

Honolulu, Hawaii

FEB 13 2013

RE: S.B. No. 1175

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.B. No. 1175 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Update chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in federal law on controlled substances;
- (2) Amend section 329-14, Hawaii Revised Statutes, to add new controlled substances emergency scheduled by the State under section 329-11, Hawaii Revised Statutes; and
- (3) Amend section 329-75(h), Hawaii Revised Statutes, to limit the penalty to violations of section 329-75(g), Hawaii Revised Statutes, relating to pseudoephedrine.

Your Committee received testimony in support of this measure from the Department of Public Safety and the Honolulu Police Department, City and County of Honolulu.

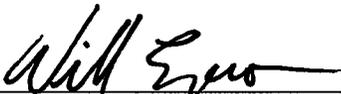
Your Committee finds that due to the growing problem of synthetic hallucinogenic substances being developed for sale to the public as "herbal incense" or "bath salts" in the State, the Department of Public Safety's Narcotics Enforcement Division, as well as the Federal Drug Administration, have attempted to protect



the public by placing in schedule the ever-increasing number of synthetic cannabinoids and cathinones labeled as "not for human consumption" but sold in retail shops with the promise of powerful hallucinogenic legal highs. Last year, state and county law enforcement began discovering a new synthetic cannabinoid being sold throughout the State, UR-144 Tetramethylcyclopropanoylindole, which this measure adds to section 329-14, Hawaii Revised Statutes. This measure also amends section 329-75(h), Hawaii Revised Statutes, to update the corresponding penalties for sales of products, mixtures, or preparations containing pseudoephedrine in order to protect Hawaii's residents. Your Committee finds that these updates to Hawaii's Uniform Controlled Substances Act are in the interest of public health and safety.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1175 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,



WILL ESPERO, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* 8B 1175	Committee Referral: PSM, JDL	Date: 2/7/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)				✓
GALUTERIA, Brickwood	✓			
GREEN, Josh	✓			
SLOM, Sam	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes