

News, Announcements and Information from

WILLAMETTE VALLEY NORML



your local chapter of the National Organization for the Reform of Marijuana Laws

March Madness for Reefer Community

**34 Bills Currently
In The Oregon
State House And
Senate Involving
Marijuana**

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* VOLUME 3, SPECIAL ISSUE * ALERT! * 2009 * www.WILLAMETTEVALLEYNORML.ORG *

* THE WILLAMETTE VALLEY NORML NEWS REPORT *

WILLAMETTE
VALLEY



NORML

**The Willamette Valley
NORML News Report**
is an all-volunteer, not-for-
profit project to record and
broadcast news,
announcements and
information about cannabis
law reform.

The W-V-NORML News
Report is produced by the
Eugene, OREGON chapter of
NORML, the National
Organization for the Reform
of Marijuana Laws

----- Making contact -----

You can Snail Mail:

The W-V-NORML Newsletter
team by writing to -

**P.O. Box 10957
Eugene, OR 97440**

E-mailing:

newsroom@willamettevalleynorml.org

or phoning: **541-517-0957**

Check 'em out on-line! *visit:*

WillametteValleyNORML.org

A Voice for Responsible Marijuana Smokers

Since its founding in 1970, NORML has provided a voice in the public policy debate for those Americans who oppose marijuana prohibition and favor an end to the practice of arresting marijuana smokers. A nonprofit public-interest advocacy group, NORML represents the interests of the tens of millions of Americans who smoke marijuana responsibly. During the 1970s, NORML led the successful efforts to decriminalize minor marijuana offenses in 11 states and significantly lower marijuana penalties in all others.

The oldest and largest marijuana legalization organization in the country, NORML maintains a professional staff in Washington, DC, and a network of volunteer state and local [NORML Chapters](#) across the country. Check 'em out, and find the one nearest you!

The NORML mission is to move public opinion sufficiently to achieve the repeal of marijuana prohibition so that the responsible use of cannabis by adults is no longer subject to penalty.

When marijuana is enjoyed responsibly, subjecting users to harsh criminal and civil penalties provides no public benefit and causes terrible injustices. For reasons of public safety, public health, economics and justice, the prohibition laws should be repealed to the extent that they criminalize responsible marijuana use. **NORML, the National Organization for the Reform of Marijuana Laws – is located at 1600 K Street, NW, Suite 501, Washington, DC 20006-2832. Phone (202) 483-5500, Fax: (202) 483-0057 or visit: www.norml.org**

Today Willamette Valley NORML joins the fight to reform state and federal marijuana laws, whether by voter initiative or through the elected legislatures. W-V-NORML will serve as an informational resource to media on marijuana-related stories, providing a perspective to offset the [anti-marijuana propaganda](#) from the government; lobby state and federal legislators in support of reform legislation; publish a regular [newsletter](#); host an informative web site; and serve as the umbrella group for a regional network of citizen-activists committed to ending marijuana prohibition and legalizing marijuana.

Along with their parent organization, W-V-NORML will sponsor public advertising campaigns to better educate the public about marijuana and alternatives to current marijuana policy; provide legal assistance and support to victims of the current laws; and promote relevant research.

W-V-NORML supports the right of adults to use marijuana responsibly, whether for [medical](#) or [personal](#) purposes. All penalties, both civil and criminal, should be eliminated for responsible use. W-V-NORML also advocates the legalization of [hemp](#) (non-psychoactive marijuana) for industrial use. **To find out more, like how you can help, call, write or visit our website. You'll be glad you did!**

News, Announcements and Information from



your local chapter of the National Organization for the Reform of Marijuana Laws

*** www.WillametteValleyNORML.org * P.O. Box 10957, Eugene, Oregon, 97440 ***

There are 35 bills relating to marijuana in the Oregon State legislature this session and there are more coming. Hearings have already happened for bills regarding patients right to work & the state garden that takes away patients gardens, among others.

We have a web page set up with a list at -

<http://willamettevalleynorml.org/legis/2009/>

- with web pages set up for each bill in order to gather related talking points, LTE examples, Hearing notices, links and Bulletin Boards so everyone can contribute.

We can make a statement by our numbers so please try to attend, even if you don't plan to testify. You can also always just go up and say "ditto" to a previous speaker!

Please e-mail, call or visit if you can't make it and do have testimony, write to members of the committee -and/or- write your Senator and State Rep. They are mostly hearing from law enforcement, and other special interests, so you are needed to counter the deliberate mis-information. Links and other tools on how to contact your rep, find out about bills, etc. is at - <http://willamettevalleynorml.org/legis/state.html>

----- **The Ugly**

Senate Bill 388 > Introduced by Senator MORRISETTE -- Relating to medical Marijuana; creating new provisions; and amending ORS 475.302, 475.304, ... food and tincture that incorporate Marijuana or hashish. Changes amounts of Marijuana that medical Marijuana cardholder and ...

> Permits medical marijuana cardholders to possess certain amounts of hashish and food and tincture that incorporate marijuana or hashish.

> Changes amounts of marijuana that medical marijuana cardholder and primary caregiver may collectively possess.

> Decreases amount of marijuana that may be possessed by persons responsible for marijuana grow sites to 24 ounces. Creates exception to allow persons responsible for marijuana grow sites to store medical marijuana cardholders marijuana if cardholder cannot store marijuana at cardholders residence.

> Directs Department of Human Services to prepare manual describing rights and obligations of medical marijuana cardholders, primary caregivers, and persons responsible for marijuana grow sites, and requires those persons to state in applications for registry identification cards that they have read manual.

HB2313 - Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary for Oregon State Bar Real Estate Land Use Section)

> Defines <?Modifies> definition of marijuana for purposes of Deleting references to trusts, estates, trustees, personal representatives and executors from certain statutory definitions of 'person' and 'entity. '

House Bill 2314 > Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to felons.

> Modifies certain crimes predicated on person's status as felon.

House Bill 2318 > Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary)

> Allows person arrested for state or municipal traffic offense to have arrest record expunged in certain circumstances.

House Bill 2328 > Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to traffic arrests.

> Allows person arrested for state or municipal traffic offense to have arrest record expunged in certain circumstances.

House Bill 2329 > Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to endangering the welfare of a minor.

> Modifies crime of endangering welfare of minor.

House Bill 2330 Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to felons.

> Applies defense to crime of felon in possession of firearm to certain other crimes predicated on person's status as felon.

House Bill 2341 > Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary) -- Relating to Marijuana.

> Modifies definition of marijuana for purposes of controlled substances laws.

House Bill 2497 > Sponsored by Representative SCHAUFLEER -- Relating to employment.
> Expands ability of employer to prohibit use of medical marijuana in workplace.

House Bill 2536 > Sponsored by COMMITTEE ON JUDICIARY (at the request of City of Medford, Oregon Association Chiefs of Police) -- Relating to crime.
> Expands felon in possession of restricted weapon to include taser and pepper spray.

House Bill 2796 > Sponsored by COMMITTEE ON JUDICIARY -- Relating to motions to set aside.
> Prohibits setting aside arrest for or conviction of criminally negligent homicide.

House Bill 2974 > House Bill 2974 Sponsored by Representatives KOMP, GREENLICK; Representatives BARNHART, BERGER, COWAN, GELSER, HUFFMAN, KAHL, STIEGLER, TOMEI -- Relating to tobacco.
> Increases minimum age for tobacco possession from 18 years to 21 years.

House Bill 3052 > Sponsored by Representatives HANNA, SCHAUFLEER; Representatives BRUUN, CAMERON, ESQUIVEL, FREEMAN, MATTHEWS, MAURER, G SMITH, WHISNANT -- Relating to drugs in the workplace.
> Expands ability of employer to prohibit use of medical marijuana in workplace.

Senate Bill 149 > Printed by order of the President of the Senate (at the request of Attorney General Hardy Myers for Attorney General's Restitution Reform Task Force) -- Relating to compliance with the Oregon Medical Marijuana Act; declaring an emergency.
> Prohibits setting aside adult conviction or expunging juvenile record if unsatisfied compensatory fine or restitution judgment exists.

Senate Bill 249 > Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate (at the request of Senate Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to Marijuana.
> Authorizes court to enter judgment of conviction for Class A misdemeanor when person convicted of manufacturing certain amounts of marijuana.

> Modifies presumptive sentence for certain marijuana offenses.

Senate Bill 251 > Printed pursuant to Senate Interim Rule 213.28 by order of the President (at the request of Senate Interim Committee on Judiciary for Oregon District Attorneys' Association) -- Relating to restricted weapons.

> Modifies crime of felon in possession of restricted weapon to include tasers.

Senate Bill 397 > Sponsored by Senator PROZANSKI, Representative GELSER (at the request of Ed Spinney) -- Relating to setting aside arrests for traffic offenses.

> Allows person arrested for state or municipal traffic offense to have arrest record expunged in certain circumstances.

Senate Bill 573 > Sponsored by Senator BOQUIST -- Relating to firearms.

> Modifies circumstances under which person may petition for relief from prohibition on possession of firearms.

----- The UnKnown ... (? Got a Clue? Let Everybody Know! ... Post It >

HB2203 - Ordered by the Speaker (at the request of Governor Theodore R. Kulongoski for Employment Department) -- Relating to unemployment insurance.

- Provides that in case of conflict between provision of Employment Department Law and other provision of state law, Employment Department Law controls.**
-

----- The Bad

House Bill 2635 > Sponsored by Representatives KRIEGER, OLSON; Representatives BERGER, CAMERON, ESQUIVEL, FREEMAN, GARRARD, GILMAN, HANNA, HUFFMAN, JENSON, SPRENGER, THATCHER, WEIDNER, WHISNANT -- Relating to drug tests for public officials.

> Requires that certain public officials submit to drug test two times every calendar year.

House Bill 3274 > Sponsored by Representatives MAURER, TOMEI, THOMPSON, HARKER; Representatives BARKER, BENTZ, BERGER, BRUUN, GARRETT, GILLIAM, GILMAN, GREENLICK, HANNA, JENSON, KOTEK, KRIEGER, OLSON, RICHARDSON, SCHAUFLE, G

SMITH, SPRENGER, WEIDNER, Senators BURDICK, KRUSE, METSGER -- Relating to medical Marijuana; appropriating money; providing for revenue raising that requires approval by a three-fifths majority.

> Disallows private marijuana grow sites.

House Bill 3371 Sponsored by Representative J SMITH -- Relating to driving under the influence of Marijuana; declaring an emergency.

> Creates Task Force on Driving Under the Influence of Marijuana. Requires task force to submit report and any recommendations to interim legislative committee on crime by October 1, 2010.

> Declares emergency, effective on passage.

Senate Bill 426 Sponsored by Senator GIROD -- Relating to drug-free workplace policies.

Nothing in ORS 475.300 to 475.346 { - shall be construed to require - } :

(2) { + Requires + } an employer to { + :

(c) Allow any person who is impaired by the use of Marijuana to remain in the workplace; or

(3) Precludes or restricts an employer from establishing or enforcing a policy to achieve or maintain a drug-free workforce. + }

< especially if it's just a bullshit policy designed to get "those scum" >

Senate Bill 427 > Sponsored by Senator GIROD -- Relating to drug-free workplace policies.

