



January 31, 2016

OPPOSED TO:

- Removing the 2 year residency requirement in HB4014
- Requesting that marijuana be removed as being defined as an agricultural farm crop as it is still a federally illegal drug

To the Oregon Measure 91 Joint Committee,

I am a resident and homeowner in rural Deschutes County. Like many, I am extremely upset with the legislature for classifying marijuana as a crop, which affords it many protections under Oregon law. Any reasonable interpretation of the word crop does not include something grown and protected by eight foot high fences with razor wire along with security cameras, guard dogs and security guards, sold for over \$2,000 per pound, is sold in a cash-based business and is against federal law. I urge you to change these rules and to protect the rural homeowners from the invasion of marijuana grow facilities which will light up the night sky, send odors many thousands of feet, and bring a criminal element to our rural areas. To add insult to this, the legislature is now contemplating reducing the residency requirement for those operating recreation grow facilities. Is this what was contemplated by those ahead of you when laws were established for farm protections?

While the County Commissioners of Deschutes County have temporarily opted out of Measure 91, they have stated that their intention is to rescind that Opt Out and put in regulations. You have succeeded in complicating their pathway through this mess, and even if they come up with restrictions, they are bound to be challenged by the marijuana growers because you have afforded them rights by designating marijuana as a crop.

In our county, even without rules regarding recreational marijuana production facilities, we have medical marijuana grow operations in effect with no formal rules yet. Let me tell you how that is working out. Those facilities are not regulated for light and odor, the amount of production is five times the amount required by those who are legally allowed to purchase the product, with the excess going onto the black market, and the county is not able to process complaints because the amount of complaints far exceeds the manpower to administer them. This is before recreation production is even allowed here. Additionally, there are significant public safety issues. Medical production facilities are selling it for recreation use, there is an unwanted element of people in the areas of the grow facilities, with users openly using marijuana in their vehicles on the sides of roads, and there is a marked increase in the speed driven by those who frequent these facilities. Most disturbing is that rural residents who complain are being threatened both physically and to their property, and some residents fear making complaints because of fear of threats.

Quite honestly, the legislature has thrown the rural homeowners under the bus. While Measure 91 passed only because of the overwhelming support in urban areas, the voters were not told that the legislature would place the interests of marijuana growers ahead of the interests of rural homeowners. While both urban voters and many legislators do not reside in rural areas, you still have an obligation to the entire state to make reasonable laws. What message are you sending the rural homeowners when Senator Burdick celebrates the passage of Measure 91 with a bong given to her by the Senate Minority Leader? I call your attention to comments made by Senator Floyd Prozanski regarding the Oregon Health Authority's draft rules for Medical Marijuana this past Thursday. He said that "the proposed rules are a direct assault on the (medical marijuana) program and the small family farm." My question to you is what were you all thinking about rural homeowners who wake up one day to find greenhouses for producing marijuana put up overnight with their unsightly smells and lights, razor wire fencing and security cameras, dogs, and guards? (Are they afraid of their neighbors who have lived there 25 years or of the criminal element?) Some local governments have made rules restricting sales within 1000 feet of schools. What happens to the rural children who are homeschooled and have these facilities within 100 feet from where they play? Perhaps spend your next family vacation on a rural property next to a grow facility for two weeks or place a grow facility next to your home. Maybe you will finally see the light.

There is nothing wrong with recognizing a mistake and correcting the mistake. That would be better than having blood on your hands after some innocent rural resident is hurt or killed in the cross fire of an armed burglary or in a hash oil fire that spread so quickly to cause human or property damage. Please do the right thing and remove marijuana from its classification as a crop, and follow what was done in Colorado, restrict the recreation grows to industrial areas. Do not cause permanent damage to our beautiful state and to its rural areas, because there will be no turning back. My appeal to you has nothing to do with the right of the people to use marijuana, as the voters decided that issue. It has everything to do with placing the interests of the residents of the State of Oregon ahead of the marijuana growers, a decision you did not allow the voters to make.

Very truly yours,

Mark Murzin

Deschutes County, Oregon