

STAND. COM. REP. NO.

742

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 175
S.D. 2

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. 175, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to transfer departmental jurisdiction of the Medical Use of Marijuana Program from the Department of Public Safety to the Department of Health.

Your Committee received testimony in support of this measure from Jeanne Ohta, Executive Director, The Drug Policy Forum of Hawaii; Pamela Lichty, MPH, President, The Drug Policy Action Group; Kat Brady, Coordinator, Community Alliance on Prisons; and forty-two individuals. Your Committee received testimony in opposition to this measure from Loretta J. Fuddy, A.C.S.W., M.P.H., Acting Director, Department of Health; and one individual. Your Committee received comments on this measure from Jodie Maesaka-Hirata, Interim Director, Department of Public Safety; and the Department of the Prosecuting Attorney, City and County of Honolulu.

Your Committee finds that the Medical Cannabis Working Group was convened in October 2009 to conduct a study and make recommendations to the Legislature to improve the State's Medical Use of Marijuana Program. Your Committee also finds that transferring oversight of the program from the Department of Public Safety to the Department of Health was among the working group's recommendations for immediate legislative action to

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improve the program. Your Committee further finds that this measure addresses that recommendation.

Your Committee has amended this measure by:

- (1) Clarifying that the registration and certification confirmation service maintained by the Department of Public Safety is temporary and intended only to facilitate the transfer of functions from the Department of Public Safety to the Department of Health;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

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. 175, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 175, S.D. 2.

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 175 SD1	PGM/HTH, WAM	3-1-11		
<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 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
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	/			
TOTAL	13	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Michelle N. Kidani</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes