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Good morning Chairwoman Lee and members of the Senate Human Services Committee. My name is Jason Wahl, Director of the Division of Medical Marijuana within the Department of Health and Human Services (Department). I am here to provide information on Senate Bill 2102 related to proposed changes to language regarding criminal history record checks. The purposes of these changes are to provide clarification in state law and to provide details regarding individuals who are to be fingerprinted to obtain an agent registry identification card within the Medical Marijuana Program.

Under state law, the Department is to conduct a criminal history record check of designated caregivers and agents of manufacturing facilities and dispensaries. The criminal history record checks are to be performed upon initial application and biennially after the initial registration.

Last session, changes were made to state law related to criminal history record checks. The changes were a result of concerns voiced by representatives of the Federal Bureau of Investigation (FBI) who wanted clarification in state law. Unfortunately, after last session ended FBI representatives voiced additional concerns about language in state law and requested additional changes. Based on our conversations with other states, North Dakota is not unique in having to modify state law in attempt to alleviate concerns of the FBI to continue to have criminal history record checks performed on individuals registered in medical marijuana programs.

Our Assistant Attorney General worked with FBI representatives regarding changes and additions to state law to alleviate their concerns to allow the Division of Medical Marijuana to continue submitting fingerprints and receive criminal history record checks. Specifically, the changes in this bill:

- Modifies language related to the Department having criminal history record checks conducted (Section 1);

- Adds definitions for the terms 'agent,' 'manager,' and 'member' (Section2); and
- Removes language related to the State Health Officer (Section 3).

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