

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Mike Thompson at 8:00 am on Thursday, March 28, 2024, in room 144-S of the Capitol.

All members were present except:

Senator Chase Blasi – Excused
Senator Oletha Faust-Goudeau – Excused
Senator Cindy Holscher – Excused
Senator Ronald Ryckman – Excused

Substitute members:

Senator Renee Erickson, appointed substitute member to the committee

Committee staff present:

Elaina Rudder, Legislative Research Department
Jason Long, Office of Revisor of Statutes
Leighann Thone, Legislative Research Department
Mike Heim, Office of Revisor of Statutes
Nicole Fielder, Legislative Research Department
Sheila Wodtke, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Samuel Jones, Kansas Natural Remedies
Michael Snyder, Lt. Col., USMCR (Ret), private citizen
Nicholas Reinecker, private citizen
Dr. Chad Issinghoff, private citizen
Travis R. Oller, DC, Executive Director, Kansas Chiropractic Association
Brian Posler, Lamar Advertising Company
Senator Mark Steffen, M.D., District 34
Tony Mattivi, Director, Kansas Bureau of Investigation
Katie Whisman, Executive Director, Stand Up For Kansas
Kelsey Olson, Deputy Secretary, Kansas Department of Agriculture

Others in attendance:

No list available

Request for bill introductions

There were no requests for bill introductions.

Hearing on: SB555 — Creating the medical cannabis pilot program act to establish the medical cannabis pilot program for limited cultivation, processing and dispensing of medical cannabis

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and medical cannabis products.

Jason Long, Office of the Revisor of Statutes, gave an overview of the bill. He stated the bill would establish a pilot program for the cultivation, processing, and dispensing of medical cannabis, which would be administered by the Secretary of the Department of Health and Environment (KDHE), with a five year sunset. It would be a structured pilot program with a series of contracts with four medical cannabis operators (MCO's), that would have to meet certain criteria.

Such operators would pay a fee of \$50,000 a year to the Secretary, comply with certain provisions, and be required to have held a hemp license for two years preceding the contract. The contracts would be valid for five years.

The bill sets forth provisions for dispensing, facilities used for cultivation, forms of marijuana products permitted, advertising, certificates issued to users of the products, reporting, taxation, criminal codes, and other provisions. If enacted the bill would become effective on July 1, 2024. ([Attachment 1](#))

Following a period of questions and answers, the Chairman called for proponent testimony.

Proponent Oral Testimony

Samuel Jones, Kansas Natural Remedies, spoke as a proponent of the bill. He stated they've spoken with all of the committee members and addressed their concerns about legalizing medical cannabis in this bill. He said cannabis has legitimate medical uses that were identified in a January 2024 report by the Food and Drug Administration, which he said he would supply a copy of to the Committee. He said Kansas is one of only 11 states who don't have "medical" marijuana, and that we have learned from other states what they have done wrong. He stated it's a "proof of concept" for medical cannabis, and pharmacists should be allowed to be involved. ([Attachment 2](#))

Michael Snyder, LtCol., USMCR (Ret.), private citizen, spoke as a proponent of the bill. He stated he was there on behalf of 150,000 veterans in Kansas, (but testified as a private citizen), and said veterans and so many others don't have the benefit of options. He said opioids kill, and cannabis doesn't. He stated it's a new drug that can benefit hundreds of thousands of Kansans suffering from epilepsy or cancer, and military vets with Post Traumatic Stress Syndrome (PTSD). ([Attachment 3](#))

Nicholas Reinecker, private citizen, spoke as a proponent of the bill. He stated it's a baby step in Kansas liberty. He said there are cannabidiol (CBD) products being sold in Kansas that are unnatural and unregulated, but we are not allowing the natural products to be sold and used. He said there are some issues with the bill, but we can't get together and say, "people should have access to medical cannabis". He said he supports the bill because it's a step in the right direction to true constitutional cannabis. ([Attachment 4](#))

