

STAND. COM. REP. NO.

555

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 1460
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1460, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MARIJUANA,"

begs leave to report as follows:

The purpose and intent of this measure is to decriminalize possession of one ounce or less of marijuana by establishing a civil violation fine of not more than \$100 for possession of that amount.

Your Committee received comments in support of this measure from Major Neill Franklin, Law Enforcement Against Prohibition; Pamela Lichty, President, The Drug Policy Action Group; Matthew Rifkin, Vice President, Peaceful Sky Alliance; Jeanne Ohta, Executive Director, The Drug Policy Forum of Hawaii; and sixty-eight individuals.

Your Committee received comments in opposition to this measure from Mark K. Miyahira, Deputy Attorney General, Department of the Attorney General; Department of the Prosecuting Attorney, City and County of Honolulu; and the Office of the Prosecuting Attorney, County of Hawaii.

Your Committee received comments on this measure from Rodney A. Maile, Administrative Director of the Courts, Judiciary; Tax Foundation of Hawaii; and two individuals.



Your Committee finds that the costs associated with criminal prosecution for possession of small amounts of marijuana are extremely high in relation to the benefits of prosecuting those offenses. Your Committee further finds that the establishment of a civil penalty not to exceed \$100 for possession of one ounce or less of marijuana, and a corresponding adjudicatory process for these violations, would greatly reduce the costs for prosecution and enforcement of marijuana possession while increasing fines collected for this violation.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1460, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

| | | | | |
|--|---------------------|----------|-----|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 1460, SDI | JDL/HTH, WAM | 2-25-11 | | |
| <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 |
| IGE, David Y. (C) | / | | | |
| KIDANI, Michelle N. (VC) | / | | | |
| CHUN OAKLAND, Suzanne | / | | | |
| DELA CRUZ, Donovan M. | / | | | |
| ENGLISH, J. Kalani | | | | ✓ |
| ESPERO, Will | / | | | |
| FUKUNAGA, Carol | / | | | |
| KIM, Donna Mercado | / | | | |
| KAHELE, Gilbert | / | | | |
| KOUCHI, Ronald D. | | | | ✓ |
| RYAN, Pohai | / | | | |
| TOKUDA, Jill N. | / | | | |
| WAKAI, Glenn | / | | | |
| SLOM, Sam | / | | | |
| | | | | |
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| | | | | |
| TOTAL | 12 | 0 | 0 | 2 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: <i>Michelle N. Kidani</i> | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes