

Honolulu, Hawaii

February 13, 2015

RE: H.B. No. 1455  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1455  
entitled:

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

begs leave to report as follows:

The purpose of this measure to improve access to medical  
marijuana for qualifying patients who are unable to grow their own  
supply by:

- (1) Allowing a qualifying patient or a primary caregiver to  
transfer marijuana plants or plant material to any other  
qualifying patient or primary caregiver;
- (2) Increasing the amount of marijuana that constitutes an  
adequate supply; and
- (3) Increasing the maximum number of qualifying patients  
that a primary caregiver may care for at any given time,  
from one caregiver for one qualifying patient, to one  
caregiver for no more than five qualifying patients.

The Drug Policy Forum of Hawaii, Community Alliance on  
Prisons, The Libertarian Party of Hawaii, Alternative Pain  
Management Pu'uhona, Drug Policy Action Group, and numerous  
individuals testified in support of this measure. The Hawaii  
Police Department, Honolulu Police Department, Maui Police  
Department, City and County of Honolulu Department of the



Prosecuting Attorney, Coalition for a Drug-Free Hawaii, and several individuals opposed this measure. The Department of Health, Hawaii Catholic Conference, Hawaii Family Advocates, and several individuals commented on this measure.

Your Committee has amended this bill by:

- (1) Deleting the provision allowing a qualifying patient or a primary caregiver to transfer marijuana plants or plant material to any other qualifying patient or primary caregiver;
- (2) Retaining existing statutory language that specifies that the amount of marijuana jointly possessed between a qualifying patient and primary caregiver shall not exceed seven marijuana plants, whether immature or mature, and four ounces of usable marijuana at any given time;
- (3) Decreasing the maximum number of qualifying patients that a primary caregiver may care for at any given time, from one caregiver for no more than five qualifying patients, to one caregiver for no more than three qualifying patients;
- (4) Specifying that a primary caregiver disclose to the Department of Health the number of qualifying patients for whom the caregiver is responsible, including the name, address, patient identification number, and other identifying information of each qualifying patient;
- (5) Providing that upon establishment of a medical marijuana dispensary, the primary caregiver to qualifying patient ratio shall revert to the current law of one caregiver to one qualifying patient;
- (6) Limiting the number of marijuana plants grown for medical marijuana use to no more than fourteen marijuana plants located at a single property defined by a single tax map key number; and
- (7) Changing its effective date to July 1, 2050, to facilitate further discussion.



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. 1455, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1455, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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



DELLA AU BELATTI, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

HSCR232

**Record of Votes of the Committee on Health**

Bill/Resolution No.: <b>HB1455</b>	Committee Referral: <b>HLT, CDC, VLD</b>	Date: <b>2/11/15</b>		
<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)				
<b>HLT Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. BELATTI, Della Au (C)	/			
2. CREAGAN, Richard P. (VC)	✓			
3. HASHEM, Mark J.				✓
4. JORDAN, Jo		✓		
5. KOBAYASHI, Bertrand		✓		
6. MORIKAWA, Dee	✓			
7. OSHIRO, Marcus R.				✓
8. FUKUMOTO CHANG, Beth	✓			
9. TUPOLA, Andria P.L.			✓	
<b>TOTAL (9)</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>2</b>
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: <u><i>Richard P. Creagan</i></u>				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				