

LINDA LINGLE
GOVERNOR



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No. _____

**TESTIMONY ON HOUSE BILL 1334
A BILL FOR AN ACT RELATING TO
CONTROLLED SUBSTANCES**

by

Clayton A. Frank, Director
Department of Public Safety

Committee on Public Safety
Representative Faye P. Hanohano, Chair
Representative Henry J.C. Aquino, Vice Chair

Wednesday, February 18, 2009, 2:00 PM
State Capitol, Room 309

Representative Hanohano and Members of the Committee:

The Department of Public Safety supports the intent of House Bill 1334 that proposes to place the hallucinogenic substance "Salvia divinorum" as a Schedule V controlled substance under section 329-22. However, due to the fact that "Salvia divinorum" has no authorized medical use and is presently listed as a "drug of concern" by the Federal Drug Enforcement Administration, the Department feels that it would be better placed as a Schedule I controlled substance due to the growing abuse of this substance across the nation. Presently Salvia divinorum has been made a controlled substance in Delaware, Louisiana, Missouri, Oklahoma, and Tennessee. Legislation has also been introduced to ban possession or sale of Salvia divinorum in fourteen additional states: Alaska, California, Georgia, Illinois, Iowa, Maine, New York, North Dakota, Ohio, Oregon, Pennsylvania, Texas, Utah, and Virginia. Salvia is being smoked by individuals to induce hallucinations, the diversity of which are described by its users

to be similar to those induced by ketamine, mescaline, or psilocybin. It is being widely touted on Internet sites aimed at young adults and adolescents eager to experiment with these types of dangerous substances. *Salvia divinorum* is already being shipped into Hawaii and is being sold in some of Hawaii's specialty shops. The Department is therefore requesting that the substance *Salvia divinorum* and its derivatives be added as a Schedule I controlled substance by amending section 329-14(d) Hawaii Revised Statutes to read as follows:

“(d) Any material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Alpha-ethyltryptamine (AET);
- (2) 2,5-dimethoxy-4-ethylamphetamine (DOET);
- (3) 2,5-dimethoxyamphetamine (2,5-DMA);
- (4) 3,4-methylenedioxy amphetamine;
- (5) 3,4-methylenedioxymethamphetamine (MDMA);
- (6) N-hydroxy-3,4-methylenedioxyamphetamine (N-hydroxy-MDA);
- (7) 3,4-methylenedioxy-N-ethylamphetamine (MDE);
- (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (9) 4-bromo-2,5-dimethoxy-amphetamine(4-bromo-2,5-DMA);
- (10) 4-Bromo-2,5-dimethoxyphenethylamine (Nexus);
- (11) 3,4,5-trimethoxy amphetamine;
- (12) Bufotenine;

- (13) 4-methoxyamphetamine (PMA);
- (14) Diethyltryptamine;
- (15) Dimethyltryptamine;
- (16) 4-methyl-2,5-dimethoxy-amphetamine;
- (17) Gamma hydroxybutyrate (GHB) (some other names include gamma hydroxybutyric acid; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);
- (18) Ibogaine;
- (19) Lysergic acid diethylamide;
- (20) Marijuana;
- (21) Parahexyl;
- (22) Mescaline;
- (23) Peyote;
- (24) N-ethyl-3-piperidyl benzilate;
- (25) N-methyl-3-piperidyl benzilate;
- (26) Psilocybin;
- (27) Psilocyn;
- (28) 1-[1-(2-Thienyl) cyclohexyl] Pyrrolidine (TCPy);
- (29) Tetrahydrocannabinols;
- (30) Ethylamine analog of phencyclidine (PCE);
- (31) Pyrrolidine analog of phencyclidine (PCPy, PHP);
- (32) Thiophene analog of phencyclidine (TPCP; TCP);

