

SB0073 Favorable with Amendments
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I am in favor of SB73 with the following amendments:

1) Medical certification in lieu of punishment

An 18 year old charged with cannabis possession should have the alternative of acquiring a medical certification and having their case placed on the stet docket.

2) Reduced fine for cultivation

The war on drugs is over. Cannabis cultivation penalties should be civil. But the intent of this penalty is to deter trafficking. Director Kelly's suggested approach to enforcing cannabis sales regulations would eliminate the need for this penalty or at least the need for it to be so high. Further, while the fine value is high for the home grower who grows double what is allowed, but it is not high enough to be a deterrent to black market cultivation. The plant count limit and the fines for exceeding it should reflect the intent to prevent cultivation for profit without a license while limiting the potential for harassing home growers who have no intent to sell their harvest.

Please amend SB73 to reduce the civil fine for cultivation to \$500.

3) Home Grow "fixes"

While it is understood that this bill was not intended to make other changes to this law, there is no other legislation pending to change the personal use limit for cultivation. The law implementing home cultivation was admittedly intended only as an opening negotiating stance. Therefore it is requested that you amend this bill to also update the personal use limit for cultivation to include the following elements:

- 6 flowering and 6 non-flowering cannabis or hemp plants per person
- Double per household

Additional changes needed to support home cultivation include:

- 5 pound household possession limit/keep what you grow
- Legal access to testing services for home cultivators
- Legal sales of seeds and seedlings

4) Targeted Civil Penalties

One approach to cultivation limits and penalties is that the civil limit should be double the personal limit and that concept should be consistent across the personal limits. If there is an intent use cultivation limits to help deter cultivation for the black market, defining the civil limits by canopy tiers might be more appropriate.

An alternative approach is to consider a civil limit of 100 square feet of indoor canopy or 300 square feet of outdoor canopy. That's enough capacity to produce about 10 pounds per year. At \$10/gram that's about \$4500 worth of retail cannabis. If you price the fine at \$40 per square foot of canopy space, the fine would start at \$4000 and escalate to match the value of the potential harvest.

Thank you,
Rusty Carr