

STAFF MEASURE SUMMARY

Joint Committee On Implementing Measure 91

Fiscal: Fiscal impact issued

Revenue: Has minimal revenue impact

Action Date: 06/23/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 03/23, 03/25, 04/01, 04/13, 04/27, 04/29, 05/11, 06/18, 06/23

Vote:

Senate

Yeas: 4 - Burdick, Ferrioli, Kruse, Prozanski

Exc: 1 - Beyer

House

Yeas: 5 - Buckley, Helm, Lininger, Olson, Wilson

Prepared By: Adam Crawford, Committee Administrator

WHAT THE MEASURE DOES:

Establishes Task Force on Researching the Medical and Public Health Properties of Cannabis (Task Force).

Specifies Task Force membership, appointment process and rules. Requires Task Force to study and provide report on development of medical cannabis industry. Specifies topics to be addressed in report. Requires report and recommendations for legislation be submitted to interim committees of Legislative Assembly relating to health and marijuana no later than December 15, 2015 and again no later than February 1, 2016. Sunsets December 31, 2017.

Allows organization or residential facility that provides palliative care to be designated as additional caregiver to medical marijuana cardholder (cardholder) with debilitating medical condition. Specifies duties, functions and powers of caregiver. Adds degenerative or pervasive neurological condition to definition of debilitating medical condition. Specifies transplant hospitals may not disqualify cardholder from receiving transplant strictly on basis of participation in medical marijuana program. Becomes operative on March 1, 2016.

Allows person convicted of criminal offense in which possession, delivery or manufacture of marijuana was an element, to be eligible for order of expunction if one year has lapsed from conviction. Specifies eligibility for expunction; requires person has not been convicted of any other crime, excluding motor vehicle violations, fulfilled all conditions of adjudication, and person was under 21 years of age at time of conviction. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Status of medical research of marijuana
- Expunction standards and limits
- Current limitations for medical marijuana cardholders in palliative or hospice care

EFFECT OF COMMITTEE AMENDMENT:

Replaces measure.

BACKGROUND:

In 1998, Oregon voters approved Ballot Measure 67, which allowed medical use of marijuana in Oregon within specified limits. It also established a state-controlled permit system. In December 1998, Measure 67 went into effect. The law, known as the Oregon Medical Marijuana Act (OMMA), provides legal protections for qualified patients, and allows them to designate a caregiver to help formulate and administer proper doses of marijuana. Under current law, health organizations or residential facilities engaging in palliative care cannot be listed as a caregiver. This requires the caregiver to be on site at all times while the patient is in hospice care.

Senate Bill 844 A would allow residential and palliative care organizations be designated as an additional caregiver. The measure would also prohibit denial of a transplant solely on the premise that the patient is registered with the OHA as a medical marijuana patient. Senate Bill 844 A would also create a Task Force to research the medical benefits of marijuana. The measure would also reduce the time necessary to file for an order of expunction for people convicted of marijuana crimes, so long as they complied with court orders, committed no more crimes with the exception of motor vehicle violations, and were under 21 at the time of conviction.