

SB135

03/16/23

Opponent

Senate Federal and State Affairs

Nick Reinecker

Senator Mike Thompson

I am an opponent to this bill. On January 21-22, 2015, then chair of the Senate Public Health and Welfare committee, former Senator Mary Pilcher-Cook, held an informational meeting on "marijuana", with the advocates on the 21st and the non-advocates on the 22nd. Today's business is a bill hearing on medical cannabis outside of the Public Health and Welfare committee, that was preceded by a 2-day informational hearing on the "Multi-State Impact Data on the Legalization of Marijuana", where a lot of the testimony was discouraging "medical marijuana", along with every facet of terror-filled opponent testimony.

It was highly ironic that the former "Indian Territory" or Oklahoma Bureau of Narcotics deputy director came to still "Bleeding Kansas" to talk about communism, because whether one is socialist or fascist, it is still communistic or Marxist at its core. The "reefer madness" that was emanating from this conferee was palpable, and I was disgusted with the whole thing. It was worse than being ignored in 2015, with no bill hearing. It was, at least optically, strategic propaganda.

When the federal government changed the name of "the common cold" to COVID, without a specific identification number, they used the same terror-filled messaging as they did just prior to the "Marihuana Tax Act", (spelled with an h) and changed from using the word cannabis (that had been used in medicine) to "marijuana". COVID and marijuana sound scary and we have been trained to react a certain way when we hear these words. Fear, death, pain, loss, may come to the mind of the average citizen consumer who has, if they are under 90 years old, been told all of their life how bad this green leafy substance, is supposed to be. The reality is, there are a lot of legal substances that should concern us much more. An overreaching federal government is the common threat on this subject, where the unconstitutional prohibition set up this current situation we have today and states, not recognizing the need to take back this reserved power, are making the problem worse. I do acknowledge, however, that if a state wants to keep a substance prohibited there must be enforcement, otherwise, regardless of constitutionality, there is no law.

Peacekeepers are not keeping the peace if the main use of cannabis prohibition is to seize and search for other violations of crime, (and then if no other evidence is found they may shakedown the "offender" for the money in his or her wallet and confiscate the cannabis.) Fortunately, there are still individual liberty loving, limited government espousing, reserved state powers demanding, free enterprise fanning, constitutional conservatives here who believe in self-reliance, quality control and natural rights. I am one of those individuals, and it is time to look at the bigger picture.

The bigger picture is that cannabis, whether defined as a medical treatment and attached to a diagnosis or not, is a raw agriculture commodity, a plant, a natural occurring substance or nutraceutical even, that belongs to the people. Carrots, potatoes, coffee beans, tobacco, are not medicines either, some have

therapeutic benefit, some have nutritional value, some (like coffee and tobacco) are legal psycho-active drugs, yet all are exempt from the controlled substances act. Cannabis should be no different. Also, let us not forget the need for personal responsibility when it comes to cannabis and children, and just like bleach or Tide Pods or firearms or alcohol, proper parental oversight is the standard.

There is one proper solution to these matters, and that solution is constitutional cannabis. Constitutional cannabis can be achieved by introducing a bill that would remove cannabis/"marijuana" from the state Controlled Substances Act, truly decriminalize the possession and cultivation thereof and create a 5year implementation plan for free enterprise in the state. This bill, after introduction, could then be put into a shell that is made by a 'gut-and-go', where the contents of SB135, for example, is removed and the contents of a constitutional cannabis bill in a proper committee is inserted, heard and passed.

Thank You

Nick Reinecker

[http://kslegislature.org/li\\_2016/b2015\\_16/committees/ctte\\_s\\_phw\\_1/documents/date-choice-2015-01-21/](http://kslegislature.org/li_2016/b2015_16/committees/ctte_s_phw_1/documents/date-choice-2015-01-21/)

[http://kslegislature.org/li\\_2016/b2015\\_16/committees/ctte\\_s\\_phw\\_1/documents/date-choice-2015-01-22/](http://kslegislature.org/li_2016/b2015_16/committees/ctte_s_phw_1/documents/date-choice-2015-01-22/)

<https://www.smithsonianmag.com/smithsonian-institution/reefer-madness-high-times-and-420-there-was-marijuana-revenue-stamp-180958823/>

<https://apnews.com/article/kansas-ks-state-wire-law-enforcement-agencies-3ff5b95f917c127c56e3cb1369420d8d>

03/16/23

Nick Reinecker

## Before Reefer Madness, High Times and 4/20, There Was the Marijuana Revenue Stamp

Originally designed in the 1930s to restrict access to the drug, these stamps draw a curious crowd to the Postal Museum

Roger Catlin

Museums Correspondent

April 20, 2016

---

Levi Woodbury is on the \$1 stamp; George M. Bibb, on the \$5 stamp. Robert Walker is on the \$10 stamp and James Guthrie is on the \$50 stamp. George Washington is on the extremely rare \$100 stamp. Claire Rosen

When the United States government issued its official Marijuana Revenue Stamps in 1937, the year after the exploitative film *Reefer Madness* declared weed a national scourge, it didn't engrave a special issue tax stamp with a distinctive cannabis leaf, as Kansas and Oklahoma eventually did.

Nor did it make dire warnings out of its stamps with a skull and bones, as Nebraska did, or depict a grim reaper pointing the path to drugs, death and taxes as Texas did.

Instead, it merely printed over existing official documentary stamps picturing long forgotten treasury secretaries with the words "Marihuana Tax Act of 1937" (they were also using the prevailing spelling of the era).

Despite the lack of elaborate psychedelic design or head shop curlicues indicating smoke, the revenue stamps, along with accompanying official "Marijuana Order Forms," tax stamp books and ephemera, have become items of, shall we say, high interest at the Smithsonian's National Postal Museum in Washington, D.C.

That may be particularly true on April 20—the unofficial national high holiday for weed as designated by 4/20, once the designated moment of the day to light up as determined by a handful of stoners at a California high school and that has since become its own code for pot.

The National Postal Museum's rare federal Marijuana Revenue Stamps, located in the National Stamp Salon's vertical pullout drawer no. 197 of the William H. Gross Stamp Gallery, were originally created to restrict and regulate the drug's use, says Daniel Piazza, chief curator of philately at the museum. They came to the Smithsonian Institution in the 1970s from the U.S. Treasury Department after a change in the law made these types of revenue stamps obsolete.

“They never actually issued any purposely-designed marijuana stamps,” Piazza says. “They just took existing stamps of which they had excess quantity and overprinted them with the word ‘marihuana.’” Claire Rosen

Unlike other things that used tax stamps—from tobacco and alcohol to matches and margarine—the stamps for marijuana weren't intended to raise revenue, Piazza says, but rather to restrict the use of the drug. “It was more about controlling access, really.”

The Harrison Narcotics Act of 1914 had been the first federal measure to tax and regulate controlled substances like opiates and cocaine. Marijuana was to have been included in the act, though the pharmaceutical industry opposed it, saying the substance was not habit-forming.

The decision of the federal government to tax marijuana in 1937 came after Harry Anslinger, who was commissioner of the Federal Bureau of Narcotics for more than 30 years, testified in a Congressional hearing that marijuana “produces in it users insanity, criminality and death.”

“The idea of the tax stamps was that it was a method of limiting access and controlling who could have access to marijuana,” Piazza says. “So there was actually a whole series of steps that took place before you ever purchased the stamp.”

Until 2005, when the National Postal Museum sold duplicates from the collections, there were less than 10 examples in private collections.

The stamps were so rare, they were never even listed in the annual and prestigious Scott Catalogue of postage stamps, a kind of bible for U.S. stamp collectors.

With just six examples known to exist in private collections, the stamp world was rocked in the late 1980s when someone turned up with a few dozen—an apparent theft from the museum's collections.

Conspiracy theories are in abundance on the Internet over the purpose and intent of the stamps, but the 1937 federal marijuana tax stamps were never meant as schemes to entrap users, nor to further penalize those who had been arrested for pot possession who had not paid the tax—though that may well have been the intent of the 24 individual state pot tax stamps.

The National Organization for the Reform of Marijuana Laws, NORML, maintains that “the legislative intent of [state] drug tax laws is to impose an additional penalty—tax evasion—upon drug offenders after they are arrested and criminally charged with a drug violation.”

Including marijuana in the 1971 Controlled Substances Act put an end to the federal marijuana tax stamp idea.

In 2005, the museum determined to put the excess duplicates up for auction, bringing a number of the previously rare stamps into the marketplace.

“For every single one of the revenue stamps that was issued by the Treasury Department, we had in some cases tens of thousands of copies,” Piazza says of the cache that was turned over to the Smithsonian in the 1970s. Proceeds from the auction would fund new acquisitions for the museum’s collections. Almost instantly, the stamps were put on sale at collector marketplaces.

According to the auction catalog at the time: “This sale will provide the opportunity for many collectors to acquire stamps that have a social history aspect more controversial and colorful than nearly all other areas of fiscal philately.”

Postal museum officials had hoped to yield \$1.9 million from the sale of some 35,000 surplus revenue stamps for all sorts of products including silver, snuff, cheese and distilled spirits, as well as marijuana. Instead the auction raised more than \$3.3 million, with a lot of interest going toward the yellow, green, blue and red marijuana stamps.

“Opening bids were \$750 to \$1,000 for the single stamps and over \$1,000 for the multiples,” says Piazza.

“The controversial U.S. 1937 Marijuana Tax stamps—kept under lock and key for nearly 70 years—are now available to collectors for the first time,” an advertisement gushed weeks after the auction. First issue sets of four stamps went for as much as \$3,250. A set of 14 stamps went for \$12,000. (The items continue to sell, with one sheet of four currently listed on eBay for \$3,500.)