> Exempts employer from civil actions under certain conditions when employer has adopted comprehensive drug-free workplace program.

> Requires applicant for medical marijuana registry identification card to notify employer before using marijuana.

> Provides that Oregon Medical Marijuana Act does not require employer to make workplace accommodation regardless of where marijuana use occurs.

Senate Bill 956 > By COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to Marijuana; declaring an emergency.

- > **Modifies definitions related to marijuana for purposes of certain criminal laws.**
 - > **Declares emergency, effective on passage.**
-

Senate Bill 957 > By COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to medical Marijuana; declaring an emergency.

- > **Modifies provisions of Oregon Medical Marijuana Act.**
 - > **Declares emergency, effective on passage.**
-

Senate Bill 958 > By COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to designated primary caregivers; declaring an emergency.

- > **Modifies provisions in Oregon Medical Marijuana Act related to designated primary caregivers.**
 - > **Declares emergency, effective on passage.**
-

Senate Bill 959 > By COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to compliance with the Oregon Medical Marijuana Act; declaring an emergency.

- > **Modifies provisions of Oregon Medical Marijuana Act.**
 - > **Declares emergency, effective on passage.**
-

Senate Bill 960 > Sponsored by COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to medical marijuana; declaring an emergency.

- > **Modifies requirements for obtaining marijuana grow site registration card.**
- > **Requires registry identification cardholder, designated primary caregiver and person responsible for grow site to authorize inspection.**
- > **Requires Department of Human Services to revoke registry identification card, marijuana grow site registration card or designated primary caregiver identification card of person who refuses inspection.**

- > Removes exception from criminal liability for person who refuses inspection.
- > Declares emergency, effective on passage.

----- The Neutral ... and

Some GOOD News!

House Bill 2503 > Sponsored by Representative BUCKLEY -- Relating to medical Marijuana in the workplace.

- > Prohibits discrimination in employment under certain circumstances if discrimination is based on person's status as medical Marijuana registry cardholder or use of medical marijuana off property or premises of employment or during hours that are not hours of employment.

House Bill 2881 Sponsored by Representative BUCKLEY; Representatives HOLVEY, KOTEK, SHIELDS, TOMEI -- Relating to medical Marijuana.

- > Establishes procedure for employment-related marijuana drug testing and review of results by medical review officer.

Senate Bill 285 > Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate (at the request of Senate Interim Committee on Judiciary)) -- Relating to Marijuana.

- > Directs State Board of Pharmacy to classify marijuana as controlled substance in Schedule II.

Senate Bill 676 > Sponsored by Senators PROZANSKI, NELSON -- Relating to industrial hemp; appropriating money.

- > Permits production and possession of industrial hemp and trade in industrial hemp commodities and products.

Senate Bill 812 > Sponsored by COMMITTEE ON JUDICIARY (at the request of Coalition for Patients' Rights) -- Relating to medical marijuana; appropriating money.

- Requires Department of Human Services to register certain dispensaries and producers of medical marijuana and establishes requirements for dispensaries and producers of marijuana.

Tips, Tools and Such, Spread the Word!

▶ **The official Oregon State Legislation** search engine is at - <http://www.leg.state.or.us:8765/query.html?col=1meas09&qt=marijuana&charset=iso-8859-1>

▶ **The official Oregon State Index of Measures with Scheduled Actions**, the agenda search engine, is at - <http://www.leg.state.or.us/09reg/agenda/webagendas.htm> - here you can look up when and where a hearing or work session is - if you know the bill number - ie; "2536" for HB2536. Find out who's on a Committee during the 09 session, visit - <http://www.leg.state.or.us/09reg/pubs/commsch.pdf>

▶ **How to Testify in Front of Committee** is at: www.leg.state.or.us/citizenguide/ * NOTE: You may call your legislators by contacting the WATS operator. Within Salem, call 503-986-1187. Outside of Salem, please call 1-800-332-2313.



▶ **Getting to the Capitol** > 900 Court Street NE, Salem, Oregon 97301 * Hours: Monday-Friday: 8:00-5:30 ~ Saturday: Closed ~ Sunday: Closed * Visitor Services Phone: 503-986-1388 * For more information on How to get to the Capitol, including things like Where to Park. visit: www.leg.state.or.us/capinfo/

▶ **Find Your Legislator** online at - www.leg.state.or.us/findlegsltr/findset.htm. Visit: www.leg.state.or.us/findlegsltr/home.htm - and fill out the form entering your home address. Then click on the "submit" button and you will then be given your state and US legislators.

▶ **Write your legislator online.** To send a message to your State Senator or State Representative please visit: www.leg.state.or.us/writelegsltr/ and fill out the form. By entering your information, you will be automatically matched to either your State Senator or your State Representative. Click "submit" when you are ready to send your message.

▶ **See a List of OR St. House of Reps at:** www.leg.state.or.us/house/ **and a List of OR St. Senate at:** www.leg.state.or.us/house/ There is also the Senate and House District Listing from Secretary of State, Elections Division which includes a table of Senators and the two corresponding Representatives for all districts see: www.sos.state.or.us/elections/other.info/shlist.pdf

▶ **Phoning Your Legislator.** During a legislative session, you may call your legislators by contacting the WATS operator. Within Salem, call 503-986-1187. Outside of Salem, please call 1-800-332-2313.

▶ **Members Email Address formats** Senator's email address: sen.firstnamelastname@state.or.us example: sen.ralphsmith@state.or.us Representative's email address: rep.firstnamelastname@state.or.us example: rep.betsyjones@state.or.us

▶ **To check up on bills;** here is the link to the search bills page www.leg.state.or.us/searchmeas.html click on search for specific measure ...fill in the blanks on the page, hit enter and you will get the text of any bill. For example, try typing "marijuana" in the search engine for new bills. Also look for "cannabis" and we should not forget to mention "hemp" at some time. Or ... If one wants PDF with changes bolded one can also go here: landru.leg.state.or.us/09reg/measures/ click on the directory like HB 2600's and find it in PDF instead of just HTML.

▶ **These web links tell you what committee a bill goes to.** For senate bills: www.leg.state.or.us/09reg/pubs/senmh.html for house bills: www.leg.state.or.us/09reg/pubs/hsemh.html

▶ **If you need information regarding the legislative process,** you can email the Legislative Liaison at help.leg@state.or.us -or- call 503-986-1000 -or- visit: www.leg.state.or.us/

Oregon State > House Bill 2203 > Ordered by the Speaker (at the request of Governor Theodore R. Kulongoski for Employment Department) -- Relating to unemployment insurance.

> Provides that in case of conflict between provision of Employment Department Law and other provision of state law, Employment Department Law controls.

> Limits employment that will end individual's disqualification from receipt of unemployment benefits to employment subject to Employment Department Law or equivalent law in another state or Canada, employment required to be covered under Federal Unemployment Tax Act and employment by federal government.

Relating to unemployment insurance; creating new provisions; and amending ORS 657.176 and ... 657.265. 75th OREGON LEGISLATIVE ASSEMBLY -- 2009 Regular Session NOTE: Matter within { braces and plus signs + } in an ...

[snip]

(b)(A) Except as provided in subparagraph (B) of this paragraph, an individual is not considered to have committed a disqualifying act under this subsection if the individual, on the date of separation or within 10 days after the date of separation, is participating in a recognized drug or alcohol rehabilitation program and provides documentation of participation in the program to the department.

(B) This paragraph does not apply to an individual who has refused to enter into or has violated the terms of a last chance agreement with the employer.

(c) It is no defense or excuse under this section that the individual's separation resulted from alcohol use, *Marijuana* use, unlawful drug use, alcoholism or drug addiction.

[snip]

(c) 'Last chance agreement' means a reasonable agreement:

(A) Between an employer and an employee who has violated the employer's reasonable written policy, has engaged in drug or alcohol use connected with work or has admitted to alcohol abuse, *Marijuana* use or unlawful drug use; and

(B) That permits the employee to return to work under conditions that may require the employee to:

(i) Abstain from alcohol use, *Marijuana* use and unlawful drug use; and

(ii) Attend and comply with the requirements of a rehabilitation or education program acceptable to the employer.

(d) An individual is 'under the influence of intoxicants ' when the level of alcohol, *Marijuana* or unlawful drugs present in the individual's body exceeds the amount prescribed in a collective bargaining agreement, or the amount prescribed in the employer's reasonable written policy if there is no applicable collective bargaining agreement provision.

[snip]

01/15 (H) First reading. Referred to Speaker's desk.

01/22 (H) Referred to Business and Labor.

01/28 (H) Public Hearing held.

02/25 (H) Work Session held.

03/03 (H) Recommendation: Do pass with amendments, be printed A-Engrossed, and be placed on Consent Calendar.

03/05 (H) Second reading.

03/09 (H) Read third time under Consent Calendar. Passed. Ayes, 60.

03/10 (S) First reading. Referred to President's desk.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2200.dir/hb2203.intro.pdf>

Oregon State > House Bill 2313 > Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary for Oregon State Bar Real Estate Land Use Section)

> Deletes references to trusts, estates, trustees, personal representatives and executors from certain statutory definitions of 'person' and 'entity. '

Relating to definitions of legal entities; amending ORS 24. Relating to definitions of legal entities; amending ORS 24. 75th OREGON LEGISLATIVE ASSEMBLY--2009 Regular Session NOTE: Matter within { braces and plus signs + }in an amended section is new. Matter within { ...

[snip]

SECTION 39. ORS 475.005 is amended to read: 475.005. As used in ORS 475.005 to 475.285 and 475.840 to 475.980, unless the context requires otherwise:

[snip]

(16) 'Marijuana' means all parts of the plant Cannabis family Moraceae, whether growing or not; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

[snip] .stat

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2300.dir/hb2313.intro.pdf>

Oregon State > House Bill 2314 > Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to felons.

> Modifies certain crimes predicated on person's status as felon.

Relating to felons; creating new provisions; and amending ORS 166.250, 166.270 and 475.900. ... b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972. ... the court declares to be a misdemeanor; or (B) For possession of *Marijuana* prior to January 1, 1972. (b) 'Possesses' means to have physical possession ...

[snip]

(2) { + A person commits the crime of possession of a restricted weapon if the person:

(a) Has been convicted of a felony; and

(b) Carries a dirk, dagger or stiletto, or possesses a weapon described in subsection (3) of this section, while knowing that the person has been convicted of a felony. + } { - Any person who has been convicted of a felony under the law of this state or any other state, or who has been convicted of a felony under the laws of the Government of the United States, who owns or has in the person's possession or under the person's custody or control - }

{ + (3) Subsection (2) of this section applies to:

(a) + } { - Any - } { + An + } instrument or weapon having a blade that projects or swings into position by force of a spring or by centrifugal force { + ; + } or

{ + (b) + } { - Any - } { + A + } blackjack, slungshot, sandclub, sandbag, sap glove or metal knuckles { - , or who carries a dirk, dagger or stiletto, commits the crime of felon in possession of a restricted weapon - } .

