

Co-Chairs Lininger and Burdick, Members of the Committee,

My name is Les Helgeson and I would like to offer the following comments on the latest incarnation of HB 3400. Unfortunately, I will be unable to attend the meeting this evening - it would be difficult to sum everything into an expected 1 minute speaking opportunity, as well.

As a citizen who voted in favor of M91 I am disappointed in the continuous gutting and stuffing process that has been occurring. Are we simply engaging in a mud-slinging contest to see what sticks to the wall? Seems we've made a substantial mess of both OMMP and M91 to date.

It is my understanding from a discussion with one of the primary authors of M91, the intent was to mirror existing liquor statutes as they pertain to OLCC. Yet OLCC has introduced an unwieldy number of allegedly "technical fixes", many of which have thankfully been removed from consideration. Overall, too much of what OLCC has proposed appears to involve a consolidation of power at the expense of improving or implementing M91. Fear mongering over the Cole Memo has also become a hallmark of OLCC.

I would like to propose a vision for the committee to embrace in hopes of guiding us to a successful bill. Given that the war on drugs has been lost (and the voters have spoken) we should craft changes to M91 to be as inclusive and welcoming of existing growers who have the expertise and knowledge to make the system work. This includes both medical and so-called black market growers. This approach would accomplish so much more than trying to outcompete or "stamp out" the black market via questionable tracking systems that would only get us part way to our goals.

The alternative, if OLCC has its way, would be for "WalMart" operations to take over and unload tons of bunko weed on the market (likely a strain called "Cylvia's Haze"). Indeed, OLCC Commissioners expressed a desire to accommodate small boutique growers and establish an industry similar to our current wine and micro-brewery industries. Unfortunately, it appears OLCC's actions speak louder than the false hope and promises put forth during their "Listening Tour". Steve Marks should be fired at the Governor's earliest opportunity.

The insurance and bonding language should also be removed from the bill for obvious reasons. As federal policies are changed we might revisit the issue but for now it appears we are requiring bonding and so forth that simply is not available. Please remove Sections 21 and 22 from the bill.

I am supportive of the transfer of tax collecting authority to the Department of Revenue. Costs of licenses must also be in line with what was proposed in M91 and reflect administrative costs only.

I am also supportive of imposing greater fess on producers with greater square footage in production and am strongly supportive of the "tiered" approach to licensing. Please insert "2500" sq. ft. in Section 13 2(a) and "100" plants in (b). This is reasonable and would help deter

Wall Street backed firms from dominating the market with Schwag. Increasing allowable production as per merit based criteria is an excellent idea.

The bill should further clarify just what constitutes a so-called “seed to sale tracking system”. Also, civil penalties of “\$5,000 per day” (Section 29) are excessive and counterproductive as well as inconsistent with other sections of the bill.

The “local option” should also be left as is, which is basically the language we the voters enacted into law. This specific and current provision supersedes any claims to home rule or other bogus general authority cited by nay-sayers. The people voted to legalize marijuana so it should be solely up to the people to “go dry” if they choose. This section is non-negotiable especially in light of the Senate’s unconscionable actions recently.

Finally, I do not believe we should segregate producers, retailers, etc. from the medical market. A dispensary, etc. should be able to sell to both markets so long as adequate accounting and inventory practices are followed. The only rationale for not doing so would be to further OLCC’s underhanded efforts to consolidate power. If the vision I presented for your consideration earlier is adopted there would indeed be a positive net benefit of further increasing the number of existing growers entering into the legal market and thereby effectively diminishing the black market.

If the committee chooses to allow medical dispensaries to sell recreational cannabis in the near future it should only do so if such dispensaries may continue to do so once the recreational program is up and running. Again, there is no valid reason to segregate the two programs in the first place.

While unlikely to happen this session, it is my hope the legislature will consider the creation of a new agency/commission to oversee both medical and recreational programs. Perhaps such agency would consider hiring Tom Burns as its director given his unparalleled expertise and experience. We may even find common ground for combining both programs at a later date but this will not occur with OLCC (and local government organizations) constantly undermining the process we have undertaken.

Thank you for consideration of this testimony.

Les Helgeson