

Tuesday, February 6, 2024

Written Testimony of Rob Bovett
before the
House Judiciary Committee
in Support of
House Bill 4121 with Dash-1 Amendments

Dear Chair Kropf, Vice-Chairs Andersen and Wallan, and
Representatives Bynum, Chaichi, Conrad, Lewis, Reynolds, Tran, and Yunker,

For the record I'm Rob Bovett. I've been involved in drug policy at local, state, national, and international levels for a few decades, and currently teach Cannabis Law & Policy and Drug Policy at Lewis & Clark Law School. I've also been long involved in working with stakeholders to create the best possible regulated cannabis systems in Oregon.

It is my pleasure to present you with a brief summary of House Bill 4121, as well as the Dash-1 amendments to that bill, which constitute your 2024 omnibus cannabis bill. My marching orders for this short session bill were to work on bi-partisan, bi-cameral, and non-controversial issues that really can't wait until the 2025 regular long session. So that's what I did, working alongside many stakeholders. Here is a brief summary of the six proposed elements of this bill:

1. Enforcement Collaboration (Sections 1 to 6): These sections carry forward five sections of 2021 House Bill 3000, legislation primarily designed to address the unfortunate influx of large illicit cannabis grows featuring labor trafficking, environmental damage, and violent crime that started in Southwest Oregon and metathesized to many other parts of our state. We have made much progress in addressing those grows, but the problem has not yet gone away, as recently well reported in the media. The five sections to be carried forward, which sunsetted last month, authorize collaborative mapping of grow sites to let law enforcement know where legitimate licensed sites are located, rules to help distinguish marijuana from hemp, and intergovernmental agreements to allow assistance among and between OLCC, ODA, the National Guard, and law enforcement.

2. Hemp Product Registration and Labelling (Sections 7 to 14): These sections finish the unfinished work reflected in 2023 House Bill 3049. That bill, and these sections, arose from the Task Force on Cannabis-Derived Intoxicants and Illegal Cannabis Production, better known simply as the HB 3000 / SB 1564 Task Force. These sections create a registration system and labeling standards for hemp products containing cannabinoids that are intended for human or animal consumption. Registration is not required for fiber, grain products, or topical products such as lotions or soaps. We started from the Dash-2 amendments to HB 3049, and made further changes to reach consensus.

3. Interstate Commerce Among Hemp Licensees (new Section 15): The Dash-1 Amendments would insert a new Section 15 to the bill. The new section would amend state law to allow the interstate shipment of hemp products and commodities among and between hemp licensees, as now allowed under federal law.

4. Dynamic Licensing (Sections 15 to 20): These sections provide a more permanent solution to the repeated extensions of the existing moratorium on new OLCC licenses due to having too many licensees in the system. The current moratorium is set to expire on March 31, 2024. Instead of extending that moratorium yet again, these sections propose a permanent replacement with a dynamic licensing system based on population, very similar to how this issue is addressed for alcohol (liquor stores). There would be a short extension of the moratorium to the end of the year to allow for OLCC to put the new system into place.

5. Minor Decoy Operations (Sections 21 to 23): These sections provide OLCC with authority to conduct minor decoy operations similar to the authority they already have with regard to alcohol.

6. Temporary Permits (Sections 24 to 31): These sections provide OLCC with authority to issue temporary cannabis worker permits when they get backed up on processing applications, similar to the authority they already have with regard to alcohol.

Finally, the Dash-1 Amendments also contain technical improvements that always seem to come up after you think you have finalized the technical language in an omnibus bill. Those amendments are not substantive – they just ensure we have the technical language correct.

Thank you again for the opportunity to help put this omnibus bill together, and for the opportunity to testify today. I encourage you to pass this bill out of Committee, with the Dash-1 amendments, and with a Do Pass recommendation. I am more than happy to answer any questions you might have.

Sincerely,

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NOTE: All information and comments above are my own.
They do not reflect any official position of Lewis & Clark Law School or any client.