

Monday, February 17, 2025

Written Testimony of Rob Bovett
before the
Senate Judiciary Committee
in favor of
Senate Bill 162 and the Dash-1 Amendments

Dear Chair Prozanski, Vice-Chair Thatcher, and Senators Broadman, Gelser Blouin, Manning, and McLane,

For the record I'm Rob Bovett. I have been involved in drug policy at local, state, national, and international levels for a few decades, and currently teach Drug Law and Policy and Cannabis Law and Policy at Lewis & Clark Law School. My career has focused heavily on creating and implementing diversionary programs in our criminal justice system for people suffering from addiction or behavioral health issues. I also currently serve as Vice-Chair of your Criminal Justice Commission where we oversee many of those programs - although I speak only for myself this morning.

Senate Bill 162 is the 2025 omnibus cannabis bill. It is designed to contain bi-partisan, bi-cameral, and consensus-driven improvements to Oregon's cannabis laws, which I have long been a part of helping to craft. Each legislative session I offer to bring forward an omnibus bill for these purposes, working with a multitude of key stakeholders. Senate Bill 162, and the Dash-1 Amendments, deserve your support. Here is a brief overview of what is in the bill and the amendments:

Section 1 authorizes the destruction of hoop houses when executing a search warrant to investigate the unlawful production of marijuana. As I am sure you are aware, Oregon has recently experienced a significant influx of illicit drug cartel cannabis grows that continue to plague many parts of our state with environmental damage, water theft, violence and other community harm, as well as tragic labor trafficking. The Oregon District Attorneys Association (ODAA) has filed excellent written testimony explaining why this section is needed.

Section 2 expands access to the statewide map of lawful cannabis grows to the Water Resources Department (WRD) and the Department of Environmental Quality (DEQ). Both of those state agencies have also had a larger role to play in addressing the harms caused by the influx of illicit cartel grows described above, and need such access.

Sections 3 to 5 repeal the prohibition on a marijuana retailer locating within 1,000 feet of a building where a public prekindergarten or kindergarten program is provided. This was a well-intentioned amendment included in 2022 Senate Bill 1522, but unlike the 1,000 foot separation requirement other public schools, this has proven unworkable since there is no mechanism to define or map these facilities.

Section 6 allows the State Department of Agriculture (ODA) to inspect biomass and processed industrial hemp stored at the location of a licensed industrial hemp operation. This is needed to enable ODA to conduct their own inspections and investigations in such circumstances, and not have to rely upon assistance from law enforcement or other agencies.

The Dash-1 Amendments to Senate Bill 162 do two things:

First, they clarify that the Oregon Liquor and Cannabis Commission (OLCC) may issue multi-year licenses for cannabis business. OLCC has this authority for liquor businesses, and arguably for cannabis businesses as well. But legislative clarity on this issue is desirable.

Second, they remove Section 7 from the bill. Section 7 is an appropriation designed to continue Current Service Level (CSL) funding for the Illegal Marijuana Market Enforcement Grant Program (IMMEGP) for the next biennium, which is vital to address the ongoing plague of illicit cartel cannabis grows, as described above. However, Legislative Counsel has opined that this section must be included in an appropriations bill, thus must be removed from this bill. As a result, we have proposed the Dash-1 amendments to House Bill 5005, the Criminal Justice Commission budget bill, to address this continuing need.

Thank you for the opportunity to testify this afternoon in support of Senate Bill 162 and the Dash-1 Amendments.

Sincerely,

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