

STAND. COM. REP. NO.

1711

Honolulu, Hawaii

April 9, 2009

RE: S.B. No. 1058  
S.D. 2  
H.D. 2

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

Sir:

Your Committee on Finance, to which was referred S.B. No. 1058, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,"

begs leave to report as follows:

The purpose of this bill is to determine the effectiveness of current laws and procedures with respect to controlled substances by:

- (1) Directing the Attorney General (AG) to coordinate a review of the impact of diverting marijuana and low-level felony drug offenders out of the criminal justice system and into treatment;
- (2) Establishing a task force to examine issues relating to medical marijuana; and
- (3) Establishing a task force to examine the effects of *Salvia divinorum*.

The American Civil Liberties Union, Drug Policy Forum of Hawaii, Community Alliance on Prisons, and a concerned individual supported this bill. The County of Honolulu Prosecuting Attorney's Office and Honolulu Police Department opposed this measure. The AG, Department of Public Safety, Drug Policy Action

SB1058 HD2 HSCR FIN HMS 2009-3671



Group, Americans for Safe Access - Honolulu Chapter, and several concerned individuals provided comments.


Your Committee has amended this bill by:

- (1) Removing provisions requiring the AG to coordinate a review of the impact of diversion of minor drug possession offenders on the criminal justice system;
- (2) Changing the name of the "Medical Marijuana Task Force" to the "Medical Cannabis Task Force";
- (3) Expanding the Medical Cannabis Task force to include:
  - (A) A Hawaii-licensed physician specializing in pain control and who has issued a medical marijuana recommendation;
  - (B) The president of West Oahu Hope for a Cure Foundation, or the president's designee; and
  - (C) The director of Americans for Safe Access - Honolulu Chapter, or the director's designee;
- (4) Specifying that the members of the Medical Cannabis and *Salvia divinorum* Task Forces will receive no compensation, but will be reimbursed for expenses incurred in the performance of their official duties;
- (5) Clarifying the administration of the Medical Cannabis and *Salvia divinorum* Task Forces; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1058, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1058, S.D. 2, H.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Finance,

  
MARCUS R. OSHIRO, Chair



