

# HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

May 07, 2001  
1:30 PM

Hearing Room D  
Tapes 104 -107

**MEMBERS PRESENT:** Rep. Carl Wilson, Chair  
Rep. Richard Devlin, Vice-Chair  
Rep. Dan Doyle, Vice-Chair  
Rep. Dan Gardner  
Rep. Bill Garrard  
Rep. Steve March  
Rep. Bruce Starr  
Rep. Joanne Verger  
Rep. Cherryl Walker

**MEMBERS EXCUSED:** Rep. Bill Garrard

**STAFF PRESENT:** Cara Filsinger, Committee Administrator  
Jennifer Goodman, Committee Assistant

**MEASURE/ISSUES HEARD:** HB 3919 - Public Hearing  
HB 3830 - 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 104, A</b>		
004	Chair Wilson	Calls the meeting to order at 1:30 p.m. Describes the meeting. Opens a public hearing on HB 3919.
<b><u>HB 3919 – PUBLIC HEARING</u></b>		
023	Cara Filsinger	Committee Administrator. Reviews HB 3919.
038	Stormy Ray	Submits <b>(EXHIBIT A)</b> and testifies in support of the bill. Explains her involvement with assisting ill people. Asks that marijuana be allowed in order for the ill to improve the quality of their life.
120	Jerry Wade	Testifies in support of the bill. Explains how marijuana is used by ill people as compared with recreational use.
241	Dennis Payne	Testifies in support of the bill. Explains that as a heart recipient his medication makes him sick and will kill him. Adds that medical marijuana assists him with dealing with the hard drugs. Explains that he is not considered qualified for a card.
306	Dianne Beard	Describes her Multiple Sclerosis . Explains that she has to take medication in order to function at all. Adds that she is afraid to obtain the card but has used marijuana for her illness. Explains that marijuana is useful for her illness. Submits <b>(EXHIBIT B)</b> .
387	Zaki Kahl	Explains that he is registered in the program. Adds that there are many others that are not able to register. Explains that he cannot share his marijuana medication legally. Adds that this forces people into the black market.
435	Robert Walker	Testifies in support of the bill. Asks they the committee pass the

		bill.
451	Chair Wilson	Asks if this will increase the demand.
458	Walker	Responds that there will be a paper trail.
474	Chair Wilson	Asks if it will be enough, if the patients are given more.
479	Walker	Responds in the affirmative.
<b>Tape 105, A</b>		
051	Craig Helm	Explains that he takes marijuana for his MS symptoms. Asks that the number of plants allowed be increased, as many people need more.
106	Larry Mull	Explains his background regarding counseling. Explains that he has always been very anti-drug but that has changed. Explains the difficulty in growing marijuana plants.
198	Barbara Cimaglio	Administrator, Office of Alcohol and Drug Abuse Programs. Submits <b>(EXHIBIT C)</b> and testifies in opposition to the bill.
244	Larry Welty	President, Oregon Narcotics Enforcement Association. Submits <b>(EXHIBIT D)</b> . Believes that the illicit market will benefit from allowing the ill to possess marijuana. States that the program is already having problems.
270	Rep. Gardner	Asks about the provision, and if the division has allowed any other illnesses since the bill was passed.
282	Cimaglio	Responds that one has been added.
292	Rep. Gardner	Asks Mr. Welty what the position was of law enforcement on the original initiative passed by the people.
294	Welty	Replies that they were opposed to it.
295	Rep. Gardner	Asks if he opposes any changes to the original initiative.
298	Welty	Replies that they support changes in accessing information.
312	Chair Wilson	Asks if there is any part of the -1 amendments that they do not find offensive, especially the transportation issue.
317	Welty	States that he was not aware that transportation was a problem.
333	Chair Wilson	Asks how he feels about the caregiver portion of the bill.
341	Welty	Responds that he did not realize this.
346	Rep. Devlin	Asks if there will be a judgement regarding other drugs that could replace marijuana.
359	Cimaglio	Responds that the current statute requires the physician to make the judgement.
364	Rep. Devlin	Asks if in determining whether or not to add a condition to the list by rule, if there is a judgement made on existing pharmaceuticals that might be more effective in treating the condition.
369	Cimaglio	Explains that there is a lengthy review including the review of other medications.
375	Chair Wilson	Asks if they expect any impact on healthcare costs.
380	Cimaglio	Responds that she does not know.
387	Chair Wilson	Asks if the existence of the marijuana law is keeping drug and prescription costs down in the Oregon Health Plan.
393	Cimaglio	Replies she does not know.
395	Rep. March	Asks if her organization has proof that marijuana leads to alcohol and drug abuse.
402	Cimaglio	Explains that a "favorable community attitude" could increase abuse.
417	Rep. March	Asks if there is a correlation between medical use and illegal drug abuse.
427	Cimaglio	Explains that marijuana is a unique drug.
457	Madeline Martinez	Testifies in support of the bill. Explains that the first bill has not

had an adverse effect.

