

Honolulu, Hawaii

FEB 17 2016

RE: S.B. No. 2176
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 2176 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII MEDICAL MARIJUANA
OVERSIGHT COMMISSION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2017, establish the Hawaii Medical Marijuana Oversight Committee to monitor, evaluate, and make recommendations regarding the implementation of the use, cultivation, and dispensing of medical marijuana and the overall Hawaii medical marijuana program; and
- (2) Require the committee to submit a report of its findings to the Senate Committee on Commerce, Consumer Protection, and Health and House of Representatives Committee on Health at least twenty days prior to the convening of each regular session until the committee ceases to exist on July 1, 2022.

Your Committee received testimony in support of this measure from the Department of Transportation; Drug Policy Forum of Hawai'i; Drug Policy Action Group; Effective Change, LLC; The CHOW Project; and eighteen individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety. Your Committee received comments on this measure from the Department of Health and two individuals.



Your Committee finds that chapter 329, part IX, Hawaii Revised Statutes, was enacted to create a state medical use of marijuana law and exemption from criminal sanctions. Furthermore, chapter 329D, Hawaii Revised Statutes, was enacted to establish medical marijuana dispensaries that may begin operations in July 2016. As Hawaii expands its medical marijuana program through the use of highly regulated and monitored dispensaries and more patients are anticipated to consider medical marijuana as a viable treatment, a collaborative commission that brings together numerous stakeholders will create a forum for input to improve the medical marijuana system in the State.

Your Committee has amended this measure by:

- (1) Changing references from the "Hawaii medical marijuana oversight committee" to the "Hawaii medical marijuana oversight commission";
- (2) Amending the composition of the commission by:
 - (A) Removing the Director of Public Safety or the Director's designee and one physician from the commission;
 - (B) Adding the Executive Director of the Drug Policy Forum of Hawaii, or the director's designee;
 - (C) Adding a representative from University of Hawaii College of Tropical Agriculture and Human Resources;
 - (D) Adding a representative from the Medical Cannabis Coalition of Hawaii; and
 - (E) Adding a representative from the American Civil Liberties Union;
- (3) Inserting language to allow the chairperson of the commission to add additional members with expertise under certain conditions; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2176, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2176, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,

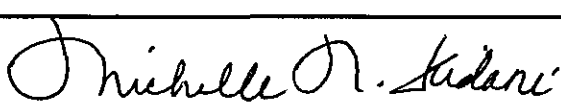


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2176	CPH, WAM	2-10-16		
<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
BAKER, Rosalyn H. (C)	/			
KIDANI, Michelle N. (VC)	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.				/
SLOM, Sam				/
TOTAL	4			3
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