

February 12, 2016

Joint Committee on Marijuana Legalization

I ask the committee to adopt amendments to Senate Bill 1511 to create an exception for social consumption in cannabis cafés similar to the exceptions enjoyed by tobacco sellers¹ under the Oregon Indoor Clean Air Act (the Act). Last session, Enrolled House Bill 2546 (2015) amended the Act to prohibit the inhalation of cannabinoids in public places or places of employment. Without the exception, HB 2546 will kill at least five Oregon small businesses, including the World Famous Cannabis Café.

Today, as a matter of principle, the consumption of cannabis is legal in Oregon. We are limited only by two exceptions - we cannot consume cannabis indoors or outdoors. These limitations do not work for many Oregonians, including individuals living in section 8 housing and many apartment dwellers, or for visitors to the State of Oregon lodging temporarily in our hotels and motels. The limitations do not work for my client - who is not just a business person, but also a grandmother who does not want to see consumers of legal cannabis forced into our parks and public places by the continuing enforcement of prohibition-oriented lawmaking.

Since 2009, Madeline Martinez and the World Famous Cannabis Café have provided a safe community setting² out of public view in which Oregonians with valid OMMP cards could assemble peaceably with like-minded individuals and consume legal cannabis. As a result of HB 2546 and rules adopted by the Oregon Health Authority, existing businesses - like the cannabis café - potentially are subject to penalties of \$500 per day to a maximum of \$4,000 per month.

The -4 amendments (dated 1/29/2016) to SB 1511 were drafted narrowly to allow members-only cannabis cafés as an exception to the prohibition on cannabis consumption in places of employment. Legislative Counsel is drafting an updated version that gives control to local governments in the form of an opt-out for local governments in which the majority of electors rejected Measure 91.

I was asked: "Is the Cannabis Café really "World Famous?" I promised to deliver a map pinned by visitors to the café from around the world. To the left of the map,

1 I note that cannabis cafés do NOT sell cannabis.

2 I mean this literally. Law enforcement has never been called to intervene in any hostilities at the World Famous Cannabis Café.

the Hawaiians are in the house... to the right, the Aussies, Kiwis and Japanese are in the house. The cannabis café has received visits from Russia and India... Mecca and Dubai are represented... Africa has found home in the café and the Europeans are well represented in the café's house.

We do what I have heard touted so many times in the Statehouse: The World Famous Cannabis Café serves an important function in its local community while also growing its economic impact in Oregon as an international destination for tourism. The café is an example of small business working for Oregonians and building the Oregon brand internationally.

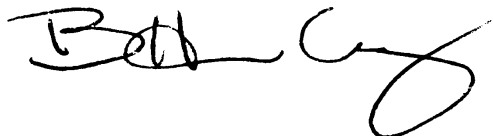
Last week, we delivered copies of a petition in support of the World Famous Cannabis Cafe to the Governor and members of this committee. Over 20 days³ between January 8th and January 31st, 225 signatures collected from visitors to the cannabis café, including 21 signatures from out-of-state visitors.

With Measure 91, the sovereign electors of Oregon informed its representative governments - statewide - that we are legal consumers of cannabis. The time has come to end the war on cannabis and the time is past for local governments to use our tax dollars to obstruct Oregonians in the responsible legal consumption of cannabis.

As with any small business, this model will not succeed in locales where there is not a sufficient community of interest to support it. But - even in cities and counties that voted 55% against Measure 91 - up to 45% of your electors have announced that they are ready to stop hiding in their basements.

Please support our right to assemble with like-minded individuals by carving out an exception for social consumption in private cannabis cafés.

Fiat justitia,



B Harrison Conley,
Executive Director

3 The café is closed on Sundays and signatures were collected at one off-site event.

World Famous Cannabis Cafe



**Petition Urging Amendment of the Oregon Indoor Clean Air Act
for the World Famous Cannabis Café**

We, the undersigned Oregonians, petition the Oregon Governor and the Senate and House of Representatives of the Oregon Legislative Assembly to:

Amend the Oregon Indoor Clean Air Act to allow the the World Famous Cannabis Café to continue performing its vital community service and expressive purpose – to provide a members-only facility in which like-minded adults may assemble in a safe community setting to consume legal cannabis for medical, or other personal, use that is out of public view; and Represent as follows.

Whereas growing and consuming cannabis are legal in Oregon; and

Whereas the actual consumption of legal cannabis is severely limited – by exceptions to outdoor use, including state parks, exceptions to use for individuals living in section 8 housing, exceptions, generally, to use in public settings and threats to prohibit smoking at Oregon beaches; and

Whereas the World Famous Cannabis Café was established by Oregon NORML and Madeline Martinez in November 2009 as the first café in the USA to provide a safe place for state-authorized medical cardholders to assemble with like-minded individuals to socialize and medicate out of public view; and

Whereas recent changes in the Oregon Indoor Clean Air Act cause the World Famous Cannabis Café to be a nonconforming use, but do not explicitly approve continuation of the vital community service provided by the Café; and

Whereas growers and consumers of cannabis have long been victimized by a misguided war on drugs, facing governmental interference with our family and parenting relations and the loss of liberty, property and gainful employment; and

Whereas growers and consumers of cannabis have been forced – for the safety of our families and ourselves – to hide in our basements and to segregate ourselves from like-minded individuals; and

Whereas the World Famous Cannabis Café is a members-only facility in which individuals may gather safely in a community setting, to consume legal cannabis and to exercise our expressive first amendment right to assemble with like-minded individuals to share our values and views;

Whereas the Cafe has become a destination for tourism, generating income for a variety of Oregon businesses; now, therefore,

Be it resolved by your petitioners, the undersigned Oregonians, that we support the continuing mission of the World Famous Cannabis Café to perform its vital community service and expressive purpose – to provide a members-only facility in which adults may assemble with like-minded individuals in a safe community setting to consume legal cannabis for medical, or other personal use, that is out of public view; and

Be it further resolved that we urge Governor Kate Brown and the Senate and House of Representatives of the Oregon Legislative Assembly to amend the Oregon Indoor Clean Air Act to grant an exception for the community service provided by the World Famous Cannabis Café; and

Be it further resolved that we will provide a copy of this petition to the Governor of Oregon each member of the Oregon Legislative Assembly, to the director of the Oregon Liquor Control Commission and each member of the Board of Commissioners, and to the director of the Oregon Health Authority and each member of the Oregon Health Policy Board.