# STAND. COM. REP. NO. 2388

Honolulu, Hawaii

FEB 2 6 2010

RE: S.B. No. 2141 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Madam:

Your Committees on Health and Public Safety and Military Affairs, to which was referred S.B. No. 2141 entitled:

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

beg leave to report as follows:

The purpose of this measure is to address obstacles to patients under this State's medical marijuana law including the shortage of caregivers, difficulty in legally procuring cannabis plants, the insufficient adequate supply limit for regular vaporizer use, and limitations on physician participation.

Your Committees received testimony in support of this measure from the American Civil Liberties Union of Hawai'i, Advocates for Consumer Rights, the Drug Policy Action Group, the Medical Cannabis Working Group, Americans for Safe Access, and nineteen individuals. Testimony in opposition to this measure was received from the Department of Public Safety, the Honolulu Police Department, the Maui Police Department, the Maui Police Department's Vice Division, the Hawai'i Police Department, the Hawaii County Office of the Prosecuting Attorney, the Honolulu Department of the Prosecuting Attorney, and one individual. Testimony in support of the intent of this measure with amendments was submitted by one individual. Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees recognize that cannabis fills a need not currently met by the pharmaceutical industry. It provides relief from pain and stimulates the appetite without the dire side



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effects and dangerous interactions that often accompany traditional pharmaceuticals.

Your Committees find that this measure removes obstacles currently facing medical cannabis users and their caregivers and reflects the limitations of the severely ill. It provides for ten rather than seven plants to allow room for grower error. In addition, more plants will provide enough cannabis at any one time for patients to use vaporizers, butters, tinctures or any other delivery method that may best accommodate the patient's illness. This measure increases the number of qualified patients that a registered caregiver can minister to at one time which will help patients find high-quality caregivers without having to sacrifice their access to medical cannabis. This measure recognizes that severely ill patients have often moved beyond their primary care physician to a battery of specialists and permits any attending doctor to prescribe medical cannabis.

Your Committees further find that this measure is intended to ease the burden on severely ill members of our communities and their caregivers and to treat them with dignity and respect.

Your Committees have amended this measure by:

- Adding a section permitting registered qualifying patients or primary caregivers to provide usable cannabis or any part of the cannabis plant to other registered qualifying patients or caregivers;
- (2) Providing for optional reimbursement to primary caregivers;
- (3) Requiring that the prescribing physician send a copy of the written certification to the patient's primary care physician, if any; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2141, as amended herein, and recommend that it pass Second Reading in the form attached hereto



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as S.B. No. 2141, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committees on Health and Public Safety and Military Affairs,

WILL ESPERO, Chair

DAV



### The Senate Twenty-Fifth Legislature State of Hawaii

### Record of Votes Committee on Health HTH

Bill / Resolution No.:*	Committee Referral:			Date:					
SB2141	HTH/PSM			2/22/10					
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (WR	) Nay	Excused				
IGE, David Y. (C)									
GREEN, M.D., Josh (VC)		$\checkmark$							
BAKER, Rosalyn H.									
ESPERO, Will		V/							
NISHIHARA, Clarence K.	anna a gana a fa a taoine 2000 a faoine an an faoine an t	<b>/</b>	Saladi dahi Amerika sebagai Amerika	No					
HEMMINGS, Fred					/				
					2				
TOTAL		4	Ø	0	2				
Recommendation:	/								
Adopted 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 <u>one</u> measure per Record of Votes

### The Senate Twenty-Fifth Legislature State of Hawaii

## Record of Votes Committee on Public Safety and Military Affairs PSM

Bill / Resolution No.:*	Committee Referral: Date:							
8B 2141	HTH/PSM 2-18-10							
The committee is reconsidering its previous decision on this measure.								
If so, then the previous decision was to:								
The Recommendation is:								
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313								
Members		Aye	Aye (WR)	Nay	Excused			
ESPERO, Will (C)								
BUNDA, Robert (VC)								
ENGLISH, J. Kalani	•.							
GABBARD, Mike								
GALUTERIA, Brickwood								
KIDANI, Michelle N.								
HEMMINGS, Fred	-							
TOTAL		5			2			
Recommendation:								
Chair's or Designee's Signature:								
Distribution: Original Yellow Pink Goldenrod   File with Committee Report Clerk's Office Drafting Agency Committee File Copy								

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