

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 189

S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committees on Health and Public Safety,  
Intergovernmental and Military Affairs, to which was referred S.B.  
No. 189 entitled:

"A BILL FOR AN ACT RELATING TO THE SCHEDULING OF MARIJUANA,"

beg leave to report as follows:

The purpose and intent of this measure is to remove marijuana  
and its intrinsic cannabinoids from schedule I and requires the  
Department of Public Safety, in consultation with the Department  
of Health, to issue a recommendation for the rescheduling of  
marijuana.

Your Committees received testimony in support of this measure  
from the Department of Health; Alternative Pain Management  
Pu'uhoehoe, LLC; Hawaii Medical Association; Green Futures; The  
Hawaii Cannabis Ministry; Americans for Safe Access, Big Island  
Chapter; Drug Policy Action Group; and twenty-four individuals.  
Your Committees received testimony in opposition to this measure  
from the Department of Public Safety; Department of the Attorney  
General; Department of the Prosecuting Attorney, City and County  
of Honolulu; Maui Police Department; Coalition for a Drug-Free  
Hawaii; and three individuals.

Your Committees find that the medical use of marijuana has  
existed in the State since 2000 when Hawaii became the first state  
to accept the medical use of marijuana by the legislative  
process. However, despite fourteen years of medical use by  
thousands of patients in the State, marijuana still remains in



schedule I, while coca and poppy, plants that contain substances far more dangerous than any substance found in marijuana, are listed in schedule II.

Your Committees note that the intent of this measure is to reschedule only marijuana and no other drugs or controlled substances.

Your Committees have amended this measure by:

- (1) Deleting findings related to the involvement of the Department of Health in the process of making recommendations to the Legislature on the scheduling of controlled substances;
- (2) Deleting language related to the Department of Health being required to work in consultation with the Department of Public Safety in recommending or rescheduling the schedule of a substance, including the rescheduling of marijuana;
- (3) Inserting language that reschedules marijuana as a schedule II controlled substance;
- (4) Inserting a savings clause;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 189, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 189, S.D. 1, and be referred to the Committee on Judiciary and Labor.



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

  
\_\_\_\_\_  
WILL ESPERO, Chair

  
\_\_\_\_\_  
JOSH GREEN, Chair



The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

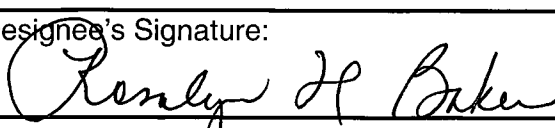
**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 189	HTH / PSM, JDL	2/18/15
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
GREEN, Josh (C)	X	
WAKAI, Glenn (VC)		
BAKER, Rosalyn H.	X	
GABBARD, Mike		
RIVIERE, Gil	X	
RUDERMAN, Russell E.	X	
SLOM, Sam	X	
<b>TOTAL</b>	5	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report   Clerk's Office   Drafting Agency   Committee File Copy		

\*Only one measure per Record of Votes

The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

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

Bill / Resolution No.:* <b>SB 189</b>	Committee Referral: <b>HHA/PSM, JDL</b>	Date: <b>2-18-2015</b>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" 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	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>WR</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
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