

From: James Kilburn, Oregon Resident
Sent: May 21, 2015
To: Ann Lininger (Members of the Measure 91 Committee)
Subject: Measure 91 and House Bill 3400 Amendment 1 Section 112

To: Members of the Measure 91 Committee
From: James Kilburn, Oregon Resident

➤ **Certified breeders of seeds and immature marijuana plants**

I apologize for my inability to be present for the meetings which are open to the public, due to the distance.

On Page 86, lines 23 – 28 of House Bill 3400, Amendment 1, I understand it to mean, that ‘only “certified breeders of seeds and plants” may propagate marijuana plants’, which will in turn be sold to producers. As I’m sure you’re aware, most growers propagate their own marijuana plant stock through “cloning”. Since cloning is a form of “propagation”, I interpret this to mean that producers may not propagate their own clones. As you may NOT be aware, a sampling of clone prices from Portland to at least Roseburg, are selling for around \$15 each. If a producer wants to grow a specific strain of cannabis for some rare qualities, which tend to be in small growth plants, a “Sea of Green” (filling the entire grow space with plants) is the only way to make the grow cycle financially worth it. On a very small scale (approx. 4ft x 6ft floor space), a Sea of Green will be not less than 100 plants multiplied by \$15 each. This will inevitably escalate the price of this strain, as well as many others for the same reason. The inevitable outcome of this single act on the black market will NOT be as hoped. In fact, it will have the reverse effect and these high quality strains will not be seen in the retail outlets, but possibly in “home grown” trades or gifts.

“HB 3400-1

PROPOSED AMENDMENTS TO HOUSE BILL 3400

“**SECTION 112.** (1)(a) The Oregon Liquor Control Commission shall certify breeders of the seeds of the plant Cannabis family Cannabaceae and propagators of immature marijuana plants. Subject to paragraph (b) of this subsection, a person **may not breed the seeds** of the plant Cannabis family Cannabaceae **or propagate immature marijuana plants** unless the person is certified under this section.”

This text goes on to give ORS 571.300 – 571.315 as the statute under which a license to propagate may be obtained. On review, these statutes are specifically geared to the Industrial Hemp farmer whose purpose is production of hemp and not of high quality stock for medicinal and human consumption purposes. Prohibiting a marijuana producer to produce their own stock, and to force the purchase of their stock through a highly specialized business, is tantamount to prohibiting the family garden, as it would take away from local grocery store business.

There is currently a corporate conglomerate, that has created a whole line of seed, with what has been called the “suicide gene”. This gene ensures that the fruit of the plant which the seed

produces, generates **sterile** seeds. In reality, this has created a 100% return business since nobody will have the ability to produce their own seed from these plants. What HB 3400-1, SECTION 112 is directing the producer to do, is basically the same thing while holding the ability to reproduce their stock, in their own hands.

To summarize; if a producer wants to be in business, they **MUST** purchase their seed/propagated immature plants, from this specialty business “certified breeders of seeds and plants”, which was created out of a need created by this paragraph (*House Bill 3400, Amendment 1, Section 112*), written by less than a handful of legislators and affect potentially hundreds of Producers/Growers who may fiercely disagree with it.

However, it is understood that this is an attempt at the traceability of every single marijuana seed, stem and leaf, produced in Oregon, but it will cause a **VERY** noticeable drop in the projected revenue that marijuana legalization will produce.

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Information true and accurate per their respective web addresses, as of the date of this letter.

References/Links:

- Oregon Measure 91
- House Bill 3400 Amendment 1Section 112
- ORS 571.300 – 571.315

Cc:

Ann Lininger, Co-Chair: Oregon Measure 91 Committee
Adam Crawford, Committee Administrator: Oregon Measure 91 Committee
Joshua Flamm, Committee Assistant: Oregon Measure 91 Committee
Jeff Mapes, Oregonian Media Group

