

Honolulu, Hawaii

February 15, 2013

RE: H.B. No. 667

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 667  
entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend statutory law  
regarding the medical use of marijuana including:

- (1) Defining "adequate supply" in the context of the  
possession of medical marijuana by both a primary  
caregiver and qualifying patient;
- (2) Clarifying provisions relating to the confidentiality of  
growing sites, certification of physician requirements,  
confidentiality of patient's conditions, caregiver to  
patient ratios, transportation of medical marijuana,  
qualifying visitors, and registration requirements; and
- (3) Transferring oversight of certain functions of the  
Medical Use of Marijuana law from the Department of  
Public Safety to the Department of Health.

The American Civil Liberties Union of Hawaii, Big Island  
Americans for Safe Access, Community Alliance on Prisons, Drug  
Policy Forum of Hawaii, Drug Policy Action Group, The Libertarian  
Party of Hawaii, and numerous individuals testified in support of  
this measure. The Department of Public Safety testified in



support of the intent of this measure. The Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, Hawaii County Police Department, and Maui County Police Department testified in opposition of this measure. Several individuals provided comments on this measure.

Your Committee notes that provisions in this measure may create potentially problematic immunity issues for qualifying patients transporting marijuana for "intended" medical usage, especially when the transportation occurs across state lines. Should the Committee on Judiciary consider this measure, your Committee respectfully requests that the above-mentioned issue be considered.

Your Committee has amended this measure by:

- (1) Specifying a seven marijuana plant limit for the definition of "adequate supply" that refers to both mature and immature plants;
- (2) Lowering the amount of patients a primary caregiver may be responsible for from five to three patients at any given time;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 667, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 667, H.D. 1, and be referred to the Committee on Judiciary.


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



DELLA AU BELATTI, Chair



Record of Votes of the Committee on Health

Bill/Resolution No.: HB 667	Committee Referral: HLT, JUD	Date: 2/13/13		
<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. BELATTI, Della Au (C)	✓			
2. MORIKAWA, Dee (VC)	✓			
3. CABANILLA, Rida T.R.	✓			
4. CARROLL, Mele				✓
5. JORDAN, Jo	✓			
6. KOBAYASHI, Bertrand	✓			
7. WOODSON, Justin H.	✓			
8. CHEAPE, Lauren Kealohilani	✓			
TOTAL (8)	7			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: 				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				