

Federal and State Committee
Topic: Medical Cannabis
Hearing Date: February, 23, 2021
Room # 346-S
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To the Committee Members and the Chair,

My name is Howard Hogan. I am a Registered Republican and serial entrepreneur and 100% in Support of both Medical and Recreational Cannabis. In 2016 I traveled to Las Vegas for the [Marijuana Business daily](#) Business Conference and was completely amazed by a blossoming industry. My eyes opened and view changed. The use of cannabis is no different that your cup of coffee in the morning, the aspirin you take for aches and pains, or the cocktails you have to relax at the end of the day.

My key concerns in regards to a medical cannabis program in Kansas are 1. Exorbitant licensing fees, 2. Delivery Methods, and 3. Patient Rights. Below, I have supplied links to research, documents and policy from other states to educate you on the needs for good policy in these areas.

It is equally important to understand that Kansas will be in competition with other states from a business standpoint. Please use the information below to help create a program that is beneficial to Kansans, not just the tax coffers of Kansas. Paving our Yellow brick road with exorbitant fees and taxes will nothing but hurt both Kansans and the Kansas economy.

This issue is important to me, and I will gladly make myself available to answer any follow up questions.

FYI: [Colorado sold 2.2 Billion Dollars worth of Cannabis in 2020](#). It is Estimated that 65% went to out of state travelers. Obviously Kansans are part of that. If you are legalizing for both tax revenue and the health of Kansans, then look no further than the most successful state and copy the program.

Best Regards,

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1. Barriers to Entry: Licensing FEEs. The extremely high licensing fees proposed in the bill are ridiculous. This will translate to a huge barrier to entry and will directly affect the patients cost for medicine. In Oklahoma, the application fee to grow process or dispense is only \$2500 (Huge licensing fees translate to higher prices)

"How much does a business application cost in Oklahoma?"

The application fee for a grower, processor, dispensary, or transporter application is \$2,500. Application fees will be paid by Visa, MasterCard, or Discover credit or debit card. An additional credit card processing fee will be added to the transaction. These application and processing fees are non-refundable. The payment will not be refunded for applications not approved."

Futher more the [Oklahoma just approved expanding non-resident medical marijuna licenses.](#)

It is equally important to understand that Kansas will be in competition with other states from a business standpoint. If it is cheaper for patients to go to another state to purchase, they will . high product costs will also create a thriving black market.

A list of state fees is here. <https://www.cannabisbusinesstimes.com/article/state-state-guide-marijuana-application-licensing-fees/>

2. Delivery methods or methods of consumption: Inhalation, oral and topical. Each Method has unique advantages. Combusting or "smoking" should not be banned as it is the most common and preferred drug delivery method. User can control the dosage better that with edibles or topicals. It is also the fastest method to deliver the "dose". Ignoring and or banning the common method of delivery used across the nation and throughout history is ignorant.

3. Patients rights. Please protect patients rights. Protect patients from being evicted from housing, employers from firing them. Marijuana use stays in your system for many days, but metabolites do not equal intoxication.

I have included a few links for any research you may want to do below.

<https://drugpolicy.org/issues/marijuana-legalization-and-regulation>

Industry Publications

<https://mjbizmagazine.com/>

<https://cannabisnow.com>

<https://cannabismagazine.com/>

<https://www.marijuanaventure.com/>

<https://www.420magazine.com/>

<https://www.cannabisbusinesstimes.com/>

<https://culturemagazine.com/>

<https://www.weedworldmagazine.org/>

<https://hightimes.com>

<http://bigbudsmag.com>

<http://cannabisculture.com>

<http://marijuanaventure.com>

References

<https://www.marijuanadoctors.com/conditions>

<https://marijuana.procon.org/>

My 2019 submission to the Federal and State Affairs Committee.

Kansas Cannabis Legalization

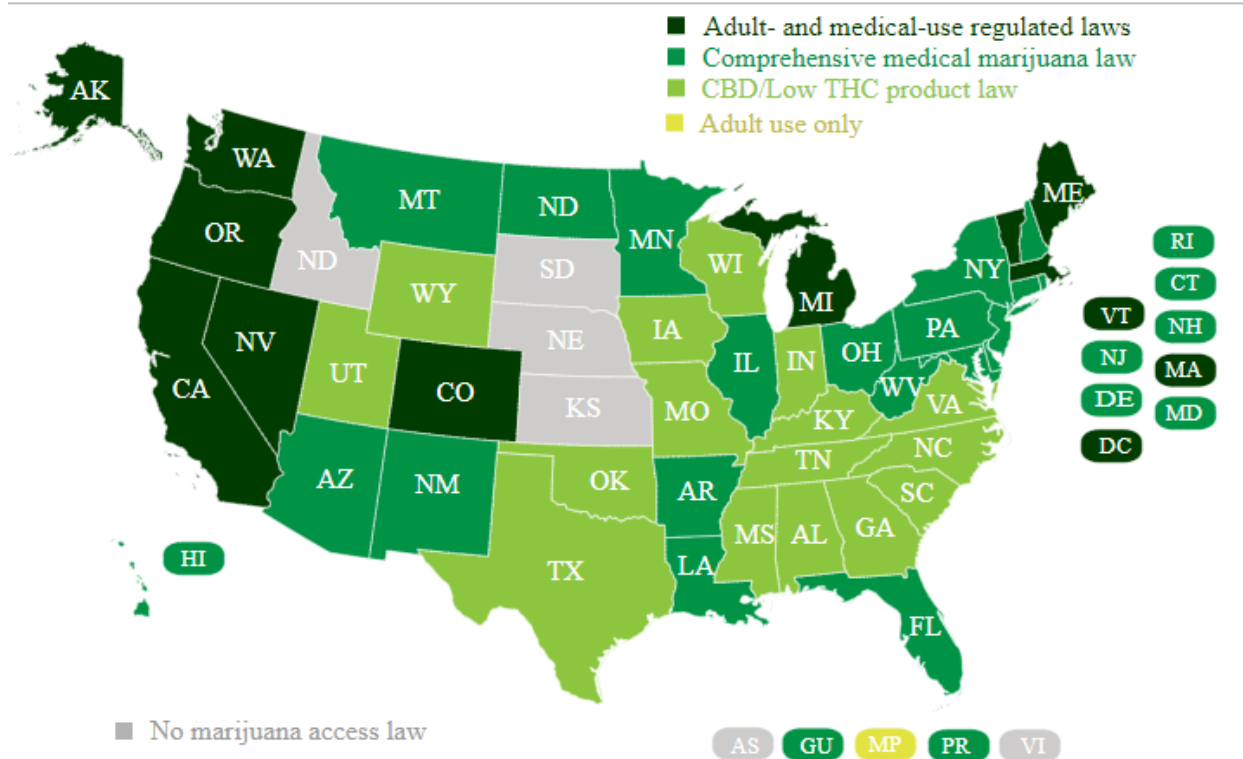
The Time to Legalize is NOW!

Cannabis is here to stay, through education and regulation we can see that it can create a positive effect on people's lives. It will help Kansan's with their medical needs and if done right, create a tax revenue base to help with state tax revenue.

I went to a tradeshow in 2016 called " Marijuana Business Daily Trade Show" In Las Vegas. It was an eye opening experience. Since then I have found that Cannabis helps with a many , many conditions and is a better alternative to alcohol. Amazingly in speaking with many friends and acquaintances, most have used or do use a form of cannabis on a regular basis and for a variety of reasons. I personally find it to be a fairly harmless substance especially in CBD.

I implore you to legalize it. It will help the economy and many people with their health conditions. I also must emphasize that we do not need a legislature trying to be a physician telling citizens who can get access to it or not. Physicians are best suited for that. Take a look at Colorado and Oklahoma. We can see the evidence in other states program as it is science based and regulated. I could give you many references, but it is widely available online where-ever you look. I have tried to include some thoughts here to share some insightful pieces of information.

Respectfully, Howard Hogan



It is Estimated that 40% of Colorado's Billion Dollar Recreational Marijuana Sales travels out of state for consumption! Kansas needs to stop wasting tax payers dollars on enforcement, prosecution and **just legalize it.**

The Science : Marijuana or Cannabis helps with many different medical conditions.

Please see a list of them at the link below. <https://www.marijuanadoctors.com/conditions/>

Studies show cannabis and cannabinoids are effective for the treatment or relief of many conditions including:

- Alzheimer's
- ALS
- Appetite loss
- Arthritis
- Cancer
- Chronic Pain
- Crohn's disease
- Diabetes
- Epilepsy
- Fibromyalgia
- GI disorders
- Glaucoma
- Hepatitis C
- HIV
- Migraine
- Multiple Sclerosis
- Nausea
- Osteoporosis
- Parkinson's
- PTSD
- Sleep disorders
- Tourette's



**SEARCH MEDICINAL CANNABIS CLINICAL
TRIALS WWW.CANNABIS-MED.ORG**

We MUST Protecting patient rights

- employment rights
- protecting patients from DCF, or in custody cases,
- current law in other states regarding, the issue that metabolites do not equal impairment and patients must be protected from erroneous DUI charges, etc.
- Metabolites stay in your system for 2 weeks to 30 days.

Need for a Seed to Sale tracking platform : What and Why!

Generally speaking, seed to sale is used to track medical cannabis products to determine where they've been and where they're going. It can also help track things such as strains and how much of a given cannabinoid is in them.

Seed-to-sale systems often offer strain analyses, which can help consumers compare a new strain to existing strains. It also allows the producer to ensure the customer receives the right product. **Scales** are also integrated into these platforms, which allows producers and distributors to give out precise dosages. **Barcodes and audit trails** make it easier to track a product, quite literally from seed to final sale to the customer.

New seed-to-sale programs don't just help companies stay on top of compliance requirements. Most of them include business features, such as **inventory management and point-of-sale capabilities**.

These platforms may also include security measures designed to prevent the sale or handling of products by unauthorized people. Some companies even use biometric technology.

Increasing Transparency

The seed-to-sale platforms are having another major impact on the industry. They're improving transparency and the availability of information, not just for producers and government authorities, but for consumers as well.

As time goes on, consumers will be able to access information about where their product came from. This will help producers build trust and keep consumers informed.

Seed-to-sale platforms can also help businesses protect their clients.

Increased transparency and better tracking mean a stronger cannabis industry and more informed consumers.

<https://www.canabomedicalclinic.com/what-does-from-seed-to-sale-mean-in-the-cannabis-industry/>

Seed to Sale tracking: the ways that homegrow acts against the illicit market and can be monitored in a seed to sale tracking system, proper lab oversight and testing,

Proper labeling: Cannabis and cannabis product packaging must be tamper evident, resealable if the product has multiple uses, and child resistant. It cannot imitate packaging used for products typically marketed to children and have proper child resistant packaging,

low tax rates: Most individuals use this as medicine whether prescribed or recreationally. a small tax is ok but a high tax will push people to the black market.

Restrictions on pesticides: Because pot is illegal at the federal level, pesticide use on cannabis is not regulated by the Environmental Protection Agency. Growers receive no guidance from any service of the Agricultural department as is available for fruit and vegetable crops.,

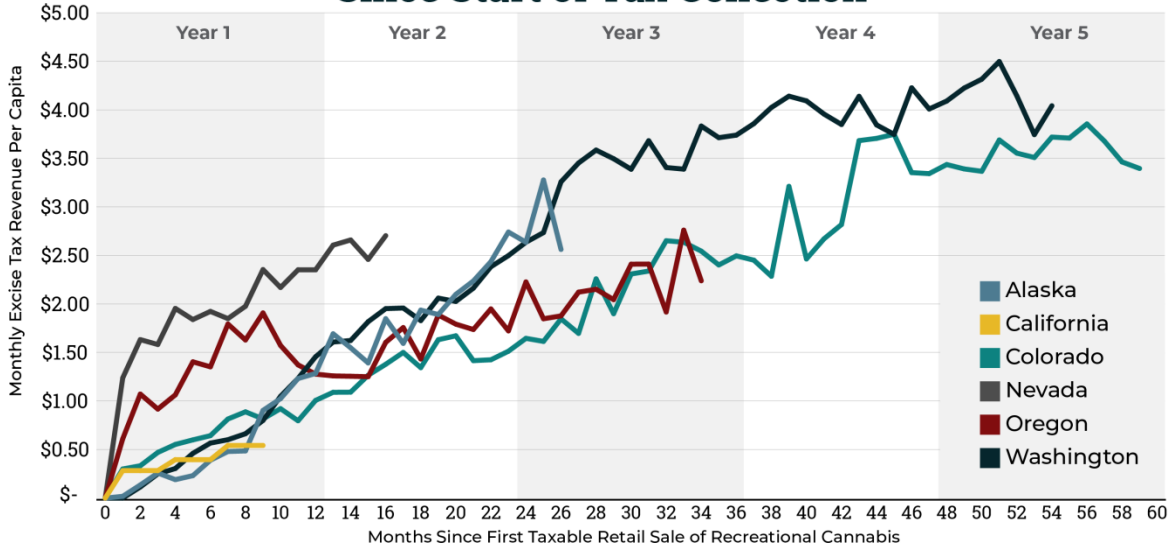
Reasonable fees and licensing charges based on the Kansas alcohol fee schedule and policy that encourages sustainability,

Protecting 2A rights: People who drink or use legal drugs such as opioids or antidepressants can still own a gun, so why is the law different for medical marijuana users? None. Do not infringe on 2A rights.

