115 ' STAND. COM. REP. NO.

Honolulu, Hawaii February 10 , 2015

RE: H.B. No. 31 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 31 entitled:

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

begs leave to report as follows:

The purpose of this measure is to render void any planned community or condominium association document that allows discriminatory practices prohibited under section 515-3 (1)-(7), Hawaii Revised Statutes, against a person residing in a unit who has a valid certificate for the use of medical marijuana; provided that the foregoing does not apply when a planned community or association document prohibits smoking tobacco, and the medical marijuana is used by means of smoking.

The Community Alliance on Prisons, Americans for Democratic Action, the Drug Policy Forum of Hawaii, Community Associations Legislative Action Committee, ACLU of Hawaii, The CHOW Project, and several individuals supported this measure. The Maui Police Department and an individual opposed this measure. The Department of Health and Hawaii Civil Rights Commission commented on this measure.

Your Committee notes the concerns raised in the Hawaii Civil Rights Commission's testimony that this measure may negate or diminish the obligations of housing providers to provide reasonable accommodations for persons with disabilities. Your Committee respectfully requests that the Committee on Consumer

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Protection and Commerce and the Committee on Judiciary consider these concerns in their deliberations should this measure progress further in the legislative process.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 31, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 31, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

> Respectfully submitted on behalf of the members of the Committee on Health,

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DELLA AU BELATTI, Chair



## State of Hawaii House of Representatives The Twenty-eighth Legislature

## Record of Votes of the Committee on Health

Bill/Resolution No.: HB31	Committee Referral: HLT, CPC, UVD			Date: 2-6-2015		
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)						
HLT Members		Ayes	Ayes (W	/R)	Nays	Excused
1. BELATTI, Della Au (C)						
2. CREAGAN, Richard P. (VC)						
2. CREAGAN, Richard T. (VC)						· .
3. HASHEM, Mark J.						
4 TORDAN IS						
4. JORDAN, Jo						-
5. KOBAYASHI, Bertrand						
6 MODIKAWA Dee						
6. MORIKAWA, Dee						·
7. OSHIRO, Marcus R.						
8. FUKUMOTO CHANG, Beth						fren
9. TUPOLA, Andria P.L.						
-						
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TOTAL (9)		6	a			
The recommendation is: Adopted I Not Adopted If joint referral, did not support recommendation.						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						