{ - (3) For the purposes of this section, a person 'has been convicted of a felony' if, at the time of conviction for an offense, that offense was a felony under the law of the jurisdiction in which it was committed. Such conviction shall not be deemed a conviction of a felony if: - }

{ - (a) The court declared the conviction to be a misdemeanor at the time of judgment; or - }

{ - (b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972. - }

[snip]

(a) 'Has been convicted of a felony' means that a person has been convicted of an offense that, at the time of the conviction, was a felony under the law of the jurisdiction in which it was committed. 'Has been convicted of a felony' does not include a conviction:

(A) That the court declares to be a misdemeanor; or

(B) For possession of *Marijuana* prior to January 1, 1972.

[snip]

(D) One hundred grams or more of a mixture or substance containing a detectable amount of hashish;

(E) One hundred and fifty grams or more of a mixture or substance containing a detectable amount of *Marijuana*;

[snip]

(b) The violation constitutes possession, delivery or manufacture of a controlled substance and the possession, delivery or manufacture is a commercial drug offense. A possession, delivery or manufacture is a commercial drug offense for purposes of this subsection if it is accompanied by at least three of the following factors:

(A) The delivery was of heroin, cocaine, hashish, *Marijuana*, methamphetamine, lysergic acid diethylamide, psilocybin or psilocin and was for consideration;

[snip]

(iv) Eight grams or more of a mixture or substance containing a detectable amount of hashish;

(v) One hundred ten grams or more of a mixture or substance containing a detectable amount of *Marijuana*;

[snip]

(D) One hundred grams or more of a mixture or substance containing a detectable amount of hashish;

(E) One hundred fifty grams or more of a mixture or substance containing a detectable amount of *Marijuana*;

[snip]

01/12 (H) First reading. Referred to Speaker's desk.

01/12 (H) Referred to Judiciary.

02/24 (H) Public Hearing held.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2300.dir/hb2314.intro.pdf>

Oregon State > House Bill 2318 > Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary)

> Allows person arrested for state or municipal traffic offense to have arrest record expunged in certain circumstances.

Relating to traffic offenses; creating new provisions; and amending ORS 137.225. ... would constitute child abuse, as defined in ORS 419B.005, or any sex crime. (b) The crime of possession of the narcotic drug marijuana when that crime was punishable as a felony only. (c) A crime punishable as either a felony or a misdemeanor, in the discretion ...

(5) The provisions of subsection (1)(a) of this section apply to a conviction of:

(a) A Class C felony, except for criminal mistreatment in the first degree under ORS 163.205 when it would constitute child abuse, as defined in ORS 419B.005, or any sex crime.

(b) The crime of possession of the narcotic drug marijuana when that crime was punishable as a felony only.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2300.dir/hb2318.intro.pdf>

Oregon State > House Bill 2328 > Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to traffic arrests.

> Allows person arrested for state or municipal traffic offense to have arrest record expunged in certain circumstances.

Relating to traffic arrests; creating new provisions; and amending ORS 137.225. ... would constitute child abuse, as defined in ORS 419B.005, or any sex crime. (b) The crime of possession of the narcotic drug *Marijuana* when that crime was punishable as a felony only. (c) A crime punishable as either a felony or a misdemeanor, in the discretion ...

[snip]

(5) The provisions of subsection (1)(a) of this section apply to a conviction of:

(a) A Class C felony, except for criminal mistreatment in the first degree under ORS 163.205 when it would constitute child abuse, as defined in ORS 419B.005, or any sex crime.

(b) The crime of possession of the narcotic drug *Marijuana* when that crime was punishable as a felony only.

[snip]

01/12 (H) First reading. Referred to Speaker's desk.

01/16 (H) Referred to Judiciary.

01/28 (H) Public Hearing held.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2300.dir/hb2328.intro.pdf>

Oregon State > House Bill 2329 > Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to endangering the welfare of a minor.

> Modifies crime of endangering welfare of minor.

Relating to endangering the welfare of a minor; creating new provisions; and amending ORS under 18 years of age any device in which tobacco, *Marijuana*, cocaine or any controlled substance, as defined in ORS 475.005 ... of which is directly or indirectly to deliver tobacco smoke, *Marijuana* smoke, cocaine smoke or smoke from any controlled substance into ...

[snip]

SECTION 1. ORS 163.575 is amended to read:

163.575. (1) A person commits the crime of endangering the welfare of a minor if the person knowingly:

[snip]

(e) Sells to a person under 18 years of age any device in which tobacco, *Marijuana*, cocaine or any controlled substance, as defined in ORS 475.005, is burned and the principal design and use of which is directly or indirectly to deliver tobacco smoke, *Marijuana* smoke, cocaine smoke or smoke from any controlled substance into the human body including but not limited to:

(A) Pipes, water pipes, hookahs, wooden pipes, carburetor pipes, electric pipes, air driven pipes, corncob pipes, meerscham pipes and ceramic pipes, with or without screens, permanent screens, hashish heads or punctured metal bowls;

[snip]

01/12 (H) First reading. Referred to Speaker's desk.

01/16 (H) Referred to Judiciary.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2300.dir/hb2329.intro.pdf>

Oregon State > House Bill 2330 > House Bill 2330 Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association) -- Relating to felons.

> Applies defense to crime of felon in possession of firearm to certain other crimes predicated on person's status as felon.

Relating to felons; creating new provisions; and amending ORS 166.260, 166.270 and 166.470. ... if: (a) The court declared the conviction to be a misdemeanor at the time of judgment; or (b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972. (4) ...

[snip]

(3) For the purposes of this section, a person 'has been convicted of a felony' if, at the time of conviction for an offense, that offense was a felony under the law of the jurisdiction in which it was committed. Such conviction shall not be deemed a conviction of a felony if:

(a) The court declared the conviction to be a misdemeanor at the time of judgment; or

(b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972.

[snip]

01/12 (H) First reading. Referred to Speaker's desk.

01/16 (H) Referred to Judiciary.

02/24 (H) Public Hearing held.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2300.dir/hb2330.intro.pdf>

Oregon State > House Bill 2341 > Ordered printed by the Speaker (at the request of House Interim Committee on Judiciary) -- Relating to *Marijuana*.

> Modifies definition of marijuana for purposes of controlled substances laws.

Relating to *Marijuana*; creating new provisions; and amending ORS 167.222, 475.005, 475.302, Relating to *Marijuana*; creating new provisions; and amending ... introduced. Modifies definition of *Marijuana* for purposes of controlled substances ...

[snip]

Relating to *Marijuana*; creating new provisions; and amending ORS 167.222, 475.005, 475.302, 475.860 and 475.864.

[snip]

(16) '*Marijuana*' means all parts of the plant Cannabis family Moraceae { + or of the plant Cannabis family Cannabaceae + }, whether growing or not; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

[snip]

(3) 'Delivery' has the meaning given that term in ORS 475.005. 'Delivery' does not include transfer of *Marijuana* by a registry identification cardholder to another registry identification cardholder if no consideration is paid for the transfer.

[snip]

(6) '*Marijuana*' has the meaning given that term in ORS 475.005.

(7) '*Marijuana* grow site' means a location where *Marijuana* is produced for use by a registry identification cardholder and that is registered under the provisions of ORS 475.304.

(8) 'Medical use of *Marijuana*' means the production, possession, delivery, or administration of *Marijuana*, or paraphernalia used to administer *Marijuana*, as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of the person's debilitating medical condition.

(9) 'Production' has the meaning given that term in ORS 475.005.

(10) 'Registry identification card' means a document issued by the department that identifies a person authorized to engage in the medical use of *Marijuana* and the person's designated primary caregiver, if any.

(11) 'Usable *Marijuana*' means the dried leaves and flowers of the plant Cannabis family Moraceae { + or of the plant Cannabis family Cannabaceae + }, and any mixture or preparation thereof, that are appropriate for medical use as allowed in ORS 475.300 to 475.346. 'Usable *Marijuana*' does not include the seeds, stalks and roots of the plant.

[snip]

(3) Notwithstanding subsection (2) of this section, if the conviction is for knowingly maintaining, frequenting or remaining at a place where less than one avoirdupois ounce of the dried leaves, stems, and flowers of the { + *Marijuana* + } plant { - Cannabis family Moraceae - } is found at the time of the offense under this section, frequenting a place where controlled substances are used is a Class D violation.

(4) As used in this section { - , - } { + :

(a) + } 'Frequents' means repeatedly or habitually visits, goes to or resorts to.

{ + (b) '*Marijuana* plant' means the plant Cannabis family Moraceae or the plant Cannabis family Cannabaceae. + }

SECTION 4. ORS 475.860 is amended to read:

475.860. (1) It is unlawful for any person to deliver *Marijuana*.

(2) Unlawful delivery of *Marijuana* is a Class B felony if the delivery is for consideration.

(3) Notwithstanding subsection (2) of this section, unlawful delivery of *Marijuana* is a:

(a) Class A misdemeanor, if the delivery is for no consideration and consists of less than one avoirdupois ounce of the dried leaves, stems and flowers of the { + *Marijuana* + } plant

{ - Cannabis family Moraceae - } ; or

(b) Violation, if the delivery is for no consideration and consists of less than five grams of the dried leaves, stems and flowers of the { + *Marijuana* + } plant { - Cannabis family Moraceae - } . A violation under this paragraph is punishable by a fine of not less than \$500 and not more than \$1,000. Fines collected under this paragraph shall be forwarded to the Department of Revenue for deposit in the Criminal Fine and Assessment Account established in ORS 137.300.

(4) Notwithstanding subsections (2) and (3) of this section, unlawful delivery of *Marijuana* is a:

(a) Class A felony, if the delivery is to a person under 18 years of age and the defendant is at least 18 years of age and is at least three years older than the person to whom the *Marijuana* is delivered; or

(b) Class C misdemeanor, if the delivery:

(A) Is for no consideration;

(B) Consists of less than five grams of the dried leaves, stems and flowers of the { + *Marijuana* + } plant { - Cannabis family Moraceae - } ;

(C) Takes place in a public place, as defined in ORS 161.015, that is within 1,000 feet of the real property comprising a public or private elementary, secondary or career school attended primarily by minors; and

(D) Is to a person who is 18 years of age or older.

{ + (5) As used in this section, '*Marijuana* plant' has the meaning given that term in ORS 167.222. + }

SECTION 5. ORS 475.864 is amended to read:

475.864. (1) It is unlawful for any person knowingly or intentionally to possess *Marijuana*.

(2) Unlawful possession of *Marijuana* is a Class B felony.