Revenue estimates in Kansas: Kansas has a population of 2.9 million and it is estimated that 22% use cannabis already. **That's 638,000 Kansan's breaking kansas law to treat themselves.**

Figure 8

Per Capita Cannabis Excise Tax Revenue By Month Since Start of Tax Collection

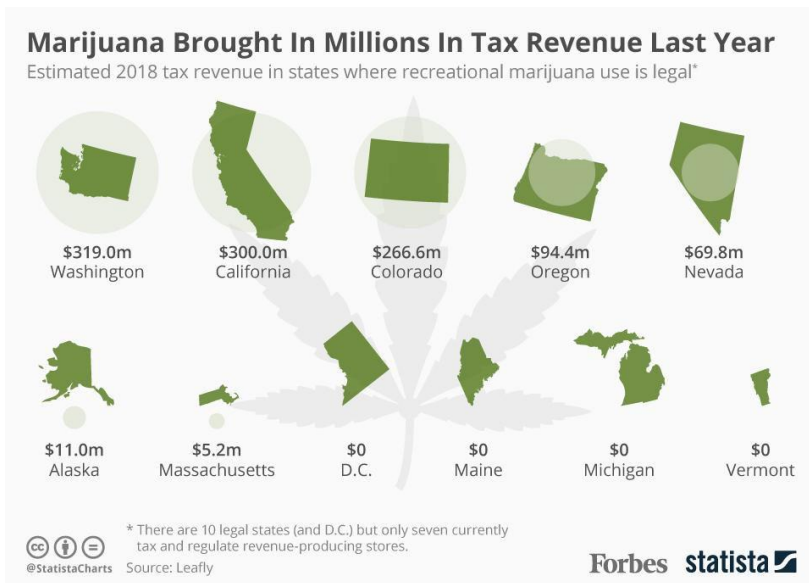


Source: ITEP analysis of state revenue reports and U.S. Census population data. Revenue data include state and local excise taxes applying exclusively to cannabis. Excludes state and local general sales taxes, gross receipts taxes, license fees, income taxes, and other levies. Most of the data in this table are reported monthly, with California's quarterly reports being the only exception.

Revenue paid in federal taxes:

The government collected an estimated \$4.7 billion in taxes from legal cannabis companies last year on nearly \$13 billion in revenue.

Revenue in other states:



Pro 1

Marijuana legalization boosts the economy.

The marijuana industry (adult-use and medical) in the United States could exceed \$24 billion in revenue by 2025. [7] For every \$1.00 spent in the marijuana industry, between \$2.13 and \$2.40 in economic activity is generated. [1][2] Tourism, banking, food, real estate, construction, and transportation are a few of the industries that benefit from legal marijuana. [3]

The legal marijuana industry generated \$7.2 billion in economic activity in 2016, and added millions of dollars in federal taxes paid by cannabis businesses. [20] One study on adult-use marijuana in Nevada projected \$7.5 billion in economic activity over the first seven years of legalization, including \$1.7 billion in labor income. [4] A study by the University of California Agricultural Issues Center estimated that the legal marijuana market in California could generate \$5 billion annually. [5][6]

In Colorado, marijuana brings in three times more tax revenue than alcohol. [15] The state raised \$78 million in the first fiscal year after starting retail sales, and \$129 million the second fiscal year. Washington collected a total of \$220 million in tax revenues in its second fiscal year of sales. [53][52]

Pro 2

Legalizing marijuana results in decreased teen marijuana use.