**Tape 104, B**

083	Marsha Sparks	Testifies in support of the bill. States that she believes that marijuana is not as hard on the body as many drugs.
185	John Sajo	Director, Voter Power. Points out that it is difficult for patients to find doctors to approve them. Explains that the health department is requiring experiments to be added to the acceptable list. States that marijuana provides relief for patients.
296	Leland Berger	Attorney. Defends medical marijuana cases. Testifies in support of the bill. Discusses some cases regarding patients. Discusses several sections of the bills, and clones.
447	Chair Wilson	Asks what a clone is.
448	Berger	Defers to Mr. Sajo.
451	Sajo	Describes a clone.
459	Berger	Explains that growing marijuana is not very easy. Believes that the costs of the Oregon Health Plan have been reduced. Believes that drug abuse will not grow because of this bill.

**Tape 105, B**

070	Berger	Continues testimony.
093	Rep. Walker	Asks if naturopaths and nurse practitioners can prescribe schedule 1 or 2 controlled substances.
096	Berger	Responds that they can prescribe schedule 2.
100	Rep. Verger	Asks if Mr.Sajo is a user of medicinal marijuana
103	Sajo	Responds no; he is a caregiver.
106	Chair Wilson	Closes the public hearing on HB 3919. Opens a public hearing on HB 3830.

**HB 3830 – PUBLIC HEARING**

134	Representative Betsy Close	House District 36. Submits ( <b>EXHIBIT E</b> ) and testifies in support of the bill. Explains the bill.
195	Gayle Atteberry	Executive Director, Oregon Right to Life. Submits written material ( <b>EXHIBITS F &amp; G</b> ) and testifies in support of HB 3830.
357	Lisa Heacock	Submits and reads written testimony in support of HB 3830 ( <b>EXHIBIT H</b> ).
446	Atteberry	Relates “Kimberly’s story” in ( <b>EXHIBIT F</b> ).
<b>106, A</b>		
036	Marilyn Helton	Planned Parenthood Health Services of Southern Oregon. Testifies in opposition to the bill and submits ( <b>EXHIBIT I</b> ).
115	Dr. Gary Prohaska	Physician. Testifies in opposition to the bill. Submits ( <b>EXHIBIT J</b> ). Explains the difficulty in requiring two visits. Adds that counseling and providing information has been occurring since legalization.
154	Barbara Arnold	RN, Co-Patient Services Director at Planned Parenthood. Testifies in opposition to the bill. Submits ( <b>EXHIBIT K</b> ).
248	Ellen Lowe	Oregon Law Center. Explains her organization. Testifies in opposition to the bill. Submits ( <b>EXHIBIT L</b> ).
318	Rep. Doyle	Asks Ms. Helton about the interference in the doctor patient relationship.
324	Arnold	Responds that the information is being scripted by others, causing them to lose control of the information given to their patient.
338	Rep. Doyle	Asks if the current statute is also an intrusion.
342	Arnold	Responds in the negative.

354	Rep. Doyle	Asks how her people review information.
362	Arnold	Reviews the process.
382	Rep. Doyle	Asks if the doctor is involved in the discussion.
389	Arnold	Responds that they are typically involved.
412	Nanci Huyser	Testifies in support of the bill and submits <b>(EXHIBIT M)</b> .
<b>Tape 107, A</b>		
047	Dr. Ken Wilson	Testifies in support of HB 3830. Submits <b>(EXHIBIT N)</b> . Discusses the problems resulting from abortions. Believes women need to know what they are doing and the consequences of their choice.
137	Rep. March	Asks what the doctor's specialty is.
138	Chair Wilson	Responds that he is an orthopedic hand surgeon.
140	Rep. Walker	Asks the doctor, " if the Supreme Court ruling addresses the issue of whether the doctor would be subjected to wrongful death charges and damages by the woman, or her family, of the wrongful death of that fetus, regardless of the stage of development".
152	Chair Wilson	Responds that the doctor should be held responsible for the abortion.
167	Rep. Devlin	Asks about the correlation between breast cancer and abortion reports.
170	Chair Wilson	Replies that there are many problems with the study.
187	Rep. Devlin	Asks if there are any other surgeries that require a waiting period.
188	Chair Wilson	Replies that other surgeries do not happen this quickly.
200	Rep. Doyle	Asks if the staff or doctor speaks to the patients.
208	Chair Wilson	Respond that legally, the doctor needs to do this.
234	Dr. Lee Thornton	Physician. Testifies in opposition to the bill and submits <b>(EXHIBIT O)</b> . Explains that all abortions are recorded.
311	Julie Powers	Interim Director of Planned Parenthood of the Columbia/Willamette. Testifies in opposition to the bill. Submits <b>(EXHIBIT P)</b> . Speaks of the options and counseling that are always given at Planned Parenthood.
409	Rev. Dr. Charles Wallace	Testifies in opposition to the bill. Submits <b>(EXHIBIT Q)</b> .
<b>Tape 106, B</b>		
032	Laura Viale	Testifies in opposition to the bill. Submits <b>(EXHIBIT R)</b> .
095	Michael Howden	Oregon Center for Family Policy. Testifies in opposition to the bill Submits <b>(EXHIBIT S)</b> .
252	Rev. Paul Robinson	Medford Congregational United Church of Christ. Speaks in opposition to the bill. Submits <b>(EXHIBIT T)</b> .
311	Chair Wilson	Submits written testimony for the record <b>(EXHIBITS U -NN)</b> . Closes the public hearing on HB 3830. Adjourns the meeting at 4:37 p.m.

