



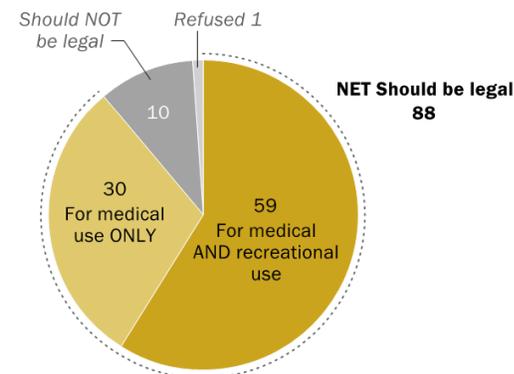
March 15, 2023

To: Senate Federal & State Affairs Committee
From: R.E. "Tuck" Duncan, Kansas Cannabis Industry Association
RE: SB135 Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis. **PROPONENT ORAL**

KCIA, the Kansas Cannabis Industry Association, supports SB135. The 7 page fiscal note Well explains the bill and its monetary impact. Others will discuss the benefits of medical cannabis. As of Feb. 3, 2022, 37 states, three territories and the District of Columbia allow the medical use of cannabis products. <https://www.ncsl.org/health/state-medical-cannabis-laws>

Just one-in-ten U.S. adults say marijuana should not be legal at all

% of U.S. adults who say marijuana ...



Source: Survey of U.S. adults conducted Oct. 10-16, 2022.

PEW RESEARCH CENTER

An overwhelming share of U.S. adults (88%) say either that marijuana should be legal for medical and recreational use by adults (59%) or that it should be legal for medical use only (30%). Just one-in-ten (10%) say marijuana use should not be legal, according to a Pew Research Center survey conducted Oct. 10-16, 2022. These views are virtually unchanged since April 2021.

A statewide poll of Kansas voters initiated by KCIA sends a message that Kansans want the Legislature to pursue Medical Cannabis Legislation. The poll also shows Kansans, including those against cannabis, will continue to look favorably on Legislators who vote in favor of medical cannabis laws. The poll, conducted by research firm HLC Strategies, shows that 70.3% of Kansans support medical cannabis legislation

compared to just 22.1% who oppose. When asked if they would continue to support a Legislator who votes for medical cannabis legislation, even if that voter personally opposes, 78.1% said they would continue to support their Legislator.

The CATO Institute, a conservative think tank with its roots in Kansas which was incorporated in Kansas by Charles Koch in 1974, has found:

“Prohibition (1923-33), which failed to improve health and virtue in America, can afford some invaluable lessons. First, it can provide some perspective on the current crisis in drug prohibition — a 75-year effort that is increasingly viewed as a failure. Repeal of Prohibition dramatically reduced crime, including organized crime, and corruption. Jobs were created, ... Those lessons

can be applied to the current crisis in drug prohibition and the problems of drug abuse. Second, the lessons of Prohibition should be used to curb the urge to prohibit.”
<https://www.cato.org/policy-analysis/alcohol-prohibition-was-failure>

And has posted:

Marijuana Prohibition Was a Farce from the Beginning
Rethinking the federal war on marijuana is long overdue.
<https://www.cato.org/commentary/marijuana-prohibition-was-farce-beginning>

And in 1988, the DEA’s own administrative law judge, Francis Young, ruled that marijuana should be no higher than Schedule II. As Young wrote: “Marijuana, in its natural form, is one of the safest therapeutically active substances known to man. By any measure of rational analysis marijuana can be safely used within a supervised routine of medical care.”

SB135 addresses all the issues identified by the Report of the Special Committee on Medical Marijuana to the 2023 Kansas Legislature.

It is a multi year process to implement a medical cannabis program. At a minimum the committee should direct the various state agencies to begin the process of developing regulations for legislative review.

At the time cannabis is rescheduled, and it will be, Kansas needs to be prepared for interstate commerce pursuant to the dormant commerce clause. We are NOT prepared today, and failure to recognize the public’s support means the illicit market will develop and grow.

Despite the statements made to this committee recently:

Medical cannabis is proven to be effective in the treatment of a variety of debilitating medical conditions. A vast majority of Americans recognize the legitimate medical benefits of cannabis, as well as a large number of medical organizations.

Seriously ill people should not be subject to arrest and criminal penalties for using medical cannabis. If cannabis can provide relief to those suffering from terrible illnesses like cancer and HIV/AIDS, it is unconscionable to criminalize them for using it. People who would benefit from medical cannabis should not have to wait – and in some cases cannot wait – for the right to use it legally.

Suffering individuals should not be forced to use far more dangerous and addictive prescription medications.

State medical cannabis laws are needed to ensure patients have legal, safe, and reliable access to medical cannabis. Patients should not have to resort to the potentially dangerous underground market to access their medicine. By regulating medical cannabis, we can ensure it is free of pesticides, molds, and other impurities, and patients will know exactly what they are getting.

Thank you for your attention to and consideration of these matters.