

STAND. COM. REP. NO.

1323

Honolulu, Hawaii

APR 05 2013

RE: H.B. No. 944

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

Madam:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 944 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED  
SUBSTANCES ACT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Update chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in federal law on controlled substances;
- (2) Amend section 329-14, Hawaii Revised Statutes, to add new controlled substances emergency scheduled by the State pursuant to section 329-11, Hawaii Revised Statutes; and
- (3) Amend section 329-75(h), Hawaii Revised Statutes, to limit the penalty to violations of section 329-75(g), Hawaii Revised Statutes, relating to pseudoephedrine.

Your Committee received testimony in support of this measure from the Department of Public Safety and Police Department, City and County of Honolulu.

Your Committee finds that due to the growing problem of synthetic hallucinogenic substances being developed for sale to the public as "herbal incense" or "bath salts" in the State, the Department of Public Safety's Narcotics Enforcement Division, as


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well as the federal Drug Enforcement Administration, have attempted to protect the public by placing in schedule the ever-increasing number of synthetic cannabinoids and cathinones labeled as "not for human consumption" but sold in retail shops with the promise of powerful hallucinogenic legal highs. Last year, state and county law enforcement began discovering a new synthetic cannabinoid being sold throughout the State, UR-144 Tetramethylcyclopropanoylindole, which this measure adds to section 329-14, Hawaii Revised Statutes. This measure also amends section 329-75(h), Hawaii Revised Statutes, to limit the class C felony offense currently assigned to penalties of section 329-75(b) to (f), Hawaii Revised Statutes, which are administrative program requirements, to the purchase, receipt, or acquisition of products containing certain amounts of pseudoephedrine. Your Committee further finds that these updates to Hawaii's Uniform Controlled Substances Act are in the interest of public health and safety.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 944, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



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CLAYTON HEE, Chair