Submitted By,

Reviewed By,

Jennifer Goodman,  
Administrative Support

Cara Filsinger,  
Administrator

Transcribed By,

Cheryl Young  
Committee Assistant

**EXHIBIT SUMMARY**

- A – HB 3919, written testimony, submitted by Stormy Ray, 13pp.**
- B – HB 3919, written testimony, submitted by Dianne Beard, 6pp.**
- C – HB 3919, written testimony, submitted by Barbara Cimaglio, 1p.**
- D – HB 3919, written testimony, submitted by Larry Welty, 1p.**
- E – HB 3830, written testimony, submitted by Rep. Betsy Close, 3pp.**
- F – HB 3830, written testimony, submitted by Gayle Atteberry, 10 pp.**
- G – HB 3830, written testimony, submitted by Gayle Atteberry, 5pp.**
- H - HB 3830, written testimony, submitted by Lisa Heacock, 2pp.**
- I - HB 3830, written testimony, submitted by Marilyn Helton, 2pp.**
- J - HB 3830, written testimony, submitted by Gary Prohaska, M.D. 1p.**
- K - HB 3830, written testimony, submitted by Barbara Arnold, 1p.**
- L - HB 3830, written testimony, submitted by Ellen Lowe, 2pp.**
- M - HB 3830, written testimony, submitted by Nanci Huyser, 6pp.**
- N - HB 3830, written testimony, submitted by Dr. K4en Wilson, 4pp.**
- O - HB 3830, written testimony, submitted by Lee Thornton, M.D. 2pp.**
- P - HB 3830, written testimony, submitted by Julie Powers, 7pp.**
- Q - HB 3830, written testimony, submitted by Rev. Charles Wallace, 1p.**
- R - HB 3830, written testimony, submitted by Laura Viale, 28pp.**
- S - HB 3830, written testimony, submitted by Michael Howden, 4pp.**
- T - HB 3830, written testimony, submitted by Rev. Paul Robinson, 1p.**
- U - HB 3830, written testimony, submitted by Staff, 3pp.**
- V - HB 3830, written testimony, submitted by Staff, 1p.**
- W - HB 3830, written testimony, submitted by Staff, 1p.**
- X - HB 3830, written testimony, submitted by Staff, 2pp.**
- Y - HB 3830, written testimony, submitted by Staff, 2pp.**
- Z - HB 3830, written testimony, submitted by Staff, 1p.**
- AA - HB 3830, written testimony, submitted by Staff, 2pp.**
- BB - HB 3830, written testimony, submitted by Staff, 1p.**
- CC - HB 3830, written testimony, submitted by Staff, 3pp.**
- DD - HB 3830, written testimony, submitted by Staff, 1p.**
- EE - HB 3830, written testimony, submitted by Staff, 1p.**
- FF - HB 3830, written testimony, submitted by Staff, 1p.**
- GG - HB 3830, written testimony, submitted by Staff, 1p.**
- HH - HB 3830, written testimony, submitted by Staff, 2pp.**
- II - HB 3830, written testimony, submitted by Staff, 1p.**
- JJ - HB 3830, written testimony, submitted by Staff, 1p.**
- KK –HB-3830, written testimony, submitted by Staff, 1p.**
- LL - HB 3830, written testimony, submitted by Staff, 1p.**
- MM - HB 3830, written testimony, submitted by Staff, 1p.**
- NN - HB 3830, written testimony, submitted by Staff, 1p.**