

Honolulu, Hawaii

FEB 18 2021

RE: S.B. No. 758

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 758 entitled:

"A BILL FOR AN ACT RELATING TO MARIJUANA,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase from three grams to one ounce the minimum amount of marijuana that a defendant must possess to be charged with a petty misdemeanor; and
- (2) Increase from three grams to one ounce the maximum amount of marijuana that a defendant convicted of possessing marijuana could have possessed without being disqualified from the subsequent expungement of the record of that conviction.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Office of the Prosecuting Attorney of the County of Kaua'i, Drug Policy Forum of Hawai'i, LGBT Caucus of the Democratic Party of Hawai'i, Imua Alliance, Democratic Party of Hawai'i Education Caucus, and four individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, and Maui Police Department. Your Committee received comments on this measure from the Judiciary.



Your Committee finds that fifteen states and the District of Columbia have legalized the recreational use of marijuana by adults, and that others are in the process of considering legalization. Your Committee further finds that legalization in these states has avoided the criminalization of thousands of people, reduced opioid overdose deaths and untreated opioid use disorders, and lowered the number of arrests for driving under the influence of alcohol and other drugs. Your Committee additionally finds that recent polling indicates broad public support in Hawaii for the legalization of marijuana. This measure decriminalizes the possession of small amounts of marijuana.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 758 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,




CLARENCE K. NISHIHARA, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------|-----|---------|
| Bill / Resolution No.:* SB 758 | Committee Referral: PSM, JDC | Date: Feb. 16, 2021 | | |
| <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 |
| NISHIHARA, Clarence K. (C) | / | | | |
| ENGLISH, J. Kalani (VC) | / | | | |
| BAKER, Rosalyn H. | / | | | |
| RIVIERE, Gil | / | | | |
| FEVELLA, Kurt | / | | | |
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| TOTAL | 5 | — | — | — |
| 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