

April 29, 2015

**Written Testimony before the
Joint Committee on Implementing Measure 91
Regarding the Dash-6 Amendments to Senate Bill 844**

Co-Chairs Burdick and Lininger, and Members of the Committee,

The Association of Oregon Counties (AOC) strongly urges you to reconsider at least two key provisions in the Dash-6 amendments to Senate Bill 844:

- Sections 15 and 39 restrict law enforcement access to the new database. Oregon should do just the opposite by ensuring instant law enforcement access to the medical and retail marijuana databases containing information about marijuana businesses and products within the supply chains. Patient information can and should remain protected. But we need law enforcement to help drive out the black market, and access to information is critical. Sections 15 and 39 should be amended.
- Sections 32 and 33 purport to preempt local opt out of medical marijuana businesses, and confine local regulatory authority using ambiguous terms. No other state with medical marijuana dispensaries has preempted local opt out. As far as recreational marijuana businesses, local control is enshrined in the Colorado Constitution and vigorously defended by the Washington Attorney General. Oregon should not chart a different course and force a dangerous confrontation of the federal question. See [written testimony](#) dated February 16, 2015 (pages 11 through 16) and LOC/AOC [legal opinion](#) dated March 4, 2015, part III (page 8). Sections 32 and 33 should be replaced with clean and clear local authority to opt out and/or regulate each type of marijuana business.

Thank you for considering our thoughts on these two important matters.

Sincerely,



Rob Bovett
AOC Legal Counsel