Researchers at the Washington University School of Medicine found that "the rates of marijuana use by young people are falling despite the fact more US states are legalizing or decriminalizing marijuana use and the number of adults using the drug has increased." [38] Marijuana use among 8th graders in Washington state decreased following legalization in 2012, from 9.8 percent to 7.3 percent in 2014/2016, according to a Dec. 2018 report from RAND. [254] A study from the Centers for Disease Control (CDC) found that past-year marijuana use decreased by 17%, from 15.8% in 2002 to 13.1% in 2014, among US kids ages 12 to 17. [37][41] Colorado teens between 12 and 17 years old reported a nearly 12% drop in marijuana use just two years after adult use was legalized, according to the National Survey on Drug Use and Health. [39][40]

The Marijuana Policy Project, an organization that leads marijuana legalization campaigns, said, "Study after study has confirmed that marijuana policy reforms do not cause rates of youth marijuana use to increase... The most in-depth state surveys suggest modest decreases in rates of youth marijuana use in Colorado and Washington." [42] Even though retail marijuana shops opened in Colorado and Washington in 2014, past-year marijuana use among teens in those states was lower in 2015-2016 than in 2014-2015. [39]

Pro 3

Traffic deaths and arrests for DUIs do not increase, and may decrease, when marijuana is legalized.

Traffic deaths dropped 11% on average in states that legalized medical marijuana. [65] Arrests for driving under the influence have decreased in Washington and Colorado. [49] Benjamin Hansen, an economics professor at the University of Oregon at Eugene who studied traffic deaths post-medical marijuana legalization, stated that "Public safety doesn't decrease with increased access to marijuana, rather it improves." [65]

Studies show that drivers under the influence of marijuana tend to be more cautious and take fewer risks than drunk drivers, such as making fewer lane changes and reducing speed. [29][74] A fact sheet about marijuana's effects on drivers posted on the National Highway Traffic and Safety Administration website stated that "Some drivers may actually be able to improve performance for brief periods by overcompensating for self-perceived impairment." [66]

Pro 4

Legal marijuana is regulated for consumer safety.

People buying marijuana on the street have no way of knowing if what they're ingesting is covered with mold, fungus, pesticides, or other harmful substances. [8][9] Once marijuana is legalized, the government is able to enforce laboratory testing and regulations to ensure that marijuana is free of toxins. [10] For example, Washington law requires health warnings, quality assurance, labeling for the concentration of THC, and other important regulations for consumers. [11]

Colorado, Washington, Oregon, and Alaska all passed regulations to prevent kids' exposure to marijuana, including child-resistant packaging. [12] Legalization allows the government to set age restrictions on buyers and to license and regulate the entire supply chain of marijuana, including growers, distributors, retailers, and testing laboratories. [13] California regulations include limitations on the serving sizes for edible marijuana products, seed-to-sale testing and tracking, and 24-hour video surveillance at retail stores. [14]

Pro 5

Legalization of marijuana is phasing out black markets and taking money away from drug cartels, organized crime, and street gangs.

Data from the US Border Patrol show that marijuana seizures have decreased by millions of pounds and are at their lowest levels in over a decade, indicating that legal domestic production is decreasing demand for marijuana smuggled in from Mexico. [17][18] A Mexican cannabis farmer told NPR, "If the US continues to legalize pot, they'll run us into the ground." [19] According to the ACLU, legalization in Colorado and Washington has cost Mexican drug cartels an estimated \$2.7 billion in profits. [21]

Stephen Downing, a retired deputy chief of the Los Angeles Police Department, said, "There's no question that ending today's prohibition on drugs -- starting with marijuana -- would do more to hurt the cartels than any level of law enforcement skill or dedication ever can." [62] By the year 2020, an estimated 90% of the marijuana market in Colorado will be supplied by licensed and taxed vendors, demonstrating that the black market can be replaced by legal, regulated sales. [15][16][22]

Pro 6

The enforcement of marijuana prohibition is racist because people of color are disproportionately impacted.

Statistics show a significant racial disparity in the enforcement of marijuana laws: even though white and black people use marijuana at roughly the same rate, a black person in the United States is 3.73

times more likely to be arrested for marijuana possession on average. [24] In Iowa, the state with the highest inequity, black people are 8.3 times more likely to be arrested for marijuana possession than white people. [21] In New York City, 15.8% of marijuana possession cases involving white people result in conviction, compared to 32.3% involving black people and 30% involving Hispanic people. [27]

Marijuana possession convictions can impact people's ability to get public housing, financial aid for school, loans, and jobs. [21] Over the past ten years, drug sentences for black men have been 9% to 13% longer than those received by white men. [28] Margaret Dooley-Sammuli, Criminal Justice and Drug Policy director for the ACLU of California, stated, "Racial disparities in marijuana enforcement are widespread and longstanding." [26] Legalizing marijuana would help correct the disparity.