- (33) Gamma-butyrolactone, including butyrolactone; butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone dihydro; dihydro-2(3H)-furanone; tetrahydro-2-furanone; 1,2-butanolide; 1,4-butanolide; 4-butanolide; gamma-hydroxybutyric acid lactone; 3-hydroxybutyric acid lactone and 4-hydroxybutanoic acid lactone with Chemical Abstract Service number 96-48-0 when any such substance is intended for human ingestion;
- (34) 1,4 butanediol, including butanediol; butane-1,4-diol; 1,4- butylenes glycol; butylene glycol; 1,4-dihydroxybutane; 1,4- tetramethylene glycol; tetramethylene glycol; tetramethylene 1,4- diol with Chemical Abstract Service number 110-63-4 when any such substance is intended for human ingestion;
- (35) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts, and salts of isomers;
- (36) N-benzylpiperazine (BZP; 1-benzylpiperazine) its optical isomers, salts, and salts of isomers;
- (37) 1-(3-trifluoromethylphenyl)piperazine (TFMPP), its optical isomers, salts, and salts of isomers;
- (38) Alpha-methyltryptamine (AMT), its isomers, salts, and salts of isomers; [and]
- (39) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts, and salts of isomers;
- (40) Salvia divinorum;
- (41) Salvinorin A; and
- (42) Divinorin A

I would like to thank the committee for this opportunity to testify on this matter.



TO: HOUSE COMMITTEE ON PUBLIC SAFETY

FROM: PAMELA LICHTY, MPH, PRESIDENT

RE: HB 1334 RELATING TO CONTROLLED SUBSTANCES – **IN OPPOSITION**

DATE: FEBRUARY 18, 2009, 2:00 p.m., room 309

The Drug Policy Action Group is strongly opposed to this measure which would criminalize a substance known as Salvia Divinorum. Making this substance, a mild hallucinogen originating in Mexico, illegal will only strengthen its appeal for young people. Its popularity has been spreading largely by word of mouth and via homemade videos on YouTube.

Scientists believe that this substance may have some beneficial and socially useful effects. Similarly MDMA, aka ecstasy, was showing great promise as a tool for psychologists treating PTSD and other psychiatric conditions before it was criminalized. Research on medical cannabis has been blocked for many years because of its inappropriate legal classification.

Dr. Bertha Madras of the Drug Czar's office has said there is "an absence of good hard cold information" to justify criminalizing this herb. Interestingly the DEA has studied the substance for more than a decade, but has not added it to its list of controlled substances.

There are no studies suggesting that Salvia Divinorum is addictive or that its users are prone to overdose or abuse nor, as indicated in the bill itself, are there any recorded incidences of fatal or near fatal episodes.

Yes this herb is an intoxicant, but a relatively mild one. Let's not create a forbidden fruit effect by criminalizing this herb while at the same time making it difficult for researchers to learn more about both its positive and negative effects. Please hold HB 1334. Mahalo for the opportunity to testify.

Drug Policy Action Group · P.O. Box 61233 · Honolulu, HI 96839
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the
**Drug Policy
Forum**

February 18, 2009

To: Representative Faye Hanohano, Chair
Representative Henry Aquino, Vice Chair
And Members of the Committee on Public Safety

From: Jeanne Ohta, Executive Director

RE: HB 1334 Relating to Controlled Substances
Hearing: February 18, 2009, 2:00 p.m., Room 309

Position: Strong Opposition

I am Jeanne Ohta, Executive Director of the Drug Policy Forum of Hawai'i. Thank you for this opportunity to testify in opposition to HB 1334 which adds salvia divinorum and salvinorin A to Schedule V of the Hawai'i controlled substances list.

It does not make sense to add a drug to the controlled substances schedule without scientific information. The Drug Enforcement Administration (DEA) has spent more than a decade studying whether to add salvia to its list of controlled substances and has not done so. Bertha Madras, a deputy director of the Office of National Drug Control Policy (ONDCP) said that "there is an absence of good hard cold information" to schedule salvia.

As indicated in the findings section of the bill, there have been no documented cases of fatal or near fatal incidences involving the drug. Reports of salvia-related emergency room admissions are virtually non-existent, likely because its effects typically vanish in a few minutes.

There are no studies suggesting that salvia is addictive or its users prone to overdose or abuse, the criteria for adding drugs to the controlled substances schedule.

Scientists believe salvia has potential medical use. Pharmacologists believe salvia could open new frontiers for the treatment of addiction, depression, pain, eating disorders, Alzheimer's disease, and HIV. Criminalizing salvia will hamper research, much like the situation we are in with the scheduling of marijuana preventing research on its medical uses. California Pacific Medical Center Research Institute has federal funding to study salvia's impact on humans.

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The statement comparing salvia to the crystal methamphetamine epidemic in the findings section is simply false. Certainly, after ten years of research, the DEA or the ONDCP would have found a potential for addiction or increased danger as claimed in the findings. Public policy must not be made on myths, falsehoods and by sensationalized fear.

Teen use of salvia is very concerning, however by outlawing and prohibiting it, legislators will make the problem worse. Teen access to the drug can be curbed by enacting age controls and placing restrictions similar to those on tobacco and alcohol. Criminalizing drugs makes their access easier for young people because the criminal market does not check ID's for age.

At a time when financial resources are extremely strained, law enforcement has more serious matters and more dangerous drugs to deal with. Simply because a drug is an intoxicant does not mean it should be illegal. It does not make sense to add a drug to a schedule without the necessary scientific information. For these reasons, please hold HB 1334.

From: Michael Kelley [mjkkelley47@gmail.com]
Sent: Monday, February 16, 2009 11:46 PM
To: Jeanne Ohta
Cc: PBStestimony
Subject: evidence against HB 1334 on Salvia divinorum

Categories: Orange Category

In respect to the Legislative Committee hearing on Tuesday, the only thing I would add is that, as the name implies, *S. divinorum* has a long history of use in religious practices (see below), hence it is apt to be protected under the federal Religious Freedom and Restoration act. Thus legal challenges lie ahead for any act of prohibition by states or the federal government, and the Supreme has been very supportive of this Act in respect to shamanistic practices blended with Christianity that have long historical standing. **This one reason why DEA has backed off from this matter.**

Michael Kelley, D.Phil.
Honolulu

Salvia

History Of Salvia (part 2)

© Leander J. Valdes III, Jose Luis Diaz and Ara G. Paul.

[snip]

Divination With *S. divinorum*

S. divinorum may be prepared as an infusion from 20 (about 50 g) to 80 (about 200 g) or more pairs of fresh leaves to induce visions, and may be taken by the curandero, the patient (or apprentice) or both, depending on the situation.

Only fresh foliage will serve for divination; At this dosage level, the *Salvia* is used to foretell the future, find the causes and cures of illnesses and obtain answers to questions about friends, enemies and relatives.

In shamanic training, the future healer takes la Maria to learn the ways of healing and the identification and use of medicinal plants (there is supposedly a tree in Heaven with all such herbs on it and one talks to God and the Saints about them under the influence of the hallucinogens).

After preliminary sessions in the company of the master, who takes the infusion along with the apprentice to watch over him on the journey, the future healer may continue study on his own until it is time for the next plant in the series.

Don Alejandro told the investigators that the *Salvia*, the morning glory seeds and the mushrooms each told their own historic (story or history) and ska Maria was the best teacher of the ways of curing, as one learned the most from it. During the course of visits, the researchers were able to participate in two sessions under the shaman's guidance.

As the hallucinogens are never taken without a valid purpose and since the visitors were from the University, the ceremonies were oriented to teach them about healing and especially the uses of the Maria and other medicinal plants.

Don Alejandro said they would have to follow the *dieta*, or ritual diet for 16 days, although they could bathe and drink beer (after the first time, the *dieta* for *S. divinorum* is only 4 days in length).

The preparations for the two ceremonies were essentially the same. As dark came (about 19:30 h to 20:00 h) the curandero began making the *Salvia* infusion. The leaves were first counted out in pairs to arrive at each person's dose and put neatly into piles with their petioles aligned.

Then Don Alejandro picked lip part of a pile and crushed it by hand into a small enameled bowl partially-filled with water.

As more foliage was squeezed and added, the liquid turned dark green from the chlorophylls. After the potion was prepared, it was poured through a sieve into a glass which was topped off with water. During the preparations for the second session a head of foam formed on the glasses and the curandero laughed.

He explained through his son that the foam (*espuma*) was an indication of strength and the Maria would be very potent that evening. The glasses were covered with inverted cups to prevent the escape of the humor (*que no salga el humor*).

Although the foliage of *S. divinorum* could reportedly be kept fresh for a week or longer when wrapped in the large crushing the leaves while preparing the *Salvia* infusion. Straining the prepared infusion to remove the marc. The leaves of *Xanthosoma robustum* Schoff, the prepared infusion was said to be stable for a day.

The spent leaves were set aside to be discarded in an out of the way location where they wouldn't be defiled by people or animals. However, Don Alejandro said that they could still be used by putting them on a subject's head to refresh them after the session.

The curandero Picked up a glass of the Maria and began an oration. The Holy Trinity, Saint Peter, the Virgin Mary and other Saints were called on to watch over the participants and teach the visitors the ways of curing: In nomine Spiritu Santo (this Latin phrase was always translated into the vernacular as:

In the name of the Father, the Son and the Holy Ghost)

Most Holy Lord Saint peter

In the name of Leandros (the subject),

In nomine Spiritu Santo Maria, show Leandros,,

that he may see what there is in the world

For he wishes to study all the classes of medicines

Lord Jesus Christ, show him

May he learn

May he see all the classes of medicinal plants

You, who know all, show him

I want you to show him all the different kinds of illnesses and remedies that exist in the world

In a short time he must learn your story

In nomine spiritu Santo

Most Holy Sainted Rosary

Set him free, that he may see it

Show him as you have shown me

May he recognize all that is the Universe,

All that is you History
He wishes to learn out of love and sincerity
I want you to show him, as I am asking your favor
You, Maria and Lord Jesus Christ, amen
If there is bad or good, save him
Help him out of sincerity and love
In nomine Spiritu Santo
Most Holy Lord Saint Peter
You too, Maria, show him
Set him free that he may see it
Do not be deceptive
This day, on this very date
he is going to take it (*the Salvia infusion*)
In nomine Spiritu Santo
Most Holy Lord Saint Peter
Help this Leandros
May he grow more, may he learn things
Show him all that there is in the world
All that is good
All that is medicinal
In nomine spirit Santo
Most Holy Lord Saint Peter
Lord Saint Anthony, Lord Saint Peter, Jesus Christ
You are the only three who know about la Maria
You must show him all that is medicinal
All that is the Universe
All that is your History
Show him, do not be bad
In nomine Spiritu Santo
Holy Sanctuary, Lord Santa Ana
You who are good, You must help him
so that he becomes acquainted with our Universe
You must teach him what I ask
to that it will be to the Lord Saint Peter's pleasure
Let Leandros take it (la Maria)
In nomine Spiritu Santo
Most Holy Lord Saint Peter

Two to four hours passed in conversation and the telling of stories. The shaman repeatedly emphasized that it was important to describe one's visions, If you are going to learn or if you are going to understand what it is all about, you must speak.

Finally it was time for ingestion of the infusions (between 21:00 h and 23:00 h). Following Mazatec custom, at least one person didn't participate, in order to watch over the rest (Wasson et al., 1974). As a last protection against any dangers during the visionary travels, Don Alejandro performed limpieas, or ritual cleansings, on the visitors,

In nomine spirit Santo
Most Holy Lord Saint Peter
This is a limpia for Leandros (subject)
Arise, listen, as it is now the time

"In nomine Spiritu Sant
o Most Holy Lord Saint Peter
I ask Your favor for Leandros'
Heal him, care for him
For I am going to cleanse him now
Help him at this moment that he may be cleansed
Strike out the bad illnesses that he may have
Lord (Saint Peter) attend him
That he may see the Universe
What there is in the world
Everything
Help him, raise him
May he see what there is
All that he wishes to know
Save him, care for him
In nomine Spiritu Santo
Most Holy Lord Saint Peter
Reclaim this man
That he live well, live better
For this man is known by all the children of God
Heal him, as You will
Heed his messages the moment you heal him
Take care of him, help him
That is what I am saying
In nomine Spiritu Santo
Molt Holy Lord Saint Peter
Lord Jesus Christ
You know how to save him, how to cleanse him
Cure him, no matter what badness has fallen on him
Heal him, care for him
I want You to heal him and save him from all bad things
Being in my hands, I can help him,
having faith and will
In nomine Spiritu Sato
Most Holy Lord Saint Peter
Sainted Trinity, care for him
Help him, let no evil befall him

As the oration was being recited, Don Alejandro anointed the subject with a piece of copal dipped in the San Pedro. The curandero then gave him a pinch of the San Pedro to carry for protection if he felt danger during or after the session. After a final benediction, the potions were drunk and the light was turned out.

Session 1, August 18, 1979

The participants were Diaz, Valdes and Don Alejandro, whose son sat on a bench and watched over the others during the proceedings. The curandero and Diaz, who had taken la Maria several times previously, each had doses prepared from 50 pairs of leaves. Valdes received a beginner's dose made from 20 pairs.

They took the Salvia preparations around 22:30 h. The visitors shared a large cot while the shaman lay on a petate, or sleeping mat which was unrolled on the floor. Diaz sat quietly on the side of the cot after the lights

went out. About 15 min after ingesting the infusion he began to see subtle visions, constricted like columns of smoke in the total darkness. It made no difference whether his eyes were opened or closed.

Deciding to speak out, he saw a light which disappeared as he began to describe it. The images increased in intensity. He saw a mountain made of ice, as though he were at the base of a cliff formed from large ice columns. The vision slowly changed into Cerro Rabón, a nearby mountain intimately associated with Mazatec legends (Inchiustegui, 1977). About 23:00 h the flow of images changed into lights of various colors.

Benediction of the Salvia infusion just prior to its ingestion, shades of blue, indigos and purples, scattered as if in a spatial vacuum. Depending on his perspective, he was either traveling through them or else they were being projected toward him.

He saw a cross being encircled by a light and a mantle. As he described the imagery in words, it seemed to be fixed more clearly in his memory and he felt it would aid in later recall of the experience. Some 45 min after the light went out, Don Alejandro began to speak in a monotone. His son did not interrupt to translate from the Mazatec.

As the shaman spoke, Valdes (who had only experienced a few brief visions which he hadn't described) saw a black sky with brightly-colored objects floating in it. He suddenly found himself speeding toward one and actually felt he was accelerating through space past the rest. The light turned out to be a Mazatec village similar to that of the curandero.

Valdes saw it from above, as if he were on a hill. Shapes, like kaleidoscopic pillars of smoke, were at the sides of some of the houses. Then he was suddenly back in space, receding away from the vision.

Don Alejandro stopped speaking, turned on the light and went to look for a spy he had heard outside the house. He found nothing, but forced himself to vomit, which he said would end his visions.

The session had lasted about 1 h, and the following hour was spent in discussion of what had been seen. The curandero told the two visitors that he had watched over them during the session and ascertained what they needed to know.

The old man said that after a few more experiences Diaz would learn to heal and use the medicinal plants. He mentioned a woman, a doctor like Diaz, who would try to interfere with or get involved in his work.

Don Alejandro emphasized to Valdes, who had remained quiet throughout the night, that it was necessary to speak out about the visions and he would need many sessions before he would learn how to heal. Everyone then went to sleep and rose early the next morning.

On Mon, Feb 16, 2009 at 7:04 PM, Michael Kelley <mjkelley47@gmail.com> wrote:

Hi Jeanne,

Thanks for the "heads up" on the Salvia bill. I noticed that there are several bills before it on the agenda for Tuesday's hearing. Are they apt to get to the Salvia bill, or is more like that it will rolled over to another day? How long do these hearing go? Do they stop at 5:00? My class meets from 3:40 to 5:05 on TR, and I would like the students to go over to observe (and perhaps participate) if the hearing session is apt to run past 5:15.

I have added in-class debates on drug-policy issues to this semester's syllabus, so this is a good way for them to

get engaged in the real process at the Legislative level.

Cheers,

Michael Kelley,

On Sun, Feb 15, 2009 at 5:54 PM, Jeanne Ohta <jyohta@hawaii.rr.com> wrote:

Board Members:

If you feel like writing testimony, HB 1334 Relating to Controlled Substances is being heard. Hearing information below.

HB 1334 Relating to Controlled Substances

Adds salvia divinorum and salivinin A to Schedule V of the Hawaii controlled substances list.

Position: Opposed

Talking Points:

-Salvia is a hallucinogenic that was originally used by Mazatec shamans in Oaxaca, Mexico for those seeking revelation.

-We are very concerned about youth drug use, including the use of Salvia, but by outlawing and prohibiting it legislators will make the problem even worse. We can curb youth access to Salvia by enacting age controls and placement restrictions similar to our strategies to reduce teenage smoking. We didn't have to criminalize tobacco or create prison sentences to achieve success. Criminalizing drugs makes it easier for young people to obtain them because the underground market doesn't check an ID to see if someone's an adult.

-Scientists believe salvia has potential medical use. Pharmacologists believe salvia could open new frontiers for the treatment of addiction, depression, pain, eating disorders, Alzheimer's Disease, and HIV. Criminalizing salvia would make it burdensome to conduct research. We would be in the same situation that we are in with regard to marijuana research. (California Pacific Medical Center Research Institute has federal funding to study salvia's impact on humans.)

-It does not make sense to add a drug to a schedule without scientific information. Bertha Madras, a deputy director of the Office of National Drug Control Policy said that there is an "absence of good hard cold information" to restrict salvia. The DEA has spent more than a decade studying whether to add salvia to its list of controlled substances and has not added it.

-Reports of salvia-related emergency room admissions are virtually non-existent, likely because its effects typically vanish in a few minutes.

-There are no studies suggesting that salvia is addictive or its users prone to overdose or abuse.

-As indicated in the findings section of the bill, there have been no documented cases of fatal or near fatal incidences involving the drug.

-Just because a drug is an intoxicant does not mean it should become illegal.

-If legislators are concerned about teen use, implement drug education programs.

Here is the hearing notice. Please note that HB1334 is for PBS only. Not part of the joint hearing.

HOUSE OF REPRESENTATIVES

THE TWENTY-FIFTH LEGISLATURE

REGULAR SESSION OF 2009

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NOTICE OF HEARING

DATE: Wednesday, February 18, 2009
TIME: 2:00 PM
PLACE: Conference Room 309

State Capitol

415 South Beretania Street

A G E N D A

<u>HB 685</u>	RELATING TO THE STATE FIRE COUNCIL.	PBS/LAB, FIN
<u>Status</u>	Establishes full-time equivalent staff positions for the state fire council to accomplish its duties and responsibilities.	
<u>HB 941</u>	RELATING TO ELECTRIC GUNS.	PBS/LAB, JUD
<u>Status</u>	Permits county departments of liquor control investigators to possess electric guns. Defines "county liquor authorities" and "law enforcement officers".	
<u>HB 231</u>	RELATING TO CORRECTIONAL FACILITIES.	PBS, FIN
<u>Status</u>	Requires the department of public safety to report to the legislature any inmate or correctional facility employee death within 24 hours.	
<u>HB 518</u>	RELATING TO COMMITTED PERSONS.	PBS, FIN
<u>Status</u>	Authorizes department of public safety and Hawaii paroling authority to release nonviolent committed persons subject to wearing electronic monitoring devices.	
<u>HB 1334</u>	RELATING TO CONTROLLED SUBSTANCES.	PBS, JUD
<u>Status</u>	Adds salvia divinorum and salivinin A to Schedule V of the Hawaii controlled substances list.	
<u>HB 1626</u>	RELATING TO A FIRE SPRINKLER TAX DEDUCTION.	PBS, FIN
<u>Status</u>	Provides an income tax deduction to residential unit owner occupants for qualifying costs of installation of an automatic fire sprinkler system installed after 12/31/09.	

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing with a transmittal cover indicating:

- Testifier's name with position/title and organization;
- The Committee the comments are directed to;
- The date and time of the hearing;
- Measure number; and
- The number of copies the Committee is requesting.

While every effort will be made to copy, organize, and collate all testimony received, materials received on the day of the hearing or improperly identified or directed to the incorrect office, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 3 copies (including an original) to Room 310 in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to 586-6521 (Oahu) or 1-800-535-3859 (Neighbor Islands); or

EMAIL: For comments less than 5 pages in length, transmit to PBStestimony@capitol.hawaii.gov.

From: Matt Rifkin [mattrifkin28@gmail.com]
Sent: Monday, February 16, 2009 4:07 PM
To: PBStestimony
Subject: Testimony

Categories: Orange Category

Matthew Rifkin

House Committee on Public Safety

February 18, 2009 at 2:00pm

HB 1334 – Relating to Controlled Substances – Salvia Divinorum

STRONGLY OPPOSED

I think it would be a mistake to put Salvia Divinorum on Schedule V. Although it is a hallucinogen, there has not been much research done, and the Office of National Drug Control Policy has said there has been an, "absence of good, cold, hard evidence to restrict Salvia." The DEA has spent years studying whether to add Salvia to its list of controlled substances, and has yet to do so.

Scientists believe there are potential medical applications for Salvia, but changing the schedule will only make doing research more difficult. There are no studies showing Salvia as being addictive, and there seem to be few emergency room admissions, as the effects of the drug are short lived.

If teen drug use is a concern, placing an age restriction similar to tobacco or alcohol would seem to be appropriate. A drug awareness program that honestly explains the risks involved should also be an effective tool in stopping underage use.

Do not overreact to some wild reports from the anti-drug community. Do not rush to ban this plant. Let the medical and scientific communities do more research on Salvia before taking such harsh action.

I remain strongly opposed to this bill.

Respectfully submitted,

Matthew Rifkin
Keaau, HI 96749