

# HOUSE COMMITTEE ON AGRICULTURE & FORESTRY

April 10, 2001  
3:00 PM

Hearing Room 50  
Tapes 65 - 68

**MEMBERS PRESENT:** Rep. Jeff Kropf, Chair  
Rep. Al King, Vice-Chair  
Rep. Donna Nelson, Vice-Chair  
Rep. Robert Ackerman  
Rep. Elaine Hopson  
Rep. Wayne Krieger  
Rep. Mary Nolan  
Rep. Tootie Smith

**MEMBER EXCUSED:** Rep. Dan Doyle

**STAFF PRESENT:** Ray Kelly, Committee Administrator  
Michael Reiley, Committee Assistant

**MEASURE/ISSUES HEARD:** HB 3812 – Public Hearing

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These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 65, A</b>		
003	Chair Kropf	Calls meeting to order at 3:00 p.m. Opens public hearing on HB 3812.
<b><u>HB 3812 – PUBLIC HEARING</u></b>		
032	Rep. Jeff Kropf	House District 37. Explains his intentions for HB 3812. Discusses problems with current medical marijuana situation in Oregon.
189	Jonathon Thompson	Submits and reads prepared testimony in support of HB 3812 <b>(EXHIBIT A)</b> . States that Biomedex is no longer involved in the medical marijuana issue but some within the company are still advising on it.
387	Vice-Chair Nelson	Commends Rep. Kropf for sponsoring HB 3812. Gives personal experience of loved ones dealing with illness.
<b>TAPE 66, A</b>		
006	Rep. T. Smith	Asks if there are certain diseases for which medical marijuana is prescribed.
009	Thompson	Answers that the law specifies certain conditions, but due to its classification by the Drug Enforcement Agency it cannot be prescribed.
015	Rep. T. Smith	Asks if medical marijuana works for pain, treatment, or the alleviation of the disease.
019	Thompson	Answers that the best studies he has seen are still in their early stages and are coming from England and the Netherlands and

		they indicate that there is benefit from the use of medical marijuana.
028	Rep. T. Smith	Asks how medical marijuana is administered.
029	Rep. Kropf	Answers that the most popular method is smoking and there are other methods such as eating. Points out that there is no evidence that it cures, but it helps with symptoms.
064	Rep. Kropf	Gives personal account of dealing with pain through exercise and other methods and empathizes with those who suffer from painful medical conditions. Reasserts intentions for HB 3812.
090	Geoff Sugarman	Campaign Director, Oregon Medical Marijuana Act (OMMA) in 1998. Explains how medical marijuana benefits patients. Discusses legal issues related to medical marijuana and state and federal law. Expresses support for the concept of medical marijuana, but states concerns regarding HB 3812.
200	Rep. Krieger	Asks how the distribution system would operate.
203	Sugarman	Answers that he is unsure.
208	Rep. Krieger	Expresses concern that system may not work appropriately.
220	Sugarman	Explains difficulties that patients face in obtaining medical marijuana.
232	Chair Kropf	Asks if the current law does not allow the sale but does allow “the gifting” of medical marijuana from one medical marijuana cardholder to another.
235	Sugarman	Answers yes.
236	Chair Kropf	Addresses the concerns of Rep. Krieger and notes that the distribution system would likely operate as current pharmaceutical distribution operates. Notes that pharmacies would likely be able to deal with medical marijuana.
268	Sugarman	Notes that if medical marijuana is distributed through pharmacies, insurance companies should cover it.
278	Rep. Nelson	Expresses desire to keep the research in Oregon and lead the way in helping patients who need it.
331	Sugarman	Notes that in 1937 when Congress outlawed marijuana, the American Medical Association was one of the only groups to testify against outlawing it because they knew of its medicinal value.
344	Chair Kropf	Asks for Mr. Sugarman’s feelings about HB 3919 that eliminates the number of prescribed diseases for which one can receive medical marijuana and allows it to be prescribed by a naturopath or nurse practitioner for any medical condition.
361	Sugarman	Answers that they put the original list of conditions in the OMMA for which medical marijuana could benefit and also included provisions to add additional conditions as warranted.
399	John Sajo	Director, Voter Power. Submits and summarizes prepared testimony in support of HB 3812 ( <b>EXHIBIT B</b> ).
<b>TAPE 65, B</b>		
090	Rep. Krieger	Asks about dosage, frequency and how much medical marijuana patients would likely possess compared to what they do now.
096	Sajo	Explains that patients’ use ranges from “a gram or two periodically to a couple ounce a week.” Notes that dosage depends on medical condition and method of ingestion.
125	Chair Kropf	Asks if people growing marijuana would be a target for crime.
139	Sajo	Answers that it is a concern, but argues that it would be ideal for growers and law enforcement to work together to protect the plants and the patients.

