

Good Morning Chairwoman Lee and committee of the Health and Human Services. For the record my name is Doug Larsen and am the Senator from District 34 in Mandan.

In 2015, House Bill 1430 was introduced. It had a hearing and went before the chamber. HB 1430 would have legalized marijuana for medical purposes. It turns out they did not think it was a good bill or at least a good bill that day as it failed by a heavy margin of 26-67 or 28% to 72%.

Signatures were gathered and in the fall of 2016 it was on the ballot to be decided by the people. The people had a President to vote for, a few statewide officials, local elections and 5 state-wide measures.

Measure 1 required Legislators to live within the district that they were elected to serve in—82% of the voters said “Yea.” Measure 4 would have raised the tobacco tax, but 61.65% of the people said “Nay.”

And measure 5 which showed that the people of North Dakota did not agree with the state legislators as they passed the measure for Medical Marijuana by a 63.8% to 36.2% margin. Within this measure, it establishes Title 19 of our Century Code and authorized the Department of Health to provide for corrective action, suspension, revocation, appeal, hearings and referral of criminal prosecution.

Currently, Chapter 19 does not allow a path to restoring one’s medical marijuana card in the event it is revoked. This bill adds a period of time for their rights to be restored. Page 3, Line 7 of Senate bill 2388 it would make it a 1-year suspension for a 1st offense, 5 years for a 2nd offense and a third would result in a life-time revocation. All other changes found in the bill simply support the change I just spoke of.

Many of our laws that remove a user’s license do allow for a pathway for the offender to regain that lost privilege. As a common example, if a motorists obtains more than 12 points at a time they lose their ‘card.’ They have a few options on how to re-obtain their privilege to drive—one of the options is just time and depending on how egregious their past behavior was will determine if it is a month or few or a year or so.

Though I don’t take a strong position against it, I don’t support the legalization of cannabis. However, my voting record has shown a consistent stance of supporting what I believe is the desire of the people for a medical program to responsive and responsible. I believe this bill will make the chapter better.

Lastly, I would also like to mention that I am aware of an amendment that will be presented later and support its addition to this bill that would enable the department to make a determinations in cases that may be egregious enough to result in a longer penalty.