

Honolulu, Hawaii

APR 26 2013

RE: S.B. No. 642
H.D. 2
C.D. 1

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

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 642, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend the medical use of marijuana law to address the concerns of Hawaii's seriously ill patients.

Your Conference on Committee has amended this measure by:

- (1) Deleting part I to remove all provisions related to the placement of tobacco products;
- (2) Deleting section 4, relating to transfers of marijuana and limitation of marijuana plants grown;



- (3) Deleting the amendment to section 329-121, Hawaii Revised Statutes (HRS), that would have added a new definition of "reimbursement;"
- (4) Amending the definition of "adequate supply" in section 329-121, HRS, to change the number of ounces of usable marijuana allowed to each qualifying patient to four ounces;
- (5) Amending the definition of "medical use" in section 329-121, Hawaii Revised Statutes, to delete the specification that the term "distribution" is limited to the transfer of marijuana and paraphernalia among qualifying patients and primary caregivers;
- (6) Amending section 329-122(a)(3), HRS, to allow the medical use of marijuana if the amount of marijuana possessed by the qualifying patient does not exceed an "adequate supply";
- (7) Amending section 329-123(a), HRS, to make mandatory, rather than discretionary, rule making by the Department of Health to mandate all written certifications to comply with a designated form completed by or on behalf of a qualifying patient;
- (8) Amending section 329-123(a), HRS, to amend requirements for the designated form required by Department of Health rules, including the requirement that the qualifying patient shall list the address of the location where the marijuana is grown and that the address shall be listed on the registry card issued by the Department of Health;
- (9) Amending section 329-123(a), HRS, to require the certifying physician to be the qualifying patient's primary care physician;
- (10) Amending section 329-123(a), HRS, to honor all current active medical marijuana permits through their expiration dates;
- (11) Amending section 329-123(b), HRS, to require the Department of Health to charge an annual fee of \$35 for patient registration certification;



- (12) Amending section 329-123(c), HRS, to limit primary caregivers to caring for only one qualifying patient;
- (13) Amending section 329-123(d), HRS, to allow law enforcement agencies to immediately verify a qualifying patient's registration status twenty-four hours a day, seven days a week;
- (14) Deleting part III of this measure, which would have transferred the medical use of marijuana program from the Department of Public Safety to the Department of Health;
- (15) Changing the effective date to January 2, 2015; and
- (16) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 642, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 642, H.D. 2, C.D. 1.

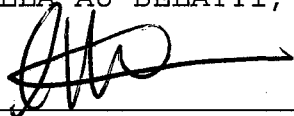
Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



DELLA AU BELATTI, Co-Chair



ANGUS L.K. MCKELVEY, Co-Chair



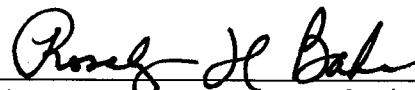
CHRIS LEE, Co-Chair



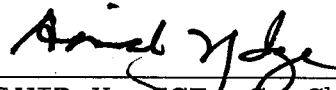
SYLVIA LUKE, Co-Chair



JOSH GREEN, Chair



ROSALYN H. BAKER, Co-Chair



DAVID Y. TSE, Co-Chair



CLAYTON HEE, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 642, HD 2	Date/Time: 4/26/13 5:57 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input checked="" type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure.	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
GREEN, Josh, Chr.	✓				BELATTI, Della Au, Co-Chr.	✓			
BAKER, Rosalyn H., Co-Chr.	✓				MCKELVEY, Angus L.K., Co-Chr.	✓			
IGE, David Y., Co-Chr.	✓				LEE, Chris, Co-Chr.	✓			
HEE, Clayton, Co-Chr.				✓	LUKE, Sylvia, Co-Chr.				✓
GABBARD, Mike	✓				BROWER, Tom	✓			
					FUKUMOTO, Beth	✓			
TOTAL	4	0	0	1	TOTAL	5	0	0	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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