

STAND. COM. REP. NO. **686**

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 682
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 682, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to prohibit discrimination against medical marijuana patients and caregivers by schools, landlords, employers, courts, and licensing boards, or with regard to medical care or parental rights.

Your Committee received testimony in support of this measure from The Drug Policy Action Group, Hawaii Substance Abuse Coalition, and four individuals. Your Committee received testimony in opposition to this measure from the Department of Human Resources, City and County of Honolulu; Police Department, City and County of Honolulu; and one individual. Your Committee received comments on this measure from the Department of Health and Department of the Attorney General.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 2, which deletes the contents of the measure and inserts sections 6 and 7 from S.B. No. 1302, S.D. 1 (Regular Session of 2015) to:

- (1) Allow a qualifying patient, parent, primary caregiver, or an owner or employee of a medical marijuana production center or dispensary to transport medical marijuana in any public place; and



- (2) Repeal the requirement that a certifying physician be the qualifying patient's primary care physician,

contingent upon passage of S.B. No. 1302 (Regular Session of 2015), as amended.

Your Committee received testimony in support of the proposed S.D. 2 from The Drug Policy Forum of Hawaii, The Drug Policy Action Group, Community Alliance on Prisons, Hawaii Cannabis Care, and seven individuals. Your Committee received testimony in opposition to the proposed S.D. 2 from the Department of Human Resources, City and County of Honolulu; and Police Department, City and County of Honolulu. Your Committee received comments on the proposed S.D. 2 from the Department of the Attorney General.

Your Committee notes that S.B. No. 1291 (Regular Session of 2015), as amended, is currently moving through the legislative process and has language substantially similar to this measure. As a result, your Committee has inserted certain parts of this original measure into S.B. No. 1291. Your Committee further notes that the Department of the Attorney General noted bill title concerns regarding sections 6 and 7 under S.B. No. 1302 (Regular Session of 2015) when this measure was previously heard by the Committees on Health, Public Safety, Intergovernmental and Military Affairs, and Judiciary and Labor. Your Committee finds that this measure has a more appropriate bill title for the two sections for which the Department of the Attorney General expressed concerns.

Accordingly, your Committee has amended this measure by adopting the proposed S.D. 2 and further amending the proposed S.D. 2 by adopting the language suggested by the Department of the Attorney General that:

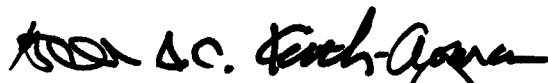
- (1) Clarifies that the transportation of medical marijuana in public places shall be in a sealed container, not be visible to the public, and not be removed from its sealed container or consumed or used in any way while it is in the public place; and
- (2) Deletes "parent" from the list of individuals authorized to transport medical marijuana in a public place.



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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 S.B. No. 682, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 682, S.D. 2.

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



GILBERT S.C. KEITH-AGARAN, Chair



