

Good morning Chairwoman Larson and members of the Senate Judiciary Committee. My name is Jason Wahl, Director of the Division of Medical Marijuana within the North Dakota Department of Health (NDDoH). I am here to provide information on Senate Bill 2234 related to allowing a registered qualifying patient or registered designated caregiver to produce up to eight marijuana plants.

The changes in the bill establish limited, to no, regulations or required monitoring related to self-grown marijuana. There is no specific authority provided related to who is responsible for ensuring there are not more than eight plants being produced, the enclosed, locked facility meets the requirements of law, and the location is not within 1,000 feet of a public or private school. Given the amount of plants and no changes to current possession limits of a registered qualifying patient or designated caregiver, it would be difficult for possession limits not to be exceeded once a plant is harvested.

Under Senate Bill 2234, there are no requirements or regulations related to the testing of the self-produced marijuana. Thus, qualifying patients with certain medical conditions are at risk of consuming marijuana that may contain harmful contaminants.

The number of proposed plants allowed under the provisions of this bill also creates concerns. Multiple registered qualifying patients may reside within the same home which potentially increases the number of plants in the residency. Also, since a registered designated caregiver may have up to five patients, there is a potential to have up to 40 plants.

The NDDoH was requested to provide a fiscal note related to Senate Bill 2234. No additional regulations are established for the NDDoH related to monitoring or inspections of the producing of eight plants. Thus, no fiscal impact was identified.

This concludes my testimony. I am happy to answer any questions you may have.