

STAND. COM. REP. NO. **62**

Honolulu, Hawaii

FEB 07 2017

RE: S.B. No. 305

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 305 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to specify in state
statute that video monitoring and recording of medical marijuana
production centers and retail dispensing premises shall be
retained for forty-five days.

Your Committee received testimony in support of this measure
from the Hawaii Educational Association for Licensed Therapeutic
Healthcare, Mānoa Botanicals, Cure Oahu, The Drug Policy Forum of
Hawai'i, and one individual. Your Committee received testimony in
opposition to this measure from the Department of Health and
Department of the Prosecuting Attorney of the City and County of
Honolulu.

Your Committee finds that currently state law does not
specifically address video surveillance data storage retention
requirements. Instead, dispensary licensees must adhere to the
Department of Health's administrative rules, which require
dispensary licensees to retain video surveillance recordings for a
minimum of 365 days. Your Committee heard testimony describing
problems with the current requirement. Specifically, retaining
video surveillance recordings for 365 days may require dispensary
licensees to decrease the frame capture rate of the recordings,
which reduces the quality and clarity of the footage and impedes

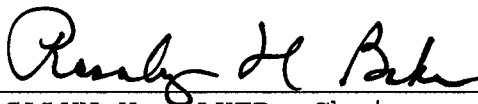


security of the facility. If a dispensary licensee does not or cannot decrease quality in the surveillance footage, the licensee may not be able to retain 365 days' worth of footage and may need to shut down operations due to non-compliance with Department rules or may need to reduce the number of surveillance cameras at the facility or utilize other data storage services that are expensive and sometimes not compatible with existing video surveillance equipment.

Your Committee recognizes that the medical marijuana dispensaries in Hawaii are not in operation yet. However, your Committee finds that the existing rule on video surveillance data storage retention is excessive and overly burdensome for dispensary licensees. Your Committee notes that medical marijuana dispensaries have been operating in other states for years and that the industry standard for video surveillance retention is between thirty and forty-five days.

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. 305 and recommends that it pass Second Reading and be referred to your Committee on Judiciary and Labor.

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




ROSALYN H. BAKER, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

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

Bill / Resolution No.:* SB305	Committee Referral: CPH, JDL	Date: 2/1/17		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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)	/			
NISHIHARA, Clarence K. (VC)	/			
CHANG, Stanley				/
ESPERO, Will	/			
IHARA, Jr., Les	/			
KIDANI, Michelle N.				/
RUDERMAN, Russell E.	/			
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes