

STAND. COM. REP. NO.

197

Honolulu, Hawaii

Feb 12, 2009

RE: H.B. No. 1192

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Public Safety and Human Services, to which was referred H.B. No. 1192 entitled:

"A BILL FOR AN ACT RELATING TO MARIJUANA,"

beg leave to report as follows:

The purpose of this bill is to decriminalize the possession of less than one ounce of marijuana by making it a civil offense punishable by a civil fine of \$100 and forfeiture of the marijuana. In addition, persons under eighteen years of age would also be required to complete a drug awareness program or face a \$1,000 civil fine.

Currently, the penalty for knowingly possessing less than one ounce of marijuana is a petty misdemeanor offense, promoting a detrimental drug in the third degree.

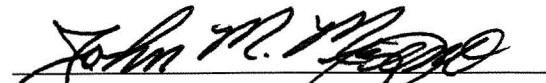
The Drug Policy Forum, American Civil Liberties Union, Americans for Safe Access, Big Island Chapter, Community Alliance on Prisons, and numerous individuals testified in support of this bill. The Department of the Attorney General, City and County of Honolulu Department of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, Honolulu Police Department, County of Maui Police Department, and County of Hawaii Police Department opposed this measure. The Department of Public Safety, Office of Youth Services, Hepatitis Support Network Hawaii, and Drug Policy Action Group offered comments.

HB1192 HSCR PBS-HUS HMS 2009-1867

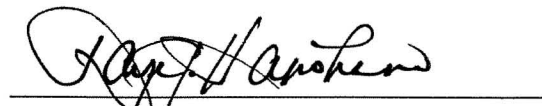


As affirmed by the records of votes of the members of your Committees on Public Safety and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1192 and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety and
Human Services,



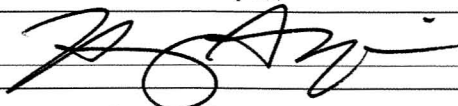
JOHN M. MIZUNO Chair



FAYE HANOHANO, Chair



Record of Votes of the Committee on Public Safety

| | | | | |
|--|---|------------------------|-------------|----------------|
| Bill/Resolution No.: HB 1192 | Committee Referral: PBS/HUM, JUD, FIN | Date: 2/5/09 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| PBS Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. HANOHANO, Faye P. (C) | ✓ | | | |
| 2. AQUINO, Henry J.C. (VC) | ✓ | | | |
| 3. AWANA, Karen Leinani | | | | ✓ |
| 4. KEITH-AGARAN, Gilbert S.C. | ✓ | | | |
| 5. LEE, Marilyn B. | | | | ✓ |
| 6. NAKASHIMA, Mark M. | ✓ | | | |
| 7. RHOADS, Karl | ✓ | | | |
| 8. SAIKI, Scott K. | ✓ | | | <i>WLA</i> |
| 9. SOUKI, Joseph M. | ✓ | | | |
| 10. TAKUMI, Roy M. | | | | ✓ |
| 11. YAMASHITA, Kyle T. | ✓ | | | |
| 12. PINE, Kymberly Marcos | | | | ✓ |
| TOTAL (12) | 8 | | | 4 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ 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 | | | | |

Record of Votes of the Committee on Human Services

| Bill/Resolution No.: HB 1192 | Committee Referral: PBS HUS, JUD, FIN | Date: 2/5/09 | | |
|---|--|---------------------|----------|----------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| HUS Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. MIZUNO, John M. (C) | / | | | |
| 2. BROWER, Tom (VC) | | / | | |
| 3. BELATTI, Della Au | / | | | |
| 4. BERTRAM, Joe, III | / | | | |
| 5. CARROLL, Mele | | | | / |
| 6. NISHIMOTO, Scott Y. | | | | / |
| 7. SHIMABUKURO, Maile S.L. | | | | / |
| 8. YAMANE, Ryan I. | / | | | |
| 9. WARD, Gene | | | | / |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL (9) | 4 | 1 | 0 | 4 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature: <u><i>Tom Brower</i></u> | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |