



**Portland NORML - the National Organization for the Reform of Marijuana Laws**  
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*Ensuring that responsible legal adult marijuana consumers are provided the same rights, privileges, and responsibilities as adult alcohol and tobacco consumers.*

## **Testimony for Public Hearing Measure 91 Joint Implementation Committee Monday, March 30, 2015**

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**Senate Bill 936 - Makes changes to law providing for registration of marijuana grow sites under Oregon Medical Marijuana Act.**

Chair Rep. Lininger, Chair Sen. Burdick, and members of the Joint Implementation Committee, good evening. My name is Russ Belville and I am the Executive Director of the Portland Chapter of the National Organization for the Reform of Marijuana Laws. As such, I join hundreds of thousands of adult marijuana consumers in opposing Senate Bill 936.

Marijuana legalization passed in Oregon with the greatest margin of support of any jurisdiction that has legalized so far. In Portland, Measure 91 garnered 71 percent of the voters' support. But Measure 91 would never have gotten that much support without the explicit promise, found in three distinct sections of the initiative, that it would not alter the Oregon Medical Marijuana Program in any way.

We understand why the legislature is considering regulations on the production of medical marijuana. The Department of Justice's so-called Cole Memorandum calls on the states that choose to legalize marijuana to regulate it in such a way as to prevent out-of-state diversion. As marijuana consumers, we also understand why the legislature wants to ensure that medical marijuana serves only those sick and disabled people it is intended for, and not as a backdoor for commercial growers and consumers to avoid Measure 91's regulation and taxation.

But this Senate Bill 936 is like using a hatchet to perform delicate surgery. According to the Oregon Health Authority, there are 5,584 patients who are served by grow sites that cover more than two patients and 2,025 of those patients are served by grow sites that cover more than four patients. Under Senate Bill 936, a grow site in a residential zone could serve only two patients and one outside of a residential zone could serve only four patients.

Senate Bill 936 guarantees that thousands of patients will be forced to purchase marijuana at dispensaries. Moratoriums and bans in many localities guarantees hundreds of those patients will be forced back onto the black market to purchase their medicine. And with over 56 percent of Oregon Medical Marijuana Program cardholders on SNAP, OHP, and SSI, these are the most vulnerable marijuana consumers least able to make those adjustments.

Furthermore, Senate Bill 936 requires record keeping requirements far more onerous than required of producers of any other agricultural commodity. The seven-year records retention requirement is on par

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with Oregon requirements for in-home care agencies, kidney dialysis facilities, mental health providers, and midwives. Nursing homes are only required to keep records for five years and pharmacists dispensing drugs far more dangerous than marijuana only have to keep their records for three years.

While we understand the drive to require some level of oversight on large-scale medical marijuana grow sites, placing regulations that are too burdensome upon medical marijuana growers only guarantees that many of them will cease providing their services to sick and disabled people, or they will just ignore the regulations and the program and provide for these people without any oversight.

We are supportive of two sections of Senate Bill 936. Removing the rule that declares a twelve inch plant as mature is a welcome change; that rule is as unscientific and illogical as declaring children ready for sexual encounters if they're over five-foot-six.

We are also supportive of regulations that would ensure the right of a medical marijuana facility to remain in place if a school should choose to locate near it. If marijuana retailers must carefully search for locations 1,000 feet away from schools, then schools should be made to conform to the same sort of careful search for its locations.

Please do not pass this Senate Bill 936 - it would be devastating to the patients who can least adapt to its changes and it would add more disorder and lawlessness to our state's marijuana cultivation economy at a time when we are trying to set a national example on how medical and recreational marijuana can co-exist and thrive. Please go back to the drawing board with the stakeholders and experts in marijuana policy to craft a solution that maintains four-patients per grower in the cities while regulating larger rural grows in a manner that best serves patients without complicating the roll-out of marijuana legalization.

Chair Rep. Linger, Chair Sen. Burdick, and committee members, I thank you for your time.

Russ Belville



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