

MAY 18, 2015

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Compromise on pot bill

Measure is needed to curb thriving black market

MAY 13, 2015

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Given the many obstacles, state lawmakers have made remarkable progress in drafting legislation aimed at placing long-overdue limits on the state's medical marijuana program. But on Monday, members of the Legislature's special pot committee reached an impasse over the issue of allowing local communities to ban medical marijuana facilities.

The issue in dispute is a narrow — and resolvable — one in the context of far broader legislation, Senate Bill 844. The bill establishes operating rules and production limits for Oregon medical marijuana growers, with the aim of curbing what currently is a thriving black market and increasing the accountability of pot producers.



After weeks of difficult negotiations, lawmakers on the bipartisan committee have agreed on most provisions of the bill. But one section remains unresolved — whether elected officials in cities and counties should be allowed to ban medical marijuana dispensaries within their jurisdictions.

Medical marijuana has been legal in Oregon since 1998. But dispensaries were not authorized until recently, and the Legislature allowed local governments to block dispensaries within their jurisdictions until May 1. Twenty-six of the state's 36 counties and 146 cities enacted local bans before the deadline.

Those are the kind of numbers that make lawmakers sit up and take notice, particularly those from rural areas of the state that voted against Measure 91, the recreational marijuana legalization initiative that passed last November. Senate Minority Leader Ted Ferrioli, R-John Day, recently noted that many communities that he represents would rather have no marijuana sales outlets at all — either medical or recreational.

Against that backdrop, Senate Democrats and Republicans agreed on a proposal that would give local elected officials the authority to ban any new dispensaries, while allowing citizens to collect fewer signatures than normal — just 4 percent of the votes cast in the last gubernatorial race in any jurisdiction — to refer that decision to the local ballot.

House Democrats argued that the Senate proposal flies in the face of the statewide vote to approve Measure 91 and took a different approach, one that would allow elected officials to vote to ban dispensaries, but would require the subsequent approval of voters on the November 2016 ballot.

House Democrats hold the higher hand in this debate. Local officials should not be allowed to opt out of a statewide law without a certain public vote. Rep. Peter Buckley, D-Ashland, is right when he says the Legislature should not allow local government officials to tell medical marijuana patients they can't have local access to their medicine.

But the difference between the two proposals is not worth putting at risk SB 844, which is necessary for the creation of an accountable, profitable and safe market for both medical and recreational marijuana. Without this legislation, the continued diversion of Oregon-grown medical pot to the black market will undermine the success of the state's new legal recreational market.

Lawmakers should work to reach a compromise on the disputed provision, preferably one that leans toward giving voters, not elected officials, the final say on local dispensary bans.

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ANonnenmacher • 3 days ago

Here is my question for the person who wrote this article - What is your factual basis for this statement: "Without this legislation, the continued diversion of Oregon grown medical pot to the black market will undermine the success of the state's new legal recreational market." Our legislators estimated, with absolutely no evidence to back it up, that 75% of black market sales in Oregon were a result of the medical program. They made this number up. So, I ask you, what is your evidence for claiming that there is a thriving black market through the medical program? What is your evidence that putting tracking, inspection, and plant limit restrictions on medical growers will reduce whatever black market there is? If being a medical grower or recreational grower becomes more cumbersome, more (not less) people will enter the black market.

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Keith Mansur • 5 days ago

SB 844 was a attempt to ruin the OMMA. With 30 plus amendments to the bill, it morphed into a medical marijuana program strangulation bill. The Joint Committee on Implementing Measure 91 has done NO IMPLEMENTING of Measure 91...Go figure.

They have been trying to "rein in" the medical market because certain pro-recreational marijuana activists, and PACs that represent them, perceive the OMMA as a threat, and these greed jerks would love to see all patients purchasing their medicine, rather than growing it themselves.

When activists mislead legislators to position themselves as "winners" at the expense of patients, you begin to understand the "greed Rush" mentality.

Leave the OMMA alone, and DO YOUR JOB legislators...Move on to Measure 91!

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