Pro 7

Crime goes down when marijuana is legalized.

Studies show that medical marijuana dispensaries decreased crime in their neighborhoods because of an increased security presence and more people walking around the area. [30]

Research indicates that people drink less and alcohol sales drop in places where marijuana is legalized. [36][35][23] The amount of crime and violence caused by alcohol use is ten times higher than by marijuana use and alcohol is a factor in around 40% of violent crimes. [33][32] A shift from drinking to cannabis use will decrease crimes associated with alcohol, such as domestic violence and assault. According to FBI crime statistics, violent crime in Washington decreased in the years after legalization (295.6 violent offenses reported per 100,000 Washington residents in 2011 vs. 284.4 violent offenses per 100,000 people in 2015). [31]

Taylor West, former deputy director for the National Cannabis Industry Association, said, "We're not seeing any increase in crime rates through marijuana — we're seeing lower crime rates, and there are good rational reasons for that: We're really beginning to cripple the criminal market, which is where violence actually occurs." [71]

Pro 8

Legalizing marijuana would end the costly enforcement of marijuana laws and free up police resources.

Arresting people for marijuana possession costs the United States between \$1.19 billion and \$6.03 billion annually. [24][21] These costs include police, judicial, legal, and corrections expenses. Incarcerating marijuana offenders costs the United States an estimated \$600 million per year. [63] Harvard economist Jeffrey Miron has estimated that marijuana legalization would save between \$7.7 billion and \$13.7 billion annually. [60][61]

Instead of arresting people for marijuana, police officers could focus on serious crimes including rape, assault, and homicide. [62] For example, marijuana legalization in Washington significantly freed up law enforcement resources; marijuana possession arrests dropped from 5,531 the year before legalization to 120 the year after. [64]

Howard Wooldridge, a former police detective from Michigan who co-founded LEAP (Law Enforcement Against Prohibition), said, "Marijuana prohibition is a horrible waste of good police time. Every hour spent looking for pot reduces public safety." [169]

Pro 9

Marijuana is less harmful than alcohol and tobacco, which are already legal.

Alcohol and tobacco are legal, yet they are known to cause cancer, heart failure, liver damage, and more. According to the CDC, six people die from alcohol poisoning every day and 88,000 people die annually due to excessive alcohol use in the United States. [45][168] There are no recorded cases of death from marijuana overdose. [46][47]

Three to four times as many Americans are dependent on alcohol as on marijuana. [33] A study in the *Lancet* ranking the harmfulness of drugs put alcohol first as the most harmful, tobacco as sixth, and cannabis eighth. [48] A national poll found that people view tobacco as a greater threat to health than marijuana by a margin of four to one (76% vs. 18%), and 72% of people surveyed believed that regular use of alcohol was more dangerous than marijuana use. [43]

"In several respects, even sugar poses more of a threat to our nation's health than pot," said Dr. David L. Nathan, a clinical psychiatrist and president of Doctors for Cannabis Regulation. [44]

Pro 10

Taxes collected from the legal sale of marijuana support important public programs.

Tax revenues in legal marijuana states provide funding to the police, drug treatment and mental health centers, and housing programs, along with school programs such as anti-bullying campaigns, youth mentoring, and public school grants. [49][73] "The impact is really felt at the local level. Some counties have done 20 years of infrastructure work in just one year's time. They've provided lunch for kids who need it," said Brian Vicente, partner at Vicente Sederberg LLC, a law firm specializing in the marijuana industry. [50]

In Colorado, \$40 million of marijuana tax revenue went to public school construction, while \$105 million went to housing programs, mental health programs in jails, and health programs in middle schools in 2016-2017. [51][52]

Pro 11

Legalizing marijuana creates thousands of needed jobs.

There were an estimated 122,814 legal full-time marijuana jobs in the United States as of Jan. 2017. [54] A report from New Frontier Data found that the cannabis industry could create a quarter of a million new jobs by 2020. [55][56][57] An economic impact estimate from the Marijuana Policy Group forecast the creation of more than 130,000 jobs in California following legalization. [15][59] Within a few years of legalization, approximately 18,000 additional full-time jobs were created in Colorado

annually, both in the actual marijuana business as well as in related fields such as security and real estate. [15] Rep. Earl Blumenauer (D-OR) stated that the cannabis industry in the United States "is expected to produce nearly 300,000 jobs by 2020 and grow to \$24 billion by 2025." [20]

Pro 12

A majority of Americans support legalizing marijuana.

