STAND. COM. REP. NO. XOS

Honolulu, Hawaii March 8, 2011

RE: H.B. No. 1085 H.D. 2

> ; * ∉

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1085, 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 protect public health and safety by updating Hawaii's controlled substances law to conform to federal law. Among other things, this bill:

- Updates the list of controlled substances under the designation of Schedule I, Schedule II, and Schedule III controlled substances;
- (2) Requires a separate registration for each principal place of business or professional practice that recommends the medical use of marijuana;
- (3) Provides flexibility in determining the way information relevant to dispensing a controlled substance is reported;
- (4) Allows the Department of Public Safety (PSD) more flexibility in identifying and tracking the abuse of certain non-controlled substances; and
- (5) Increases the medical use of marijuana permit fee from no more than \$25 to no more than \$35.



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The Department of the Prosecuting Attorney of the City and County of Honolulu, PSD, Honolulu Police Department, and Department of the Prosecuting Attorney of the County of Maui testified in support of this bill. The Drug Policy Action Group, American Civil Liberties Union of Hawaii, Drug Policy Forum of Hawaii, and numerous concerned individuals testified in opposition to this measure.

Your Committee has amended this bill by:

- Deleting language that required a separate registration for each principal place of business or professional practice that recommended the medical use of marijuana;
- (2) Changing its effective date to January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1085, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1085, H.D. 2.

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

GILBERT KEITH-ACARAN, Chair



State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: H B 2085, HDZ Committee Referral: PBM, JVD Date: 3/3/22				
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)				
2. RHOADS, Karl (VC)	~			
3. BROWER, Tom				
4. CABANILLA, Rida T.R.	_			
5. CARROLL, Mele			· · ··································	
6. HERKES, Robert N.				
7. ITO, Ken				
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.			<u></u> -	~
10. MORITA, Hermina M.				~
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.	~			
13. TSUJI, Clift	~			
14. FONTAINE, George R.	\checkmark			
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
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TOTAL (16)	9	1	0	6
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature: Kalhad				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				