



Libertarian Party of Kansas

**March 16, 2022**

**SB 560 by Committee on Federal and State Affairs - Creating the Kansas medical Marijuana regulation act.**

**Chair: Sen. Robert Olson**

The Libertarian Party of Kansas has supported the legalization of medical, industrial and recreational marijuana since the inception of the party. We seek a world of liberty in which all individuals are sovereign over their own lives. An easy example of this concept is the self-ownership of individuals' bodies and their healthcare. Relating this value position to the issue of medical marijuana — all individuals have the right to self-medicate as they see fit, they accept the risks and responsibilities of their choices and all healthcare decisions are private business between a physician and patient. We encourage that the policy plans for the medical marijuana industry in Kansas to be able to develop organically, simply, free of heavy government restriction and as free-market as possible.

Economically, we strive to see the goal of the Kansas medical marijuana industry as a means to further produce wealth and fair competition that contributes to the financial sustenance of Kansans first. Tax revenue for the state, while it will be a welcome and useful consequence, should always be viewed as a secondary objective and not earmarked to fund any government program. In addition, we support all policy that not only removes barriers to participation in the marketplace, but that encourages entry into the market and rewards innovation.

We also see the need for legalization of medical marijuana in Kansas from a humanistic view. This is an issue of compassion. The acknowledged health benefits of cannabis is no longer deniable and its discovery of additional benefits continually grow. Prohibition of medical cannabis has cost lives and has sustained much unnecessary human suffering. It has also caused people to risk their freedom. To continue prohibition and deny alternatives for people that need physical relief any longer would be humanly callous. The human toll is not just physical suffering but includes mass incarceration numbers, the accompanying prison expense to taxpayers, racial bias, corruption, lost of job and wealth creation opportunities and broken and splintered families.

Upon reviewing the bill this is not very libertarian. We believe it needs much work before rolling out. Specifically with the extremely high cultivator fees which will prohibit smaller cultivators from entering the marketplace and being profitable. The last thing we would want to see is an industry consisting of only few large producers monopolizing the marketing. We view SB560 as it is now, as a beginning point and that the benefits of this bill outweigh the failure of continued prohibition. Looking at the big picture, we strongly encourage all legislators to use an approach that is free-market, respects the doctor/patient relationship and patient privacy, that makes it reasonably easy to enter the marketplace with low restrictions and licensing fees with no caps on the number of licenses. We ask that you greatly minimize patient qualifying conditions and eliminate patient treatment waiting periods, and guard against corruptive favors that give special market advantages in growing, harvesting, selling, processing, transporting or researching medical marijuana. The more successfully we do and avoid these the better health outcomes, the more job creation and the better consumer cost we will have. Our failure in this will determine the creation of a black market and its size.

Regarding specifics we recommend:

- Add qualifying medical conditions- autism, sleep disorders and anxiety, and any condition that would otherwise utilize opiates for treatment.
- We do not support any of the advertising and marketing restrictions but would concede that KDHE approval be changed to - Remove submission of advertising requirement and replace with "KDHE may require changes in advertisements".
- Authorized to grow marijuana in a building designated for cultivation by the licensee. Change to "structure". We want to allow farmers to grow in greenhouses and hoop houses.
- Under Dispensaries - Remove language pertaining to the reporting of all sales to the prescription monitoring program database. High risk for HIPPA violation. Seed to sale will provide tracking.
- Also under Dispensaries, the language requiring all employees have an employee license issued by ABC. We prefer to remove this requirement all together as it is cost prohibitive for dispensary owners. If that is not agreeable, then we suggest to change it to "pharmacist or nurse consultant" because there are very few pharmacists in rural Kansas and we need to provide access to rural patients.
- Regarding cultivator fees and licenses - The \$20,000 cultivator license and \$4,000 per 100 square feet area is too much and prices small enterprises out of the market. We suggest a revision to include a 2 or 3 tiered option.  
Option 1: add an additional Tier for 500-999 plants with a \$10k licensing fee.  
Option 2: Allow for boutique grows.  
100 (minimum)-500 =\$10k fee  
501-1500=\$30k fee  
1501 and up=\$80k fee
- Employee fees - reduce proposed fees.
- Pharmacist Consultant Registration - Remove this.
- Pilot Program - Strongly encourage this to be removed.
- Contingent Amendments to the Act - remove this.

Rob Hodgkinson, State Chair  
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