(3) Notwithstanding subsection (2) of this section, unlawful possession of *Marijuana* is a violation if the amount possessed is less than one avoirdupois ounce of the dried leaves, stems and flowers of the { + *Marijuana* + } plant { - Cannabis family Moraceae - } . A violation under this subsection is punishable by a fine of not less than \$500 and not more than \$1,000. Fines collected under this subsection shall be forwarded to the Department of Revenue for deposit in the Criminal Fine and Assessment Account established under ORS 137.300.

(4) Notwithstanding subsections (2) and (3) of this section, unlawful possession of *Marijuana* is a Class C misdemeanor if the amount possessed is less than one avoirdupois ounce of the dried leaves, stems and flowers of the { + *Marijuana* + } plant { - Cannabis family Moraceae - } and the possession takes place in a public place, as defined in ORS 161.015, that is within 1,000 feet of the real property comprising a public or private elementary, secondary or career school attended primarily by minors.

{ + (5) As used in this section, '*Marijuana* plant' has the meaning given that term in ORS 167.222. + }

SECTION 6. { + The amendments to ORS 167.222, 475.005, 475.302, 475.860 and 475.864 by sections 1 to 5 of this 2009 Act apply to conduct occurring on or after the effective date of this 2009 Act. + }

01/12 (H) First reading. Referred to Speaker's desk.

01/16 (H) Referred to Judiciary.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2300.dir/hb2341.intro.pdf>

Oregon State > House Bill 2497 > Sponsored by Representative SCHAUFLE -- Relating to employment.

> Expands ability of employer to prohibit use of medical marijuana in workplace.

Relating to employment; amending ORS 475.340. ... introduced. Expands ability of employer to prohibit use of medical *Marijuana* in workplace. A BILL FOR AN ACT ... a person for costs associated with the medical use of *Marijuana* { - ; or - } { + . + } (2) ...

[snip]

SECTION 1. ORS 475.340 is amended to read:

475.340. Nothing in ORS 475.300 to 475.346 shall be construed to { - require - } :

(1) { + Require + } a government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of *Marijuana* { - ; or - } { + . + }

(2) { + Require + } an employer to { + : + }

{ + (a) + } Accommodate the medical use of *Marijuana* in any workplace { + regardless of where the use occurs;

(b) Allow an employee or independent contractor to possess, to consume or to be impaired by the use of *Marijuana* during working hours; or

(c) Allow any person who is impaired by the use of *Marijuana* to remain in the workplace.

(3) Preclude or restrict an employer from establishing or enforcing a policy to achieve or maintain a drug-free workforce + }.

[snip]

01/29 (H) First reading. Referred to Speaker's desk.

02/04 (H) Referred to Business and Labor.

03/18 (H) Public Hearing scheduled.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2400.dir/hb2497.intro.pdf>

Oregon State > House Bill 2503 > Sponsored by Representative BUCKLEY -- Relating to medical *Marijuana* in the workplace.

> Prohibits discrimination in employment under certain circumstances if discrimination is based on person's status as medical Marijuana registry cardholder or use of medical marijuana off property or premises of employment or during hours that are not hours of employment.

> Makes such discrimination unlawful employment practice. Allows employers to discipline employees who use medical marijuana on property or premises or during hours of employment.

Relating to medical *Marijuana* in the workplace; creating new provisions; and amending ORS ... person's status as medical *Marijuana* registry cardholder or use of medical *Marijuana* off property or premises of ...

A BILL FOR AN ACT

Relating to medical *Marijuana* in the workplace; creating new provisions; and amending ORS 475.340.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 475.340 is amended to read:

475.340. Nothing in ORS 475.300 to 475.346 shall be construed to require:

(1) A government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of *Marijuana*; or

(2) An employer to accommodate the medical use of *Marijuana*

{ - in any workplace - } { + on the property or premises of any place employment or during hours of employment except as provided in section 3 of this 2009 Act + }.

[snip]

SECTION 3. { + (1) It is unlawful for an employer to discriminate against a person in hiring, termination or any term or condition of employment or otherwise penalize a person if the discrimination is based on:

(a) The status of the person as a registry identification cardholder; or

(b) A positive drug test for *Marijuana* if the person is a registry identification cardholder and the medical use of *Marijuana* does not occur on the property or premises of the place of employment or during the hours of employment.

(2) The prohibition established by this section does not apply to a person employed in a safety-sensitive position. As used in this section, 'safety-sensitive position' means a position in which:

(a) The medical use of *Marijuana* could affect the performance of the employee and endanger the health and safety of others;

[snip] (4) Nothing in this section prohibits an employer from terminating the employment of, or taking other corrective action against, an employee who is impaired on the property or premises of the place of employment or during the hours of employment, because of the medical use of *Marijuana*. + }

01/29 (H) First reading. Referred to Speaker's desk.

02/04 (H) Referred to Business and Labor.

03/18 (H) Public Hearing scheduled.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2500.dir/hb2503.intro.pdf>

Oregon State > House Bill 2536 > Sponsored by COMMITTEE ON JUDICIARY (at the request of City of Medford, Oregon Association Chiefs of Police) -- Relating to crime.

> Expands robbery in first degree to include use of look-alike firearm.

> Expands disorderly conduct in first degree to include delivery of unidentified substance with threatening message.

> Expands felon in possession of restricted weapon to include taser and pepper spray.

Relating to crime; creating new provisions; and amending ORS 164.415, 166.023 and 166.270. ... if: (a) The court declared the conviction to be a misdemeanor at the time of judgment; or (b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972. (4) Subsection (1) of this section does not apply to ...

[snip]

(3) For the purposes of this section, a person 'has been convicted of a felony' if, at the time of conviction for an offense, that offense was a felony under the law of the jurisdiction in which it was committed. { - Such conviction shall not be deemed - } { + For the purposes of this section, a conviction is not + } a conviction of a felony if:

(a) The court declared the conviction to be a misdemeanor at the time of judgment; or

(b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972.

[snip]

02/03 (H) First reading. Referred to Speaker's desk.

02/10 (H) Referred to Judiciary.

03/04 (H) Public Hearing held.

03/17 (H) Work Session scheduled.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2500.dir/hb2536.intro.pdf>

Oregon State > House Bill 2635 > Sponsored by Representatives KRIEGER, OLSON; Representatives BERGER, CAMERON, ESQUIVEL, FREEMAN, GARRARD, GILMAN, HANNA, HUFFMAN, JENSON, SPRENGER, THATCHER, WEIDNER, WHISNANT -- Relating to drug tests for public officials.

> Requires that certain public officials submit to drug test two times every calendar year.

> Specifies consequences of refusing or failing test.

Relating to drug tests for public officials. ... of this 2009 Act if the test indicates that the person has used *Marijuana*, without regard to whether the person is authorized to engage in the medical ... to whether the person is authorized to engage in the medical use of *Marijuana* under ORS 475.300 to 475.346. ...

[snip]

SECTION 7. { + A person serving as a public official listed in section 2 of this 2009 Act fails a drug test for the purposes of sections 1 to 7 of this 2009 Act if the test indicates that the person has used *Marijuana*, without regard to whether the person is authorized to engage in the medical use of *Marijuana* under ORS 475.300 to 475.346. + }

02/10 (H) First reading. Referred to Speaker's desk.

02/12 (H) Referred to Rules.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2600.dir/hb2635.intro.pdf>

Oregon State > House Bill 2796 > Sponsored by COMMITTEE ON JUDICIARY -- Relating to motions to set aside.

> Prohibits setting aside arrest for or conviction of criminally negligent homicide.

Relating to motions to set aside; creating new provisions; and amending ORS 137.225. ... would constitute child abuse, as defined in ORS 419B.005, or any sex crime. (b) The crime of possession of the narcotic drug *Marijuana* when that crime was punishable as a felony only. (c) A crime punishable as either a felony or a misdemeanor, in the discretion ...

[snip]

(5) The provisions of subsection (1)(a) of this section apply to a conviction of:

(a) A Class C felony, except for criminal mistreatment in the first degree under ORS 163.205 when it would constitute child abuse, as defined in ORS 419B.005, or any sex crime.

(b) The crime of possession of the narcotic drug *Marijuana* when that crime was punishable as a felony only.

[snip]

02/23 (H) First reading. Referred to Speaker's desk.

02/25 (H) Referred to Judiciary.

03/19 (H) Public Hearing and Possible Work Session scheduled.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2700.dir/hb2796.intro.pdf>

Oregon State > House Bill 2881 > House Bill 2881 Sponsored by Representative BUCKLEY; Representatives HOLVEY, KOTEK, SHIELDS, TOMEI -- Relating to medical *Marijuana*.

> Establishes procedure for employment-related marijuana drug testing and review of results by medical review officer.

> Requires attending physician who provides documentation for medical marijuana card to perform in-person examination of patient.

Relating to medical *Marijuana*; creating new provisions; and amending ORS 438.435 and 475.326. ... Relating to medical *Marijuana*; creating new provisions; and amending ... and includes a test for *Marijuana*, the laboratory shall forward the *Marijuana* test result to the medical ...

[snip]

Relating to medical *Marijuana*; creating new provisions; and amending ORS 438.435 and 475.326.

[snip]

{ + (4) When the substance of abuse test is a test for nonmedical employment or pre-employment purposes and includes a test for *Marijuana*, the laboratory shall forward the *Marijuana* test result to the medical review officer designated by the employer under section 2 of this 2009 Act. The laboratory may not report a *Marijuana* test result to the employer, but may report the result of any other substance of abuse test in accordance with this section. + }

[snip]

(b) 'Medical review officer' means a physician licensed under ORS chapter 677 who is responsible for receiving, reviewing and reporting laboratory results generated when an employer performs a drug test for *Marijuana* on an employee.

(2) If an employer requires an employee to submit to a drug test for *Marijuana*, the employer shall designate a medical review officer to receive, review and report the test result to the employer. The medical review officer must be trained in the assessment and treatment of substance abuse.

(3) If a medical review officer receives a test result that is negative for *Marijuana* from a laboratory as provided in ORS 438.435, the medical review officer shall report a negative *Marijuana* test result to the employer.

(4)(a) If a medical review officer receives a test result that is positive for *Marijuana* from a laboratory as provided in ORS 438.435, the medical review officer shall consult with the employee to determine if the employee possesses a registry identification card issued under ORS 475.309.

(b) If the employee does not possess a registry identification card issued under ORS 475.309, the medical review officer shall report a positive *Marijuana* test result to the employer.

(c) If the employee possesses a registry identification card issued under ORS 475.309, the medical review officer shall consult with the employee to determine the employee's pattern of *Marijuana* use and the potential for impairment while the employee is acting in the course and scope of employment.

(d) If, after the consultation required by paragraph (c) of this subsection, the medical review officer determines that the employee's *Marijuana* use poses a risk to the safety of the employee or others in the employee's place of employment, the medical review officer shall report a positive *Marijuana* test result to the employer.

