

Honolulu, Hawaii

March 24, 2016

RE: S.B. No. 2523
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Health and Judiciary, to which was referred S.B. No. 2523, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this measure is to authorize licensed medical marijuana production centers to include secured greenhouses or shade houses if the contents are not visible from any street or road used by the public, nor visible to adjoining landowners.

Your Committees received written testimony in support of this measure from the Community Alliance on Prisons, the Drug Policy Action Group, the Drug Policy Forum of Hawaii, the Hawaii Dispensary Alliance, and nine individuals. Your Committees received written testimony in opposition to this measure from one individual. Your Committees received written comments on this measure from the Department of the Attorney General and the Department of Health.

Your Committees find that authorizing licensed medical marijuana dispensary production centers to include secured greenhouses and shade houses will promote efficient and economical production and decrease energy consumption by facilitating the use of the State's abundant sunshine to grow medical marijuana, rather than by relying solely on artificial lighting.



Your Committees have amended this measure by:

- (1) Adding definitions of "enclosed indoor facility," "greenhouse," and "shade house";
- (2) Providing that, until September 30, 2017, an enclosed indoor facility excludes a greenhouse or shade house that does not comply with the definition of an enclosed indoor facility;
- (3) Providing that production centers operated pursuant to a dispensary license issued on or after October 1, 2017, need not be enclosed indoor facilities, but must be secured at all times;
- (4) For a greenhouse or shade house used pursuant to a dispensary license issued on or after October 1, 2017, deleting the requirement that the contents not be visible from any street or road used by the public nor visible to adjoining landowners;
- (5) Providing that section 1 of the measure shall be repealed on September 30, 2017; and sections 2 and 3 of the measure shall take effect on October 1, 2017; and
- (6) Changing the effective date to July 1, 2012, to facilitate further discussion on the measure.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2523, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2523, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Health and
Judiciary,



KARL RHOADS, Chair



DELLA AU BELATTI, Chair



Record of Votes of the Committee on Health

Bill/Resolution No.: SB2523, SDI	Committee Referral: HLT/JUD, FIN	Date: 3/23/16		
<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)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
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.				✓
TOTAL (9)	5	1		3
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: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

HSCR 1295-16

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 2523, SDI	Committee Referral: HLT/JUD, FIN	Date: 03/23/16		
<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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BELATTI, Della Au	/			
4. BROWER, Tom	/			
5. CREAGAN, Richard P.	/			
6. HASHEM, Mark J.	/			
7. KAWAKAMI, Derek S.K.				/
8. LEE, Chris				/
9. MORIKAWA, Dee	/			
10. NAKASHIMA, Mark M.	/			
11. TAKAYAMA, Gregg	/			
12. WOODSON, Justin H.	/			
13. McDERMOTT, Bob				/
14. THIELEN, Cynthia	/			
TOTAL (14)	11	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;"> <input type="checkbox"/> committee acronym(s) </div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				