STAND. COM. REP. NO. (033)

Honolulu, Ḥawaii

March 7

, 2017

RE: H.B. No. 1501

H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1501, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA,"

begs leave to report as follows:

The purpose of this measure is to decriminalize the possession and delivery of drug paraphernalia and instead make these offenses civil violations subject to a fine of \$100.

The Office of Hawaiian Affairs; Office of the Public Defender; American Civil Liberties Union of Hawaii; The CHOW Project; Hawaii Advocates for Consumer Rights; Community Alliance on Prisons; The Drug Policy Forum of Hawaii; Hoʻomana Pono, LLC.; Effective Change, LLC; African American Lawyers Association; and numerous individuals testified in support of this measure. The Department of the Attorney General, County of Hawaii Office of the Prosecuting Attorney, City and County of Honolulu Department of the Prosecuting Attorney, and County of Hawaii Police Department opposed this measure. The Judiciary and County of Kauai Office of the Prosecuting Attorney provided comments on this measure.

Your Committee has amended this measure by making:

(1) The possession and delivery of drug paraphernalia a violation subject to a fine of \$100; and

(2) Technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1501, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1501, H.D. 2.

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

SCOTT Y. NISHIMOTO, Chair

State of Hawaii House of Representatives The Twenty-ninth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:			Date:		
HB 1501 HD1	PBS, JUD			3/1/17		
☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)						
JUD Members		Ayes	Ayes (WR	R) Nays	Excused	
1. NISHIMOTO, Scott Y. (C)						
2. SAN BUENAVENTURA, Joy A. (VC)						
3. BELATTI, Della Au						
4. BROWER, Tom						
5. JOHANSON, Aaron Ling			- Company			
6. LEE, Chris		/				
7. MORIKAWA, Dee				_		
8. NAKASHIMA, Mark M.						
9. OSHIRO, Marcus R.						
10. McDERMOTT, Bob						
11. THIELEN, Cynthia	:		<u> </u>			
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TOTAL (11)		7	. /		3	
The recommendation is: Adopted Not Adopted 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						