

Honolulu, Hawaii

MAR 25 2014

RE: S.R. No. 37

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.R. No. 37 entitled:

"SENATE RESOLUTION REQUESTING THE DRUG ENFORCEMENT
ADMINISTRATION TO REMOVE MARIJUANA FROM SCHEDULE I OF THE
FEDERAL CONTROLLED SUBSTANCES ACT IN RECOGNITION THAT
MARIJUANA DOES NOT MEET THE CRITERIA OF A FEDERAL SCHEDULE I
CONTROLLED SUBSTANCE, AS A CURRENTLY ACCEPTED MEDICAL USE OF
MARIJUANA IN TREATMENT EXISTS IN THE UNITED STATES, INCLUDING
HAWAII,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Drug
Enforcement Administration to remove marijuana from federal
schedule I, in recognition of the currently accepted practice in
Hawaii and other states of using marijuana for medical treatment
purposes.

Your Committee received testimony in support of this measure
from the Department of Health, Americans for Safe Access,
Community Alliance on Prisons, Drug Policy Action Group, Epilepsy
Foundation of Hawaii, Hawaii Standard and Green Futures, and
thirty-nine individuals. Your Committee received testimony in
opposition to this measure from the Honolulu Police Department.
Your Committee received comments on this measure from five
individuals.

Your Committee finds that under the federal Controlled
Substances Act, scheduling under schedule I requires several
findings, one of which is that the drug or controlled substance



has no currently accepted medical use in treatment in the United States. Marijuana does not meet the criteria of a federal schedule I controlled substance because using marijuana for medical treatment purposes is authorized in Hawaii and in other states. The Drug Enforcement Administration, by enforcing an obsolete regulation that classifies marijuana as a federal schedule I controlled substance and ignoring the currently accepted medical use of marijuana in treatment that exists in Hawaii and other states, is preventing Hawaii from creating a state regulated distribution system that complies with federal law. Removing marijuana from federal schedule I will allow Hawaii to create a state regulated distribution system that will let patients purchase marijuana for medical use.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 37 and recommends that it be referred to the Committee on Judiciary and Labor.

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



WILL ESPERO, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* <i>SR 37</i>	Committee Referral: <i>PSM, JDL</i>	Date: <i>3-24-2014</i>
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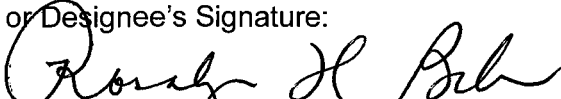
The committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh	✓			
SLOM, Sam	✓			
TOTAL	<i>4</i>	<i>-</i>	<i>-</i>	<i>1</i>

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**