

Honolulu, Hawaii

APR 30 2015

RE: S.B. No. 1291
S.D. 2
H.D. 2
C.D. 1

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

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
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. 1291, S.D. 2, H.D. 2, entitled:

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

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 prohibit discrimination against medical marijuana patients and caregivers by schools, landlords, courts with regard to medical care or parental rights, employers, planned community associations, condominium property regimes, and condominiums.

Your Committee on Conference finds that some civil protections are necessary to protect registered medical marijuana patients from certain ramifications based solely upon a positive test for marijuana use. Because the State has endorsed marijuana as a legitimate medical treatment, it follows that the State would also



provide protection for those who require such treatment, not only from criminal consequences, but from civil consequences as well.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have prohibited an employer from taking disciplinary measures or discriminating against an employee solely on the basis of a positive test for marijuana, under certain conditions;
- (2) Clarifying that provisions related to prohibiting discrimination by planned community associations, condominium property regimes, and condominiums against persons who have a valid certificate for the medical use of marijuana shall not be construed to diminish the obligation of planned community associations, condominium property regimes, and condominiums to provide reasonable accommodations for persons with disabilities;
- (3) Making this measure effective upon its approval; and
- (4) 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. 1291, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1291, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

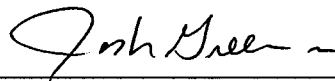
ON THE PART OF THE SENATE



DELLA AU BELATTI, Co-Chair



KARL RHOADS, Co-Chair



JOSH GREEN, Chair



GILBERT S.C. KEITH-AGARAN, Co-Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 1291, SD 2, HD 2	Date/Time: <i>4/29/15 845a</i>
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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.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
GREEN, Josh, Chr.	✓				BELATTI, Della Au, Co-Chr.	✓			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓				RHOADS, Karl, Co-Chr.	✓			
ESPERO, Will	✓				CREAGAN, Richard P.	✓			
GABBARD, Mike				✓	TAKAYAMA, Gregg	✓			
IHARA, Les, Jr.				✓	THIELEN, Cynthia	✓			
TOTAL	3	0	0	2	TOTAL	5	0	0	0

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

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:
Josh Green MD.

House Lead Chair's or Designee's Signature:
Della A. Belatti

Distribution:

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