



**Testimony of Becky Straus, Legislative Director
In Support of SB 40
Senate Judiciary Committee
February 26, 2013**

Chair Prozanski and Members of the Committee:

SB 40 is a technical “clean up” bill that adjusts the felony classification status of marijuana and methamphetamine crimes so that they are consistent with their designation as Schedule II and Schedule I drugs, respectively. We thank you for the opportunity to provide comments in support of this fix.

In 2009¹ when the Legislature directed the Oregon Board of Pharmacy to reschedule marijuana and methamphetamine, it did not indicate that those drugs should similarly receive adjustment in the felony classification statutes. In the case of marijuana, it was not known at that time how the Board would reschedule, only that it would no longer be a Schedule I drug. It seems that the omission was mere oversight and the changes brought by SB 40 are consistent with the intent of the Legislature in 2009.

We wish to echo the testimony of the Oregon Criminal Defense Lawyers Association in support of this bill and we thank them for bringing the issue and the fix forward. SB 40 is needed to ensure that people charged with marijuana and methamphetamine crimes receive a penalty proportionate to the classification of the drug. The bill is a proper and fair adjustment to current law and we urge your support.

Thank you for your consideration. Please feel free to be in touch with any questions or comments that you may have.

¹ SB 728 (2009)