A 2018 Gallup poll found a record-high 66% support for legalizing marijuana, up from 12% in 1969, the first year the polling company asked about marijuana. [249] The poll first surpassed 50% support in 2011. According to Gallup, "the transformation in public attitudes about marijuana over the past half-century has mirrored the liberalization of public attitudes about gay rights and the same-sex-marriage movement." [67] While Democrats (72%) and Independents (67%) have been more likely to back legalization, a majority of Republicans (51%) now agree. [67] Polls by CBS News and the AP both found that 61% of Americans favor legalizing marijuana. [68][170]

The public clearly supports changing our failed anti-marijuana policies. [69] More than half of US states have legalized medical marijuana, and 40 states took some action to relax their drug laws (such as decriminalizing or lowering penalties for possession) between 2009 and 2013. [70]

Pro 13

The government doesn't have the right to tell adults what they can put in their own bodies.

David Boaz, Executive Vice President of the Cato Institute, said, "people have the right to live their lives in any way they choose so long as they don't violate the equal rights of others. What right could be more basic, more inherent in human nature, than the right to choose what substances to put in one's own body?" [72] More than 3,500 people die from drowning every year in the United States, but the government wouldn't arrest people for owning swimming pools. [76] Over 30,000 people are killed annually in car accidents, but the government doesn't outlaw driving. [92] Adults should be allowed to make adult decisions about how they choose to relax or have fun without government interference, especially when they're not hurting anyone. [75]

US Senator Cory Booker (D-NJ) said, "There is no doubt in my mind that the federal government should not be in the marijuana prohibition business... From every perspective—a libertarian perspective, fiscal conservative's perspective, Christian evangelical perspective, progressive perspective—marijuana prohibition is just wrong." [77]

Industry Publications

<https://mjbizmagazine.com/>

<https://cannabisnow.com/>

<https://cannabismagazine.com/>

<https://www.marijuanaventure.com/>

<https://www.420magazine.com/>

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<https://www.weedworldmagazine.org/>

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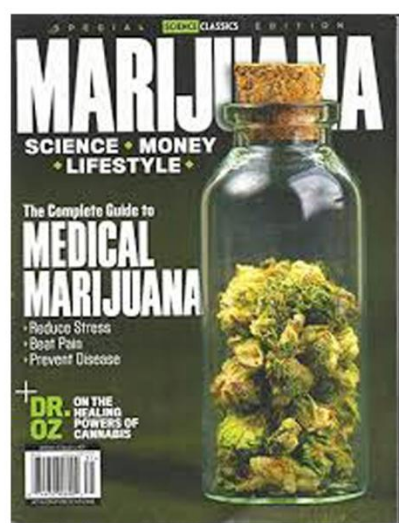
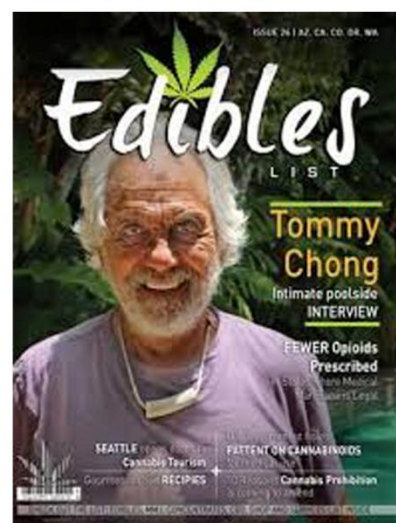
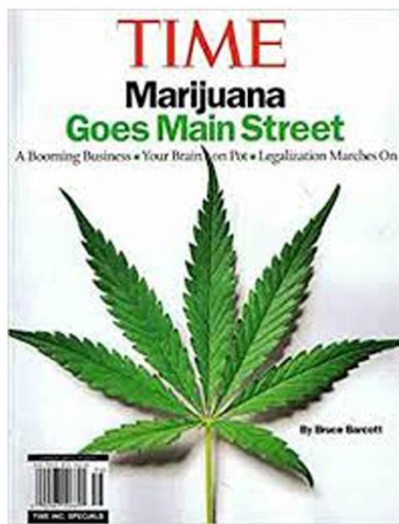
cannabisculture.com

marijuanaventure.com

References

<https://www.marijuanadoctors.com/conditions/>

<https://marijuana.procon.org/>



Example of how to tax