(e) If, after the consultation required by paragraph (c) of this subsection, the medical review officer determines that the employee's *Marijuana* use does not pose a risk to the safety of the employee or others in the employee's place of employment, the medical review officer shall report a negative *Marijuana* test result to the employer. + }

SECTION 3. ORS 475.326 is amended to read:

475.326. No attending physician may be subjected to civil penalty or discipline by the Oregon Medical Board for:

(1) Advising a person whom the attending physician has diagnosed as having a debilitating medical condition, or a person who the attending physician knows has been so diagnosed by another physician licensed under ORS chapter 677, about the risks and benefits of medical use of *Marijuana* or that the medical use of *Marijuana* may mitigate the symptoms or effects of the person's debilitating medical condition, provided the advice is based on the attending physician's personal assessment of the person's medical history and current medical condition; or

(2) Providing the written documentation necessary for issuance of a registry identification card under ORS 475.309, if { + :

(a) + } The documentation is based on the attending physician's { + in-person examination of the applicant and + } personal assessment of the applicant's medical history { - and - } { + , + } current medical condition { + and appropriate treatment plan; + } and

{ + (b) + } The attending physician has discussed the potential medical risks and benefits of the medical use of *Marijuana* with the applicant.

03/03 (H) First reading. Referred to Speaker's desk.

03/05 (H) Referred to Business and Labor.

03/18 (H) Public Hearing scheduled.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2800.dir/hb2881.intro.pdf>

Oregon State > House Bill 2974 > House Bill 2974 Sponsored by Representatives KOMP, GREENLICK; Representatives BARNHART, BERGER, COWAN, GELSER, HUFFMAN, KAHL, STIEGLER, TOMEI -- Relating to tobacco.

> Increases minimum age for tobacco possession from 18 years to 21 years.

Relating to tobacco; creating new provisions; and amending ORS 163.575, 165.800, 165.813, ... under 18 years of age any device in which tobacco, *Marijuana*, cocaine or any controlled substance, as defined in ORS 475.005 ... of which is directly or indirectly to deliver tobacco smoke, *Marijuana* smoke, cocaine smoke or smoke from any controlled substance into ...

[snip]

{ - (e) - } { + (d) + } Sells to a person under 18 years of age any device in which tobacco, *Marijuana*, cocaine or any controlled substance, as defined in ORS 475.005, is burned and the principal design and use of which is directly or indirectly to deliver tobacco smoke, *Marijuana* smoke, cocaine smoke or smoke from any controlled substance into the human body including but not limited to:

(A) Pipes, water pipes, hookahs, wooden pipes, carburetor pipes, electric pipes, air driven pipes, corn cob pipes, meerscham pipes and ceramic pipes, with or without screens, permanent screens, hashish heads or punctured metal bowls;

(B) Carburetion tubes and devices, including carburetion masks;

(C) Bongs;

(D) Chillums;

(E) Ice pipes or chillers;

(F) Cigarette rolling papers and rolling machines; and

(G) Cocaine free basing kits.

[snip]

03/05 (H) First reading. Referred to Speaker's desk.

03/10 (H) Referred to Human Services.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb2900.dir/hb2974.intro.pdf>

Oregon State > House Bill 3052 > Sponsored by Representatives HANNA, SCHAUFLEER; Representatives BRUUN, CAMERON, ESQUIVEL, FREEMAN, MATTHEWS, MAURER, G SMITH, WHISNANT -- Relating to drugs in the workplace.

> Expands ability of employer to prohibit use of medical marijuana in workplace.

Relating to drugs in the workplace; amending ORS 475.340. ... introduced. Expands ability of employer to prohibit use of medical *Marijuana* in workplace. A BILL FOR AN ACT ... a person for costs associated with the medical use of *Marijuana* { - ; or - } { + . + } (2) ...

A BILL FOR AN ACT

Relating to drugs in the workplace; amending ORS 475.340.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 475.340 is amended to read:

475.340. Nothing in ORS 475.300 to 475.346 shall be construed to { - require - } :

(1) { + Require + } a government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of *Marijuana* { - ; or - } { + . + }

(2) { + Require + } an employer to { + :

(a) + } Accommodate the medical use of *Marijuana* in any workplace { + regardless of where the use occurs;

(b) Allow an employee or independent contractor to possess, to consume or to be impaired by the use of *Marijuana* during working hours; or

(c) Allow any person who is impaired by the use of *Marijuana* to remain in the workplace.

(3) Preclude or restrict an employer from establishing or enforcing a policy to achieve or maintain a drug-free workforce + }.

03/09 (H) First reading. Referred to Speaker's desk.

03/11 (H) Referred to Business and Labor.

03/18 (H) Public Hearing scheduled.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb3000.dir/hb3052.intro.pdf>

Oregon State > House Bill 3274 > Sponsored by Representatives MAURER, TOMEI, THOMPSON, HARKER; Representatives BARKER, BENTZ, BERGER, BRUUN, GARRETT, GILLIAM, GILMAN, GREENLICK, HANNA, JENSON, KOTEK, KRIEGER, OLSON, RICHARDSON, SCHAUFLE, G SMITH, SPRENGER, WEIDNER, Senators BURDICK, KRUSE, METSGER -- Relating to medical *Marijuana*; appropriating money; providing for revenue raising that requires approval by a three-fifths majority.

> Directs Department of Human Services to establish and operate marijuana production facility and distribute marijuana to pharmacies for dispensing to medical marijuana cardholders and designated primary caregivers.

> Allows pharmacists to dispense marijuana to medical marijuana cardholders and designated primary caregivers.

> Disallows private marijuana grow sites.

> Imposes tax of \$98 per ounce on marijuana dispensed by pharmacies.

> Establishes Marijuana Production Facility Fund. Continuously appropriates moneys from fund to department for operation of production facility.

Relating to medical *Marijuana*; creating new provisions; amending ORS 475.302, 475.306, 475. pharmacies for dispensing to medical *Marijuana* cardholders and designated primary caregivers. Allows pharmacists to dispense *Marijuana* to medical *Marijuana* cardholders and ...

A BILL FOR AN ACT

Relating to medical *Marijuana*; creating new provisions; amending ORS 475.302, 475.306, 475.309, 475.316, 475.319, 475.320, 475.324 and 475.331; repealing ORS 475.304; appropriating money; and providing for revenue raising that requires approval by a three-fifths majority.

Be It Enacted by the People of the State of Oregon:

SECTION 1. { + Sections 2 and 3 of this 2009 Act are added to and made a part of ORS 475.300 to 475.346. + }

SECTION 2. { + (1) The Department of Human Services shall establish and operate a *Marijuana* production facility that produces all *Marijuana* used by registry identification cardholders. The department shall distribute *Marijuana* produced at the facility to pharmacies for dispensing to registry identification cardholders and designated primary caregivers.

(2) The department shall adopt rules:

(a) Ensuring the security of the facility and plants;

(b) Establishing a procedure for distribution of medical *Marijuana* to pharmacies;

(c) Ensuring consistent quality of the medical *Marijuana* produced;

(d) Establishing recordkeeping procedures for tracking medical *Marijuana* products from the facility to the end user consistent with federal and state guidelines; and

[snip]

SECTION 16. { + The *Marijuana* Production Facility Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the *Marijuana* Production Facility Fund shall be credited to the fund. The fund consists of moneys deposited in the fund under sections 2 and 14 of this 2009 Act. Moneys in the fund are continuously appropriated to the Department of Human Services for purposes of establishing and operating the *Marijuana* production facility required by section 2 of this 2009 Act. + }

SECTION 17. { + (1) Sections 2 and 3 of this 2009 Act, the amendments to ORS 475.302, 475.306, 475.309, 475.316, 475.319, 475.320, 475.324 and 475.331 by sections 4 to 11 of this 2009 Act and the repeal of ORS 475.304 by section 12 of this 2009 Act become operative on January 1, 2011.

(2) The Director of Human Services may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the director to exercise, on and after the operative date, all the duties, functions and powers conferred on the director by this 2009 Act.

(3) The State Board of Pharmacy may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the board to exercise, on and after the operative date, all the duties, functions and powers conferred on the board by this 2009 Act. + }

SECTION 18. { + Sections 13 to 15 of this 2009 Act apply to *Marijuana* dispensed on or after January 1, 2011. + }

03/11 (H) First reading. Referred to Speaker's desk.

03/12 (H) Referred to Business and Labor with subsequent referral to Revenue.

03/18 (H) Public Hearing scheduled.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb3200.dir/hb3274.intro.pdf>

Oregon State > House Bill 3371 > House Bill 3371 Sponsored by Representative J SMITH -- Relating to driving under the influence of *Marijuana*; declaring an emergency.

> Creates Task Force on Driving Under the Influence of Marijuana. Requires task force to submit report and any recommendations to interim legislative committee on crime by October 1, 2010.

> Sunsets task force on date of convening of next regular biennial legislative session.

> Declares emergency, effective on passage.

Relating to driving under the influence of *Marijuana*; and declaring an emergency. ... driving under the influence of *Marijuana*; and declaring an emergency. ... Driving Under the Influence of *Marijuana*. Requires task force to submit ...

A BILL FOR AN ACT

Relating to driving under the influence of *Marijuana*; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. { + (1) There is created the Task Force on Driving Under the Influence of *Marijuana*, consisting of four members appointed as follows:

[snip]

(2) The task force shall:

(a) Study methods of determining whether a person is under the influence of *Marijuana*; and

(b) Determine whether a roadside test can rapidly and qualitatively detect whether a person is driving under the influence of *Marijuana*.

[snip]

03/11 (H) First reading. Referred to Speaker's desk.

03/13 (H) Referred to Judiciary with subsequent referral to Ways and Means.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/hb3300.dir/hb3371.intro.pdf>

Oregon State > Senate Bill 149 > Printed by order of the President of the Senate (at the request of Attorney General Hardy Myers for Attorney General's Restitution Reform Task Force) -- Relating to compliance with the Oregon Medical *Marijuana* Act; declaring an emergency.

> Prohibits setting aside adult conviction or expunging juvenile record if unsatisfied compensatory fine or restitution judgment exists.

Relating to satisfaction of monetary obligations imposed in judgment for benefit of victim; ... would constitute child abuse, as defined in ORS 419B.005, or any sex crime. (b) The crime of possession of the narcotic drug marijuana when that crime was punishable as a felony only. (c) A crime punishable as either a felony or a misdemeanor, in the discretion ...

[snip]

(5) The provisions of subsection (1)(a) of this section apply to a conviction of:

(a) A Class C felony, except for criminal mistreatment in the first degree under ORS 163.205 when it would constitute child abuse, as defined in ORS 419B.005, or any sex crime.

(b) The crime of possession of the narcotic drug marijuana when that crime was punishable as a felony only.

[snip]

01/15 (S) Introduction and first reading. Referred to President's desk.

01/21 (S) Referred to Judiciary.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0100.dir/sb0149.intro.pdf>

Oregon State > Senate Bill 249 > Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate (at the request of Senate Interim Committee on Judiciary for Oregon Criminal Defense Lawyers Association)
-- Relating to *Marijuana*.

> Authorizes court to enter judgment of conviction for Class A misdemeanor when person convicted of manufacturing certain amounts of marijuana.

> Modifies presumptive sentence for certain marijuana offenses.

Relating to *Marijuana*; creating new provisions; and amending ORS 161.705, 475.320 and 475.900. ... Relating to *Marijuana*; creating new provisions; and amending ... of manufacturing certain amounts of *Marijuana*. Modifies presumptive sentence for certain *Marijuana* offenses. ...

A BILL FOR AN ACT

Relating to *Marijuana*; creating new provisions; and amending ORS 161.705, 475.320 and 475.900.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 161.705 is amended to read:

161.705. Notwithstanding ORS 161.525, the court may enter judgment of conviction for a Class A misdemeanor and make disposition accordingly when:

(1)(a) A person is convicted of any Class C felony;

(b) A person is convicted of { - a - } { + the + } Class B felony { + of unlawful delivery of *Marijuana* + } pursuant to ORS 475.860 (2);

(c) A person is convicted of the Class B felony of { + unlawful + } possession of *Marijuana* pursuant to ORS 475.864

(2) { + ;

(d) A person is convicted of the Class A felony of unlawful manufacture of *Marijuana* pursuant to ORS 475.856 and the quantity involved is no more than that described in ORS 475.320 (1)(a)(A) or (4)(a) + }; or

[snip]

SECTION 2. ORS 475.900 is amended to read:

475.900. (1) A violation of ORS 475.840, 475.846 to 475.894, 475.904 or 475.906 shall be classified as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission if:

(a) The violation constitutes delivery or manufacture of a controlled substance { + other than *Marijuana* + } and involves substantial quantities of { - a - } { + the + } controlled substance. For purposes of this paragraph, the following amounts constitute substantial quantities of the following controlled substances:

(A) Five grams or more of a mixture or substance containing a detectable amount of heroin;

(B) Ten grams or more of a mixture or substance containing a detectable amount of cocaine;

(C) Ten grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers or salts of its isomers;

(D) One hundred grams or more of a mixture or substance containing a detectable amount of hashish;

{ - (E) One hundred and fifty grams or more of a mixture or substance containing a detectable amount of *Marijuana*; - }

[snip]

(b) The violation constitutes possession, delivery or manufacture of a controlled substance { + other than *Marijuana* + } and the possession, delivery or manufacture is a commercial drug offense.

{ - A - } { + The + } possession, delivery or manufacture { + of a controlled substance other than *Marijuana* + } is a commercial drug offense for purposes of this subsection if it is accompanied by at least three of the following factors:

(A) The delivery was of heroin, cocaine, hashish, { - *Marijuana*, - } methamphetamine, lysergic acid diethylamide, psilocybin or psilocin and was for consideration;

[snip]

(B) The violation constitutes delivery or manufacture of *Marijuana* and involves substantial quantities of *Marijuana*. For purposes of this subparagraph, 150 grams or more of a mixture or substance containing a detectable amount of *Marijuana* constitutes substantial quantities of *Marijuana*.

(C) The violation constitutes possession, delivery or manufacture of *Marijuana* and the possession, delivery or manufacture is a commercial drug offense. The possession, delivery or manufacture of *Marijuana* is a commercial drug offense if:

(i) The violation involves the delivery of *Marijuana* for consideration and is accompanied by at least two of the factors described in subsection (1)(b)(B) to (K) of this section; or

[snip]

01/16 (S) Introduction and first reading. Referred to President's desk.

01/22 (S) Referred to Judiciary.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0200.dir/sb0249.intro.pdf>

Oregon State > Senate Bill 251 > Printed pursuant to Senate Interim Rule 213.28 by order of the President (at the request of Senate Interim Committee on Judiciary for Oregon District Attorneys' Association) -- Relating to restricted weapons.

> Modifies crime of felon in possession of restricted weapon to include tasers.

Relating to restricted weapons; creating new provisions; and amending ORS 166.270. ... if: (a) The court declared the conviction to be a misdemeanor at the time of judgment; or (b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972. (4) Subsection (1) of this section does not apply to any person who has ...

[snip]

(3) For the purposes of this section, a person 'has been convicted of a felony' if, at the time of conviction for an offense, that offense was a felony under the law of the jurisdiction in which it was committed. Such conviction shall not be deemed a conviction of a felony if:

(a) The court declared the conviction to be a misdemeanor at the time of judgment; or

(b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972.

[snip]

01/16 (S) Introduction and first reading. Referred to President's desk.

01/22 (S) Referred to Judiciary.

02/18 (S) Public Hearing and Work Session held.

02/23 (S) Recommendation: Do pass.

02/23 (S) Second reading.

02/24 (S) Carried over to

02-25 by unanimous consent.

02/25 (S) Third reading. Carried by Boquist. Passed. Ayes, 27; excused, 3--Morse, Nelson, Verger.

02/26 (H) First reading. Referred to Speaker's desk.

03/02 (H) Referred to Judiciary.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0200.dir/sb0251.intro.pdf>

Oregon State > Senate Bill 285 > Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate (at the request of Senate Interim Committee on Judiciary)) -- Relating to *Marijuana*.

> Directs State Board of Pharmacy to classify marijuana as controlled substance in Schedule II.

Relating to *Marijuana*. ... Relating to *Marijuana*. ... the measure as introduced. Directs State Board of Pharmacy to classify *Marijuana* as controlled substance in Schedule II. A BILL FOR ...

A BILL FOR AN ACT

Relating to *Marijuana*.

Be It Enacted by the People of the State of Oregon:

SECTION 1. { + The State Board of Pharmacy shall classify *Marijuana* as a controlled substance in Schedule II. + }

01/16 (S) Introduction and first reading. Referred to President's desk.

01/23 (S) Referred to Judiciary.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0200.dir/sb0285.intro.pdf>

Oregon State > Senate Bill 388 > Introduced by Senator MORRISETTE -- Relating to medical *Marijuana*; creating new provisions; and amending ORS 475.302, 475.304, ... food and tincture that incorporate *Marijuana* or hashish. Changes amounts of *Marijuana* that medical *Marijuana* cardholder and ...

> Permits medical marijuana cardholders to possess certain amounts of hashish and food and tincture that incorporate marijuana or hashish.

> Changes amounts of marijuana that medical marijuana cardholder and primary caregiver may collectively possess.

> Decreases amount of marijuana that may be possessed by persons responsible for marijuana grow sites to 24 ounces. Creates exception to allow persons responsible for marijuana grow sites to store medical marijuana cardholders marijuana if cardholder cannot store marijuana at cardholders residence.

> Increases allowable size of marijuana seedlings.

> Directs Department of Human Services to prepare manual describing rights and obligations of medical marijuana cardholders, primary caregivers, and persons responsible for marijuana grow sites, and requires those persons to state in applications for registry identification cards that they have read manual.

> Directs department to establish investigation and dispute resolution procedures for certain disputes.

SB 388 SB 388 Decreases amount of marijuana that may be possessed by persons responsible for marijuana grow sites to 24 ounces, among other bad and un-necessary things. We suggest that the clearly evident weaknesses and problems with this bill be politely pointed out by those who do not wish to see the patients and our program burdened by this collection of meddlesome and downright harmful provisions.

We are disappointed that the legislators are again placed in position where they are faced with a bill which is so flawed in what it presents and so absolutely lacking in what it needs, conditions which would not exist if the bill had been the work of more than one narrow, narrow segment of the OMMP registrants and the program's certified enemies. If the contents of the bill had been vetted by the entire mmj community it would be a more solid useful piece of legislation rather than the unthought out collection of bad ideas that it is. PLEASE make sure this bill is either killed or fixed.

For more points - and a bulletin board to post yours - visit - www.mercycenters.org/legis/2009/SB388.html

Status: There was a Hearing on this bill on Wednesday, Mar. 4, at 8AM in Salem, We hope everyone can continue to attend these important hearings and help the committee understand the problems we patients will be facing if the bill passes out in its current, damaging form.

01/28 (S) Introduction and first reading. Referred to President's desk.

02/05 (S) Referred to Human Services and Rural Health Policy, then Ways and Means.

03/02 (S) Public Hearing held.

03/04 (S) Public Hearing held.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0300.dir/sb0388.intro.pdf>

Oregon State > Senate Bill 397 > Sponsored by Senator PROZANSKI, Representative GELSER (at the request of Ed Spinney) -- Relating to setting aside arrests for traffic offenses.

> Allows person arrested for state or municipal traffic offense to have arrest record expunged in certain circumstances.

Relating to setting aside arrests for traffic offenses; creating new provisions; and ... would constitute child abuse, as defined in ORS 419B.005, or any sex crime. (b) The crime of possession of the narcotic drug marijuana when that crime was punishable as a felony only. (c) A crime punishable as either a felony or a misdemeanor, in the discretion ...

[snip]

(5) The provisions of subsection (1)(a) of this section apply to a conviction of:

(a) A Class C felony, except for criminal mistreatment in the first degree under ORS 163.205 when it would constitute child abuse, as defined in ORS 419B.005, or any sex crime.

(b) The crime of possession of the narcotic drug *Marijuana* when that crime was punishable as a felony only.

[snip]

02/02 (S) Introduction and first reading. Referred to President's desk.

02/03 (S) Referred to Judiciary.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0300.dir/sb0397.intro.pdf>

Oregon State > Senate Bill 426 > Senate Bill 426 Sponsored by Senator GIROD -- Relating to drug-free workplace policies.

A BILL FOR AN ACT

Relating to drugs in the workplace; amending ORS 475.340.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 475.340 is amended to read:

475.340. Nothing in ORS 475.300 to 475.346 { - shall be construed to require - } :

(1) { + Requires + } a government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of *Marijuana*; { - or - }

(2) { + Requires + } an employer to { + :

(a) + } Accommodate the medical use of *Marijuana* in any workplace { - . - } { + regardless of where the use occurs;

(b) Allow an employee or independent contractor to possess, consume or be impaired by the use of *Marijuana* during working hours; or

(c) Allow any person who is impaired by the use of *Marijuana* to remain in the workplace; or

(3) Precludes or restricts an employer from establishing or enforcing a policy to achieve or maintain a drug-free workforce. + }

02/02 (S) Introduction and first reading. Referred to President's desk.

02/09 (S) Referred to Commerce and Workforce Development.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0400.dir/sb0426.intro.pdf>

Oregon State > Senate Bill 427 > Sponsored by Senator GIROD -- Relating to drug-free workplace policies.

- > Allows employer to adopt comprehensive drug-free workplace program, including drug and alcohol testing policies.
- > Establishes requirements for program and policies, including requirements for collection of samples and testing procedures.
- > Exempts employer from civil actions under certain conditions when employer has adopted comprehensive drug-free workplace program.
- > Modifies definition of 'compensable injury' in workers' compensation law.
- > Modifies application of disability law in relation to illegal use of drugs.
- > Requires applicant for medical marijuana registry identification card to notify employer before using marijuana.
- > Provides that Oregon Medical Marijuana Act does not require employer to make workplace accommodation regardless of where marijuana use occurs.