“The ‘Marihuana Tax Act’ stamps chronicle almost 70 years of social evolution—the roaring days of Prohibition, the psychedelic Sixties and today’s medical marijuana debate,” the ad declared.

But the examples kept by the Postal Museum for historical purposes continue to draw visitors, Piazza says.

“I think there’s a steady amount of interest in them,” he says of the stamps. “People know about them and ask to see them on tours.”

For all the interest, though, they’re not all that much to look at.

“They never actually issued any purposely-designed marijuana stamps,” Piazza says. “They just took existing stamps of which they had excess quantity and overprinted them with ‘marihuana.’”

So instead of Timothy Leary, Alice B. Toklas or any Willie Nelson of the era, the stamps are printed over what Piazza calls “long forgotten” U.S. treasury secretaries. Not the first and most

famous one, Alexander Hamilton, current star of Broadway and \$10 bills, but various 19th-century treasury secretaries.

Levi Woodbury, appointed in 1834, is on the \$1 stamp; George M. Bibb, appointed 1844, on the \$5 stamp. Robert Walker, who took office in 1845, is on the \$10 stamp and James Guthrie, appointed in 1853, is on the \$50 stamp.

It may be more appropriate, though, that George Washington is on the \$100 stamp, so rare it may not ever have originally gone into circulation. After all, one of the chief crops of the first president's Mount Vernon estate was hemp.

---

## Report: Kansas law enforcement seized \$3.35M in property

By ROXANA HEGEMAN May 2, 2020

BELLE PLAINE, Kan. (AP) — Kansas law enforcement agencies seized more than \$3.35 million in property during a six-month period last year, disproportionately from young black and Hispanic male drivers.

Counties reporting significant currency seizures are located along Interstate 70 or Interstate 35 and have officers assigned to look for drugs. The overwhelming amount of currency seized was uncontested in forfeiture actions.

Those are some of the first findings stemming from a Kansas law that took effect July 1 and requiring that law enforcement agencies report to the Kansas Bureau of Investigation all seizures of property and cash.

The 2019 Civil Asset Forfeiture Report, released in April, covers the period between July 1 and December 31.

Under civil forfeiture, law enforcement agencies can seize cash, cars and other valuables from those they suspect of illegal activity without charging or convicting anyone of a crime. Getting the property back usually involves expensive civil litigation. Law enforcement agencies use the proceeds from the seized property to fund operations, training, vehicles, and facilities, among other uses.

The law enforcement community says civil asset forfeiture is a tool for stopping crime by taking drugs and drug proceeds, as well as guns and other property used for criminal activity, off the streets. Critics say law enforcement has an incentive for taking property because the agencies can keep the proceeds.

“It’s beyond time for reform, and that is why we’ve supported legislative efforts to, at minimum, have non-contraband property returned upon acquittal or case dismissal, without the property owner having to engage in a burdensome and costly process to reclaim what is theirs,” said Nadine Johnson, executive director of the American Civil Liberties Union of Kansas, in an emailed statement.

“Once their property has been seized, these ordinary people must then navigate a civil legal system that is stacked against them.”

Statewide, the seizures included more than \$2.7 million in currency and more than \$590,000 in property. Ninety-one percent of currency forfeitures were uncontested.

A KBI analysis of race and ethnicity in the the incident reports shows that blacks, who make up 6% of the state’s population, were involved in 20% of the reported seizures. Hispanics, who make up 12% of the state’s population, accounted for 20% of seizures. More than 86% of Kansans are white, yet they account for 56% of seizures. About 81% of seizures involved males.

#### ADVERTISEMENT

The Kansas Highway Patrol, one of the largest law enforcement agencies in the state, seized by far the most property — taking in \$1.24 million alone during the six-month period, the report showed.

Capt. Andrew Dean said in an email that the patrol’s focus on highways puts troopers in a position to “not only identify localized criminal activities but also the transitory criminal element that are passing through destined for other states.”

The Junction City Police Department trailed far behind KHP in second place with \$245,401 in seizures, followed by the Shawnee County Sheriff’s Office with \$217,210. Six other agencies reported seizures in excess of \$100,000.

In 87% of the seizures, the case was forwarded to prosecutors for charges. About 74% of those charges related to the distribution or manufacturing of controlled substances, and 11% were for drug possession.

The KBI said 17 law enforcement agencies did not comply with the law’s reporting provision, despite repeated notices. Those agencies are prohibited from filing further forfeiture actions until they are back in compliance.

Agencies that did not comply with the reporting law are police departments in Baxter Springs, Chetopa, Conway Springs, Florence, Hoyt, Lewis, Meriden, Mount Hope, Osawatomie, Stafford, WaKeeney and Walton and sheriff’s offices in Clark, Elk, Hodgeman, Lincoln and Thomas counties, according to the report.