
9 chapter, the temporary designation of the added or rescheduled
10 substance shall be nullified."

11 SECTION 2. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 30 day of APR, 2013



GOVERNOR OF THE STATE OF HAWAII