

STAND. COM. REP. NO.

1005

Honolulu, Hawaii

MAR 22 2013

RE: H.B. No. 668
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Health and Public Safety,
Intergovernmental and Military Affairs, to which was referred H.B.
No. 668, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to transfer the
State's medical use of marijuana program from the Department of
Public Safety to the Department of Health.

Your Committees received testimony in support of this measure
from the Department of Public Safety; Department of Health;
American Civil Liberties Union of Hawaii; Americans for Safe
Access; Community Alliance on Prisons; Drug Policy Action Group;
Natural Cancer Wellness Foundation; Tree House Palace; The
Religion of Jesus Church; and twenty-two individuals. Your
Committees received testimony in opposition to this measure from
the City and County of Honolulu, Department of the Prosecuting
Attorney; City and County of Honolulu Police Department; County of
Maui Police Department; and County of Hawaii Police Department.
Your Committees received comments on this measure from the
Department of Budget and Finance and one individual.

Your Committees find that the medical use of marijuana
program is currently administered by the Department of Public
Safety. Your Committees further find that given the medical
nature of the program, the Department of Health is the appropriate



state department to administer the program. Because of the enormity of the transfer process and the numerous, complicated issues that must be addressed during the transfer, your Committees find that it is necessary to establish a transition advisory group consisting of the Director of Health, Attorney General, and Deputy Director of Law Enforcement. The advisory group will submit recommendations to the Legislature on how to best transition the medical use of marijuana program from the Department of Public Safety to the Department of Health.

Your Committees have amended this measure by:

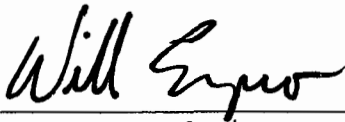
- (1) Adding a new section to chapter 321, Hawaii Revised Statutes, creating the medical marijuana advisory group, comprised of the Director of Health, Attorney General, and Deputy Director of Law Enforcement, and requiring the group to make transition recommendations to the Legislature by December 31, 2013;
- (2) Inserting a blank amount for the medical marijuana registration fee;
- (3) Delaying the deadline by which all rights, powers, functions, and duties of the Department of Public Safety relating to the medical use of marijuana program shall be transferred to the Department of Health to January 1, 2015;
- (4) Clarifying throughout the measure that the Department of Public Safety and Department of Health shall finalize a plan to transfer and execute the transfer of the medical use of marijuana program in accordance with the recommendations of the transition advisory group;
- (5) Changing the effective date to upon approval; and
- (6) Inserting language to repeal the Act on December 31, 2014, if the recommendations of the transition advisory group are not codified in the Hawaii Revised Statutes by December 30, 2014.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 668, H.D. 2,

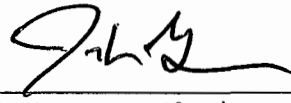


as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 668, H.D. 2, S.D. 1, and be referred to the Committees on Judiciary and Labor and Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Health and Public Safety, Intergovernmental and Military Affairs,



WILL ESPERO, Chair

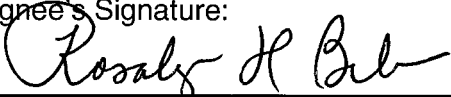


JOSH GREEN, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* HB668, HD2	Committee Referral: HTH/PSM, JDL/WAM	Date: 03/20/2013		
<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, Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓	✓		
TOTAL	4	1		
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one measure per Record of Votes