172	Rep. Krieger	Expresses concern about police and administration costs.
179	Sajo	Responds that there are concerns, but argues that the validity and importance of medical marijuana merits overcoming the obstacles.
201	Lindsay Bradshaw	Writer, organic gardening teacher. Notes that medical marijuana is an issue that society has not handled well. Expresses concern that HB 3812 would provide for a monopoly for pharmaceutical companies.
229	Sandee Burbank	Mosher, Oregon. Gives personal experience dealing with patients who use medical marijuana. Notes that many people who come to her do not know how to go about obtaining marijuana. Expresses concern of having pharmaceutical companies in charge of producing medical marijuana.
390	Rep. Nelson	Asks if there are other plants that can be used for dealing with illnesses.
410	Burbank	Explains other plants and herbs that can be used for illnesses.
425	Leland Berger	Co-founder and legal counsel for Voter Power, legal counsel for National Organization for the Reform of Marijuana Laws (NORML). Describes concerns about HB 3812. Notes that law enforcement has been in contempt of HB 3052 passed in 1998.
<b>TAPE 66, B</b>		
024	Rep. Nelson	Asks what is meant by “contempt.”
026	Berger	Cites example of a patient who was cited for possession of marijuana despite possessing it legally and the legal issues that were subsequently raised. Continues explaining concerns about HB 3812. States that patients cannot currently purchase medical marijuana.
137	Rep. Nelson	Asks if physicians or pharmacies can purchase medical marijuana.
140	Berger	Answers no. Explains that medical marijuana has been misclassified by the DEA. Mentions HJM 31 that would recommend Congress to re-schedule marijuana.
191	Clifford Spencer	Medical marijuana patient. Gives personal experience with medical marijuana.
249	Chair Kropf	Asks what Mr. Spencer’s medical condition is.
250	Spencer	Answers that he has degenerative disc disorder. Explains his experiences with pain management.
268	Chair Kropf	Asks if he has tried Merinol.
270	Spencer	Explains that it does not work for him. Describes Merinol.
319	Rep. Nelson	Asks if Mr. Spencer has a doctor to evaluate his condition.
328	Spencer	Answers that his doctor has noticed a “marked noticeable improvement” in his condition since he began using medical marijuana. Describes concerns with HB 3812 and his ideas for improvement.
<b>TAPE 67, A</b>		
040	Larry Welty	Sergeant, Oregon State Police, Assistant Commander, Drug Enforcement Division. Submits and summarizes prepared testimony ( <b>EXHIBIT C</b> ).
082	Gary Stafford	Lieutenant, Portland Police Bureau. Submits and summarizes prepared testimony ( <b>EXHIBIT D</b> ).
118	Chair Kropf	Asks if more people would be exposed to marijuana as more and more people are involved in the medical marijuana program
128	Welty	Argues that money should be put into Health Division.
153	Stafford	Argues that HB 3812 would not lower the number of medicinal

158	Chair Kropf	grows “done in someone’s basement.” Asks if amending HB 3812 passing it into law to establish the growing facilities and distribution, would the comfort level improve if it set forth that “grow your own” was eliminated.
163	Stafford	Answers that it will not have the intended impact.
171	Rep. Nelson	Asks for statistics for medical marijuana users who have had encountered legal obstacles.
214	Welty	States that he will obtain information.
222	Dr. Robert P. Doughton	Volunteer Consultant, Oregon Medical Marijuana Consultant Associate Services. Expresses support for concept of medical marijuana. Testifies against HB 3812. Expresses concern for more state bureaucracy. Addresses other concerns about medical marijuana.
398	Chair Kropf	Asks if HB 3919 would lead to abuse.
407	Doughton	Answers no.
<b>TAPE 68, A</b>		
010	Dr. Grant Higginson	Acting Administrator of Department of Human Services, Oregon Health Division. Submits and summarizes prepared testimony <b>(EXHIBIT E)</b> .
063	Chair Kropf	Summarizes information provided by Dr. Higginson’s staff.
080	Madeline Martinez	OMMA patient. Explains her medical condition and work with NORML to help patients obtain medical marijuana. Explains her system and costs of growing.
131	Rep. Nelson	Asks Ms. Martinez for a summary of her growing costs.
138	Chair Kropf	Closes public hearing on HB 3812. Adjourns meeting at 5:52 p.m.

Submitted By,

Reviewed By,

Michael Reiley,  
Committee Assistant

Ray Kelly,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – HB 3812, written testimony, Jonathon Thompson, 29 pp.**
- B – HB 3812, written testimony and information, John Sajo, 20 pp.**
- C – HB 3812, written testimony, Larry Welty, 1 p.**
- D – HB 3812, written testimony, Gary Stafford, 4 pp.**