Relating to drug-free workplace policies; creating new provisions; and amending ORS 475.309 ... drugs. Requires applicant for medical *Marijuana* registry identification card to notify employer before using *Marijuana*. Provides that Oregon Medical *Marijuana* ...

[snip]

(B) This paragraph does not apply to an individual who has refused to enter into or has violated the terms of a last chance agreement with the employer.

(c) It is no defense or excuse under this section that the individual's separation resulted from alcohol use, *Marijuana* use, unlawful drug use, alcoholism or drug addiction.

[snip]

(A) Between an employer and an employee who has violated the employer's reasonable written policy, has engaged in drug or alcohol use connected with work or has admitted to alcohol abuse, *Marijuana* use or unlawful drug use; and

(B) That permits the employee to return to work under conditions that may require the employee to:

(i) Abstain from alcohol use, *Marijuana* use and unlawful drug use; and

(ii) Attend and comply with the requirements of a rehabilitation or education program acceptable to the employer.

{ + (d) 'Reasonable written policy' includes a comprehensive drug-free workplace program established consistent with sections 1 to 9 of this 2009 Act. + }

{ - (d) - } { + (e) + } An individual is 'under the influence of intoxicants' when the level of alcohol, *Marijuana* or unlawful drugs present in the individual's body exceeds the amount prescribed in a collective bargaining agreement, or the amount prescribed in the employer's reasonable written policy if there is no applicable collective bargaining agreement provision.

[snip]

SECTION 15. ORS 475.309 is amended to read:

475.309. (1) Except as provided in ORS 475.316, 475.320 and 475.342, a person engaged in or assisting in the medical use of *Marijuana* is excepted from the criminal laws of the state for possession, delivery or production of *Marijuana*, aiding and abetting another in the possession, delivery or production of *Marijuana* or any other criminal offense in which possession, delivery or production of *Marijuana* is an element if the following conditions have been satisfied:

(a) The person holds a registry identification card issued pursuant to this section, has applied for a registry identification card pursuant to subsection (9) of this section, is the designated primary caregiver of the cardholder or applicant, or is the person responsible for a *Marijuana* grow site that is producing *Marijuana* for the cardholder and is registered under ORS 475.304; and

(b) The person who has a debilitating medical condition, the person's primary caregiver and the person responsible for a *Marijuana* grow site that is producing *Marijuana* for the cardholder and is registered under ORS 475.304 are collectively in possession of, delivering or producing *Marijuana* for medical use in amounts allowed under ORS 475.320.

[snip]

02/02 (S) Introduction and first reading. Referred to President's desk.

02/09 (S) Referred to Commerce and Workforce Development.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0400.dir/sb0427.intro.pdf>

Oregon State > Senate Bill 573 > Sponsored by Senator BOQUIST -- Relating to firearms.

> Modifies circumstances under which person may petition for relief from prohibition on possession of firearms.

Relating to firearms; amending ORS 166.260, 166.270 and 166.274. ... if: (a) The court declared the conviction to be a misdemeanor at the time of judgment; or (b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972. (4) Subsection (1) of this section does not apply to any person who has ...

[snip]

(3) For the purposes of this section, a person 'has been convicted of a felony' if, at the time of conviction for an offense, that offense was a felony under the law of the jurisdiction in which it was committed. Such conviction shall not be deemed a conviction of a felony if:

(a) The court declared the conviction to be a misdemeanor at the time of judgment; or

(b) The offense was possession of *Marijuana* and the conviction was prior to January 1, 1972.

[snip]

02/23 (S) Introduction and first reading. Referred to President's desk.

02/26 (S) Referred to Judiciary.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0500.dir/sb0573.intro.pdf>

Oregon State > Senate Bill 676 > Sponsored by Senators PROZANSKI, NELSON -- Relating to industrial hemp; appropriating money.

> Permits production and possession of industrial hemp and trade in industrial hemp commodities and products.

> Authorizes State Department of Agriculture to administer licensing, permitting and inspection program for growers and handlers of industrial hemp.

> Allows department to charge fees to growers and handlers.

> Continuously appropriates fee moneys to department.

> Allows department to impose civil penalty not exceeding \$2,500 for violation of license or permit requirements.

Relating to industrial hemp; creating new provisions; amending ORS 475.005 and 561.144; and Whereas the *Cannabis sativa* plant used for the production of industrial hemp is separate and distinct from forms of *Cannabis* used to produce *Marijuana*; and Whereas industrial hemp is used for products such as building materials, cloth, cordage, fiber, food, floor coverings, fuel, industrial chemicals, paint, paper ...

A BILL FOR AN ACT

Relating to medical *Marijuana*; creating new provisions; amending ORS 475.302, 475.316, 475.323, 475.324 and 475.331; and appropriating money.

[snip]

{ + (6) 'Dispensary' means a nonprofit entity that produces *Marijuana* and delivers usable *Marijuana* or *Marijuana* plants to registry identification cardholders. + }

{ - (6) - } { + (7) + } '*Marijuana*' has the meaning given that term in ORS 475.005.

{ - (7) - } { + (8) + } '*Marijuana* grow site' means a location where *Marijuana* is produced for use by a { + particular + } registry identification cardholder and that is registered under the provisions of ORS 475.304.

{ - (8) - } { + (9) + } 'Medical use of *Marijuana*' means the production, possession, delivery, or administration of *Marijuana*, or paraphernalia used to administer *Marijuana*, as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of the person's debilitating medical condition.

{ + (10) 'Producer' means a person who produces usable *Marijuana* or *Marijuana* plants for a registry identification cardholder, designated primary caregiver, person responsible for a grow site or registered dispensary. + }

{ - (9) - } { + (11) + } 'Production' has the meaning given that term in ORS 475.005.

{ - (10) - } { + (12) + } 'Registry identification card' means a document issued by the department that identifies a person authorized to engage in the medical use of *Marijuana* and the person's designated primary caregiver, if any.

{ - (11) - } { + (13) + } 'Usable *Marijuana*' means the dried leaves and flowers of the plant *Cannabis* family *Moraceae*, and any mixture or preparation thereof, that are appropriate for medical use as allowed in ORS 475.300 to 475.346. 'Usable *Marijuana*' does not include the seeds, stalks and roots of the plant.

[snip]

{ - (12) - } { + (14) + } 'Written documentation' means a statement signed by the attending physician of a person diagnosed with a debilitating medical condition or copies of the person's relevant medical records.

SECTION 3. { + (1) A dispensary may not produce or deliver *Marijuana* unless the dispensary is registered with the Department of Human Services.

(2) A dispensary that is registered with the department may produce and deliver usable *Marijuana* and *Marijuana* plants to any registry identification cardholder or designated primary caregiver.

(3) The department shall issue a dispensary registration card to a nonprofit entity that:

(a) Submits the following information to the department:

(A) The name of the entity and any other name used in connection with the production or delivery of *Marijuana*;

(B) The addresses of locations used by the entity to produce or deliver *Marijuana*;

(C) The names, addresses and dates of birth of the principal officers of the entity;

[snip]

03/03 (S) Introduction and first reading. Referred to President's desk.

03/09 (S) Referred to Environment and Natural Resources.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0600.dir/sb0676.intro.pdf>

Oregon State > Senate Bill 812 > Sponsored by COMMITTEE ON JUDICIARY (at the request of Coalition for Patients' Rights) -- Relating to medical marijuana; appropriating money.

> Requires Department of Human Services to register certain dispensaries and producers of medical marijuana and establishes requirements for dispensaries and producers of marijuana.

> Directs department to develop and implement program to assist low-income medical marijuana cardholder in obtaining marijuana.

> Allows department to conduct research on efficacy and safety of marijuana used by medical marijuana cardholders.

> Establishes Medical Marijuana Fund. Appropriates moneys in fund to department.

Relating to medical *Marijuana*; creating new provisions; amending ORS 475.302, 475.316, 475. on efficacy and safety of *Marijuana* used by medical *Marijuana* cardholders. Establishes Medical *Marijuana* Fund ... a nonprofit entity that produces *Marijuana* and delivers usable *Marijuana* or *Marijuana* plants to registry ...

A BILL FOR AN ACT

Relating to medical *Marijuana*; creating new provisions; amending ORS 475.302, 475.316, 475.323, 475.324 and 475.331; and appropriating money.

[snip]

{ + (6) 'Dispensary' means a nonprofit entity that produces *Marijuana* and delivers usable *Marijuana* or *Marijuana* plants to registry identification cardholders. + }

{ - (6) - } { + (7) + } '*Marijuana*' has the meaning given that term in ORS 475.005.

{ - (7) - } { + (8) + } '*Marijuana* grow site' means a location where *Marijuana* is produced for use by a { + particular + } registry identification cardholder and that is registered under the provisions of ORS 475.304.

{ - (8) - } { + (9) + } '*Medical use of Marijuana*' means the production, possession, delivery, or administration of *Marijuana*, or paraphernalia used to administer *Marijuana*, as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of the person's debilitating medical condition.

{ + (10) 'Producer' means a person who produces usable *Marijuana* or *Marijuana* plants for a registry identification cardholder, designated primary caregiver, person responsible for a grow site or registered dispensary. + }

{ - (9) - } { + (11) + } 'Production' has the meaning given that term in ORS 475.005.

{ - (10) - } { + (12) + } 'Registry identification card' means a document issued by the department that identifies a person authorized to engage in the medical use of *Marijuana* and the person's designated primary caregiver, if any.

{ - (11) - } { + (13) + } 'Usable *Marijuana*' means the dried leaves and flowers of the plant Cannabis family Moraceae, and any mixture or preparation thereof, that are appropriate for medical use as allowed in ORS 475.300 to 475.346. 'Usable *Marijuana*' does not include the seeds, stalks and roots of the plant.

[snip]

{ - (12) - } { + (14) + } 'Written documentation' means a statement signed by the attending physician of a person diagnosed with a debilitating medical condition or copies of the person's relevant medical records.

SECTION 3. { + (1) A dispensary may not produce or deliver *Marijuana* unless the dispensary is registered with the Department of Human Services.

(2) A dispensary that is registered with the department may produce and deliver usable *Marijuana* and *Marijuana* plants to any registry identification cardholder or designated primary caregiver.

(3) The department shall issue a dispensary registration card to a nonprofit entity that:

(a) Submits the following information to the department:

(A) The name of the entity and any other name used in connection with the production or delivery of *Marijuana*;

(B) The addresses of locations used by the entity to produce or deliver *Marijuana*;

(C) The names, addresses and dates of birth of the principal officers of the entity;

[snip]

03/05 (S) Introduction and first reading. Referred to President's desk.

03/12 (S) Referred to Human Services and Rural Health Policy.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0800.dir/sb0812.intro.pdf>

Oregon State > Senate Bill 956 > By COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to *Marijuana*; declaring an emergency.

> Modifies definitions related to marijuana for purposes of certain criminal laws.

> Declares emergency, effective on passage.

Relating to *Marijuana*; amending ORS 167.222, 475.005, 475. ... Relating to *Marijuana*; amending ORS 167.222, 475.005 ... introduced. Modifies definitions related to *Marijuana* for purposes of certain criminal ...

A BILL FOR AN ACT

Relating to *Marijuana*; amending ORS 167.222, 475.005, 475.302, 475.304, 475.306, 475.320, 475.323, 475.324, 475.860 and 475.864; and declaring an emergency.

(b) By a practitioner, or by an authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale.

{ - (16) - } { + (17) + } '*Marijuana*' means all parts of the { - plant - } Cannabis { + plant + } { - family Moraceae - } , whether growing or not { - ; the resin extracted from any part of the plant; - } and every compound, manufacture, salt, derivative, mixture, or preparation of the plant { - or its resin. It - } { + . '*Marijuana*' + } does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks { - (except the resin extracted therefrom) - } , fiber, oil { - , - } or cake, { - or - } the sterilized seed of the plant { - which - } { + that + } is incapable of germination { + or hashish + }.

[snip]

(6) '*Marijuana*' has the meaning given that term in ORS 475.005.

(7) '*Marijuana* grow site' means a location where *Marijuana* is produced for use by a registry identification cardholder and that is registered under the provisions of ORS 475.304.

{ + (8) 'Mature *Marijuana* plant' means a *Marijuana* plant that is not a seedling or start. 'Mature *Marijuana* plant' includes plants that have been harvested and are in the process of drying. + }

{ - (8) - } { + (9) + } 'Medical use of *Marijuana*' means the production, possession, delivery, or administration of *Marijuana*, or paraphernalia used to administer *Marijuana*, as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of the person's debilitating medical condition.

[snip]

03/10 (S) Introduction and first reading. Referred to President's desk.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0900.dir/sb0956.intro.pdf>

Oregon State > Senate Bill 957 > By COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to medical *Marijuana*; declaring an emergency.

> Modifies provisions of Oregon Medical Marijuana Act.

> Declares emergency, effective on passage.

Relating to medical *Marijuana*; amending ORS 475.304, 475. ... shall establish by rule a *Marijuana* grow site registration system to authorize production of *Marijuana* by a registry identification cardholder ...

A BILL FOR AN ACT

Relating to medical *Marijuana*; amending ORS 475.304, 475.309, 475.312 and 475.331; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 475.304 is amended to read:

475.304. { - (1) - } { + (1)(a) + } The Department of Human Services shall establish by rule a *Marijuana* grow site registration system to authorize production of *Marijuana* by a registry identification cardholder, a designated primary caregiver who grows *Marijuana* for the cardholder or a person who is responsible for a *Marijuana* grow site. The *Marijuana* grow site registration system adopted must require a registry identification cardholder to submit an application to the department that includes:

{ - (a) - } { + (A) + } The name { + , date of birth and address + } of the person responsible for the *Marijuana* grow site;

{ - (b) - } { + (B) + } The address { + , including the street name and number, + } of the *Marijuana* grow site;

{ + (C) The tax lot number as depicted on a current certified copy of a tax lot map from the county assessor; + }

{ - (c) - } { + (D) + } The registry identification card number of the registry cardholder for whom the *Marijuana* is being produced; { +

(E) A statement, signed under penalty of perjury by the registry identification cardholder and any other person who is responsible for the *Marijuana* grow site, attesting to the accuracy of the application; + } and

[snip]

03/10 (S) Introduction and first reading. Referred to President's desk.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0900.dir/sb0957.intro.pdf>

Oregon State > Senate Bill 958 > By COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to designated primary caregivers; declaring an emergency.

> Modifies provisions in Oregon Medical Marijuana Act related to designated primary caregivers.

> Declares emergency, effective on passage.

Relating to designated primary caregivers; amending ORS 475. ... the person responsible for a *Marijuana* grow site that is producing *Marijuana* for the cardholder and is ... the person responsible for a *Marijuana* grow site that is producing *Marijuana* for the cardholder and is ...

A BILL FOR AN ACT

Relating to designated primary caregivers; amending ORS 475.306, 475.309 and 475.312; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 475.312 is amended to read:

475.312. { + (1) Except as otherwise provided in ORS 475.309 (3), a designated primary caregiver may assist a person who possesses a registry identification card in the medical use of *Marijuana* if the cardholder's attending physician certifies that a caregiver is medically necessary because the cardholder is:

(a) Severely ill; and

(b) Physically incapacitated or debilitated to the degree that a caregiver is required for the daily physical care of the patient. + }

[snip]

{ + (4) A cardholder who has a designated primary caregiver may not be a designated primary caregiver or a person responsible for a *Marijuana* grow site.

(5) A person may not be a designated primary caregiver for more than two cardholders at any given time. + }

SECTION 2. ORS 475.309 is amended to read:

475.309. (1) Except as provided in ORS 475.316, 475.320 and 475.342, a person engaged in or assisting in the medical use of *Marijuana* is excepted from the criminal laws of the state for possession, delivery or production of *Marijuana*, aiding and abetting another in the possession, delivery or production of *Marijuana* or any other criminal offense in which possession, delivery or production of *Marijuana* is an element if the following conditions have been satisfied:

(a) The person holds a registry identification card issued pursuant to this section, has applied for a registry identification card pursuant to subsection (9) of this section, is the designated primary caregiver of the cardholder or applicant, or is the person responsible for a *Marijuana* grow site that is producing *Marijuana* for the cardholder and is registered under ORS 475.304; and

(b) The person who has a debilitating medical condition, the person's primary caregiver and the person responsible for a *Marijuana* grow site that is producing *Marijuana* for the cardholder and is registered under ORS 475.304 are collectively in possession of, delivering or producing *Marijuana* for medical use in amounts allowed under ORS 475.320.

[snip]

03/10 (S) Introduction and first reading. Referred to President's desk.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0900.dir/sb0958.intro.pdf>

Oregon State > Senate Bill 959 > By COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to compliance with the Oregon Medical *Marijuana* Act; declaring an emergency.

> Modifies provisions of Oregon Medical Marijuana Act.

> Declares emergency, effective on passage.

Relating to compliance with the Oregon Medical *Marijuana* Act; creating new provisions; shall establish by rule a *Marijuana* grow site registration system to authorize production of *Marijuana* by a registry identification cardholder ...

A BILL FOR AN ACT

Relating to compliance with the Oregon Medical *Marijuana* Act; creating new provisions; amending ORS 475.304, 475.306, 475.309, 475.316, 475.320, 475.323 and 475.324; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 475.304 is amended to read:

475.304. { - (1) - } { + (1)(a) + } The Department of Human Services shall establish by rule a *Marijuana* grow site registration system to authorize production of *Marijuana* by a registry identification cardholder, a designated primary caregiver who grows *Marijuana* for the cardholder or a person who is responsible for a *Marijuana* grow site. The *Marijuana* grow site registration system adopted must require a registry identification cardholder to submit an application to the department that includes:

{ - (a) - } { + (A) + } The name of the person responsible for the *Marijuana* grow site;

{ - (b) - } { + (B) + } The address of the *Marijuana* grow site;

{ - (c) - } { + (C) + } The registry identification card number of the registry cardholder for whom the *Marijuana* is being produced; and

{ - (d) - } { + (D) + } Any other information the department considers necessary.

{ + (b) A *Marijuana* grow site may not be operated at an address that is within 1,000 feet of a school in violation of ORS 475.858. + }

[snip]

03/10 (S) Introduction and first reading. Referred to President's desk.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0900.dir/sb0959.intro.pdf>

Oregon State > Senate Bill 960 > Sponsored by COMMITTEE ON JUDICIARY (at the request of Oregon Association Chiefs of Police, Oregon State Sheriffs' Association, Oregon District Attorneys Association, Oregon Narcotics Enforcement Association and Oregon Partnership) -- Relating to medical marijuana; declaring an emergency.

> Modifies requirements for obtaining marijuana grow site registration card.

> Requires registry identification cardholder, designated primary caregiver and person responsible for grow site to authorize inspection.

> Requires Department of Human Services to revoke registry identification card, marijuana grow site registration card or designated primary caregiver identification card of person who refuses inspection.

> Removes exception from criminal liability for person who refuses inspection.

> Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to medical *Marijuana*; amending ORS 475.304, 475.316,

475.320 and 475.323; and declaring an emergency. Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 475.304 is amended to read:

475.304. { - (1) - } { + (1)(a) + } The Department of Human Services shall establish by rule a *Marijuana* grow site registration system to authorize production of *Marijuana* by a registry identification cardholder, a designated primary caregiver who grows *Marijuana* for the cardholder or a person who is responsible for a *Marijuana* grow site. The *Marijuana* grow site registration system adopted must require a registry identification cardholder to submit an application to the department that includes:

{ - (a) - } { + (A) + } The name of the person responsible for the *Marijuana* grow site;

{ - (b) - } { + (B) + } The address of the *Marijuana* grow site;

{ - (c) - } { + (C) + } The registry identification card number of the registry cardholder for whom the *Marijuana* is being produced;

{ + (D) The written agreement described in paragraph (b) of this subsection; + } and

{ - (d) - } { + (E) + } Any other information the department considers necessary.

{ + (b) An application for a *Marijuana* grow site registration card shall include a written agreement authorizing the inspection of the *Marijuana* grow site and the person, vehicle and residence of the registry identification cardholder, the person responsible for the grow site and the designated primary caregiver, if any. The agreement must authorize an inspection upon the request of any department employee or law enforcement designee of the department at any time between the hours of 8 a.m. and 5 p.m., Monday through Friday, or at any time if a law enforcement designee of the department develops probable cause to believe that the registry identification cardholder, the person responsible for the grow site or the designated primary caregiver, if any, is in violation of the provisions of ORS 475.840 to 475.980. The agreement must be signed by the registry identification cardholder, the person responsible for the grow site and the designated primary caregiver, if any.

[snip]

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb0900.dir/sb0960.intro.pdf>

Oregon State > Senate Bill 5530 > Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate (at the request of Budget and Management Division, Oregon Department of Administrative Services) --

Relating to financial administration of the Department of Human Services; declaring an emergency.

> Approves certain new or increased fees adopted by Department of Human Services.

> Declares emergency, effective July 1, 2009.

Relating to financial administration of the Department of Human Services; and declaring an ... MEASURE. Health Division, Oregon Medical *Marijuana* Program: (a) New applicants and renewal applicants for a medical *Marijuana* certificate registration, non-food ...

01/12 (S) Introduction and first reading. Referred to President's desk.

01/12 (S) Referred to Ways and Means.

01/26 (S) Assigned to Subcommittee On Human Services.

See full Text at - <http://www.leg.state.or.us/09reg/measpdf/sb5500.dir/sb5530.intro.pdf>

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News From *your* local affiliate of the National Organization for the Reform of Marijuana Laws

*** NOTE! The Willamette Valley NORML
Public meeting * Happens every 4th
Sat. of the month and will be at
h'ERb'S Toasted Subs,
1210 Willamette St, Eugene
call: 541.517-0957 -or- visit:
<http://WillametteValleyNORML.org>**



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