

Honolulu, Hawaii

MAR 0 3 2017

RE: S.B. No. 305 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 305 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA DISPENSARIES,"

begs leave to report as follows:

The purpose and intent of this measure is to specify that video monitoring and recording of medical marijuana production center and retail dispensing location premises shall be retained for a period of forty-five days.

Your Committee received testimony in support of this measure from Cure Oahu, Drug Policy Forum of Hawaii, Hawaii Educational for Licensed Therapeutic Healthcare, and five individuals. Your Committee received testimony in opposition to this measure from the Department of Health and one individual. Your Committee received comments on this measure from Patients Without Time and one individual.

Your Committee finds that existing law does not specifically address video surveillance data storage retention requirements. Instead, dispensary licensees must adhere to the Department of Health's administrative rules, which require dispensary licensees to retain video surveillance recordings for a minimum of 365 days. Your Committee further finds that this administrative rule may be excessive and overly burdensome for dispensary licensees and notes

that other states with medical marijuana dispensary systems have set video surveillance data storage retention requirements between thirty to forty-five days. These shorter retention periods still enable dispensaries and production centers to maintain high quality video surveillance that provides safeguards for the public and licensees. This measure conforms with the video surveillance data storage retention requirements of other states to enable dispensary licensees to maintain overall security without compromising video surveillance quality.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 305, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 305, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,



The Senate Twenty-Ninth Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* SB 305	Committee Referral: Date: 2/22//7			17	
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
KEITH-AGARAN, Gilbert S.C. (C)					
RHOADS, Karl (VC)					
GABBARD, Mike					
KIM, Donna Mercado					
THIELEN, Laura H.					
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TOTAL		3	0	0	2
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original File with Committee Re		ellow 's Office	Pink Goldenrod Prafting Agency Committee File Copy		

*Only one measure per Record of Votes