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Dr. Chad Issinghoff, private citizen, spoke as a proponent of the bill. He stated he practiced pediatrics for many years in Hutchinson, KS, and that medical cannabis is not a panacea, nor does it open the Pandora's box to increasing societal ills. He said the entities listed in the bill is a good start, and there needs to be ways to increase those and add to them as needed. He said medical cannabis serves as an alternative form of care in some cases, having the potential to help patients. ([Attachment 5](#))

Proponent Written Only Testimony

Steven Beamer, BesaMe Wellness Dispensaries ([Attachment 6](#))

Jake Anderson, private citizen ([Attachment 7](#))

Bryon McNeil, MD, FAAEM, private citizen ([Attachment 8](#))

Jared Holroyd, Kansas Pharmacists Association ([Attachment 9](#))

Following a period of questions and answers, the Chairman called for neutral testimony.

Neutral Oral Testimony

Travis R. Oller, DC, Executive Director, Kansas Chiropractic Association, spoke as neutral on the bill. He stated doctors of chiropractic medicine, under law, are not allowed to do surgery or prescribe medication. He said they should be included in the bill among those allowed to issue medical marijuana certificates, because medical cannabis is not considered to be "medication". ([Attachment 10](#))

Brian Posler, Lamar Advertising Company, spoke as neutral on the bill. He stated they are neutral because they would be interested in medical marijuana being legal in Kansas, but want to be able to advertise it. He said the bill fails the Central Hudson four-part test on commercial speech as set forth in clear precedent by the Supreme Court. He said this bill would be struck down under a constitutional challenge. ([Attachment 11](#))

Neutral Written Only Testimony

Paul J. Larkin, Senior Legal Research Fellow, Heritage Foundation ([Attachment 12](#))

Lisa K. Vayda, RPh, MS, MA, private citizen ([Attachment 13](#))

Susan Gile, Executive Director, Kansas State Board of Healing Arts ([Attachment 14](#))

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Ashley Goss, Deputy Secretary for Public Health, Kansas Department of Health and Environment ([Attachment 15](#))

Jean Robinson, Director of Government Affairs, Metrc ([Attachment 16](#))

William Wilk, Kansas Chamber ([Attachment 17](#))

Following a period of questions and answers, the Chairman called for opponent testimony.

Opponent Oral Testimony

Senator Mark Steffen, M.D., District 34, spoke as an opponent of the bill. He stated you cannot be serious or specific in a discussion on marijuana or cannabis, or whatever the term of the day is, if you don't talk about the specific molecule of THC involved in its site of action. He said the term "cannabis" is an all encompassing term, like cancer, in that the molecules act differently and can't be lumped together. He said this may be a pilot program, but we've seen the crash site and we know what it looks like. He stated the bill is problematic and broken in many ways, especially in its diagnosis of exclusion, which is completely subjective, and every person can qualify if they want to. He stated it's a new version of same old game but with two get out of jail free cards. ([Attachment 18](#))

Tony Mattivi, Director, Kansas Bureau of Investigation, spoke as an opponent of the bill. He stated they are strongly opposed to the bill, and that the states that have legalized medical marijuana now have higher rates of opioid use. He said the crime rates rise, including violent crimes, and data shows a correlation between increased THC availability to our youth, with increased mental illness. He said what's driving his testimony today is that data across the country shows that legalization of marijuana in any form, is an open invitation to organized crime to set up shop in our state. He read from a letter to U.S. Attorney General Merrick Garland from 50 U.S. bipartisan legislators, detailing their concerns about Chinese nationals cultivating marijuana on U.S. farmland, with some of the grow operators engaged in human trafficking, forced labor, drug trafficking and violent crime. He provided the letter and two other informational attachments. ([Attachment 19](#)) ([Attachment 20](#)) ([Attachment 21](#)) ([Attachment 22](#))

