

To: Randi Walters; Committee Assistance; Senate Public Health & Welfare
From: Esau Freeman

Good afternoon. Thank you, Madam chair and committee members for taking the time today to listen to information pertaining to Senate Bill number 9 and medical marijuana for the state of Kansas. I understand the time is limited so I would like briefly to go over the important points of this bill. My hope is that you too will understand the importance of passing SB9 in this 2015 legislative session.

As stated in SB9, approximately 99 out of every 100 cannabis arrests in the United States are made under state law rather than federal law. This means that the states without medical marijuana laws are spending massive amounts of money to enforce federal law when they have the option to enact their own. I assume you're all aware of the recent spending bill passed in Washington that provides protection for states with respect to medical marijuana and hemp production. I implore you to take the fiscally conservative approach and implement our own medical marijuana law in 2015.

You may ask yourself what gives us the right to have a state law that differs from federal law. The legislature can declare that this act be enacted pursuant to the police powers of the state to protect the health of the citizens that is reserved for the state of Kansas and its people under the 10th amendment of United States Constitution. This is obviously not the first time for Kansas to use the 10th amendment to protect states' rights.

Senate Bill number nine is a very conservative approach to providing access to cannabis for patients suffering debilitating medical conditions and protecting Kansas values. To avoid the pitfalls many other states have made, there are provisions within SB9 to require monitoring and safeguards that involve a state board appointed by the Kansas secretary of health and environment, 24/7 law enforcement access and locked facilities for the cultivation of cannabis. Qualifying patients will be required to possess an identification card. The identification cards will contain the following: Name, address and date of birth of the qualifying patient. Name, address and date of birth of the designated caregiver (supplier). Random 20 digit alphanumeric identification number containing at least four numbers and at least four letters unique to the cardholder along with a photograph. This ID card and database will allow law-enforcement to differentiate between medical and nonmedical use 24 hours a day, seven days a week. In addition, any card holder who sells cannabis to a person who is not allowed to possess cannabis for medical purposes shall have their card revoked and shall be subject to other penalties for unauthorized sale of cannabis.

Nothing in this bill requires employers to allow use while at work nor does it allow a person to operate a motor vehicle under the influence. There is nothing in this bill that would require insurance companies to pay for medical cannabis. Safeguards operate with our current laws.

To guard against the abuse of bogus recommendations, this bill ask that patients have a prior relationship with the recommending physician to avoid the incentive for "pot Doctors". We want Kansas to have the regulation that fits the needs of our conservative state. It will still be illegal to share your medical cannabis with your friends. It is still illegal to publicly consume cannabis and still very illegal to sell cannabis in Kansas outside this closed and regulated market. This bill in no way condones or encourages the recreational use of cannabis. All of the cannabis within this not-for-profit market will be grown in Kansas and that will allow law-enforcement to close the black market and identify when contraband is entering from other states.

We are not asking you to make a decision today. We are only asking you to follow the research you have been given, to consider the lives of the families before you today, and to give this bill open minded consideration. If there are changes you would like to make to this bill, please do but don't sweep us under the rug. These families need this law passed. The citizens of Kansas deserve to have this bill debated. The medical decisions of the citizens in the state of Kansas should be between the patient and their doctor and not a big government.