Katie Whisman, Executive Director, Stand Up For Kansas, spoke as an opponent of the bill. She stated the bill has been touted for months as a highly restrictive, conservative and medically-centric pilot program, but anyone who has taken the time to read the 50 page bill will quickly realize it is none of those things. She stated it:

- is dangerously broad, monopolistic and unprecedented;
- contains exemptions from Schedule 1 that are not just related to marijuana and THC, but also include a list of 54 hallucinogens with no demonstrated medical value and a high potential for

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abuse;

- contains no limit on the amount of THC the products may contain;
- is profit over people. ([Attachment 23](#))

Kelsey Olson, Deputy Secretary, Kansas Department of Agriculture, spoke as an opponent of the bill. She stated there is a direct conflict with USDA requirements that prohibit a hemp producer from growing any type of marijuana. **SB555** requires producers to have held a hemp license for at least two years preceding their contract. In other words, the producers would have to stop producing hemp, and it would not be feasible for producers to switch between hemp and marijuana production on a year to year basis. ([Attachment 24](#))

Opponent Written Only Testimony

Dr. Eric A. Voth, M.D., FACP, Internal Medicine, Pain, and Addiction Medicine, President and Chairman of the Board, The International Academy on the Science and Impact of Cannabis (IASIC), on behalf of the Kansas Medical Society ([Attachment 25](#))

Phillis Setchell, on behalf of Donna Lippoldt, Culture Shield ([Attachment 26](#))

Juanita Ramos, private citizen ([Attachment 27](#))

Kelly Rippel, private citizen ([Attachment 28](#))

Thomas Gordon, President, Silver Hair Legislature ([Attachment 29](#))

Kansas Attorney General Kris Kobach ([Attachment 30](#))

Steve Howe, Johnson County District Attorney ([Attachment 31](#))

Bryan Clark, President, Kansas State Troopers Association ([Attachment 32](#))

Brian Surber, Deputy Director, Oklahoma Bureau of Narcotics and Dangerous Drugs Control ([Attachment 33](#))

Rachelle Colombo, Executive Director, Kansas Medical Society ([Attachment 34](#))

Darrell Atteberry, Kansas Association of Chiefs of Police ([Attachment 35](#))

Kevin Caldwell, Marijuana Policy Project ([Attachment 36](#))

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Tara Remington-Brown, CEO, Kansas Academy of Family Physicians ([Attachment 37](#))

Sheriff Jeff Easter, Legislative Chair, Kansas Sheriffs' Association ([Attachment 38](#))

Brittany Jones, Esq., Director of Policy and Engagement, Kansas Family Voice ([Attachment 39](#))

Chief Braden Moore, Sergeant at Arms, Kansas Peace Officers' Association ([Attachment 40](#))

Sarah Stephens, Kansas Cannabis Chamber of Commerce ([Attachment 41](#))

Cheryl Kumberg, Kansas Cannabis Coalition President ([Attachment 42](#))

Kimberly Krueger, private citizen ([Attachment 43](#))

Lisa Sublett, private citizen ([Attachment 44](#))

Alejandro Rangel-Lopez, New Frontiers ([Attachment 45](#))

Brett Farley, Executive Director, Catholic Conference of Oklahoma ([Attachment 46](#))

Kerry Gooch, Kansas Black Leadership Council ([Attachment 47](#))

Lucrecia Nold, Public Policy Specialist, Kansas Catholic Conference ([Attachment 48](#))

Mark Luthi, private citizen ([Attachment 49](#))

Gary Upah, President, Kansas Hemp Growers LLC ([Attachment 50](#))

Amy Reid, RN, private citizen ([Attachment 51](#))

Stacia Luthi, private citizen ([Attachment 52](#))

Kasey Flynt, private citizen ([Attachment 53](#))

Bonita Gooch, private citizen ([Attachment 54](#))

A period of questions and answers followed opponent oral testimony.

Senator Erickson moved, seconded by Senator Kloos, the bill be tabled until January 13, 2025. Motion carried.

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The Chairman adjourned the meeting at 9:59 am.