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To: The Honorable Bill Bradbury
Secretary of State
Elections Division
141 State Capitol
Salem, OR 97310-0722

BILL BRADBURY
SECRETARY OF THE STATE

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RECEIVED

Re: Proposed Initiative Petition #28

Dear Secretary Bradbury:

I am an Oregon elector. I have the following comments on the draft ballot title prepared by the Attorney General.

The draft ballot title reads:

ESTABLISHES MEDICAL MARIJUANA SUPPLY SYSTEM AND ASSISTANCE AND RESEARCH PROGRAMS; ALLOWS LIMITED SELLING OF MARIJUANA

Result of "YES" VOTE: "Yes" vote establishes supply system, low income assistance program for medical marijuana cardholders; establishes research program; grants limited state regulation authority; allows limited marijuana sales.

Result of "NO" VOTE: "No" vote retains current law without: supply or assistance programs for medical marijuana cardholders; or authorization for state organized scientific research; or medical marijuana sales.

SUMMARY: Current law allows specified individuals to become registered growers of medical marijuana by meeting criteria; does not allow marijuana sales or state assistance to cardholders in obtaining marijuana; limits growers to six mature plants and 24 ounces of usable marijuana for each cardholder; limits certain growers to growing for four cardholders; limits growers' reimbursements. Measure creates medical marijuana supply system composed of licensed dispensaries and producers. Establishes licensing guidelines. Producers and dispensaries can possess 24 plants and 96 ounces of marijuana. Allows limited sales (by expanding cost categories currently not reimbursable). Exempts dispensaries, dispensary employees, and producers from most marijuana criminal statutes. Establishes low income cardholders' assistance program. Allows state to conduct or fund research of cardholders' marijuana use. Retains grow registration system. Other provisions.

The phrase, "allows limited selling of marijuana" which appears in the caption section of the ballot title is misleading, particularly when the context is considered. Initiative

Petition #2 which the Secretary of State has approved for circulation also deals with the subject of marijuana. That ballot title for that petition reads:

PERMITS STATE-LICENSED CULTIVATION OF MARIJUANA, SALE OF MARIJUANA TO ADULTS THROUGH STATE LIQUOR STORES

The ballot title for Initiative Petition #2 also includes language,

“retains current statutes that permit regulated medical use of marijuana”

in the RESULT OF “NO” VOTE section and

“but permits regulated medical use of marijuana,” and

“Commission sells marijuana at cost to pharmacies and medical research facilities for medical purposes,”

in the summary section. Initiative Petition #2 and Initiative Petition #28 are completely different proposals. #28 is limited to medical marijuana patients, #2 is limited to adults. The phrase, “allows limited selling of marijuana” sounds much more like a phrase describing Initiative Petition #2 than Initiative Petition #28. This has the potential to create much confusion among voters both during the 22 month petition process and if the measures both qualify for the ballot.

Accordingly, the word medical should be added to the final phrase of the caption for Initiative Petition #28 so that it reads:

ESTABLISHES MEDICAL MARIJUANA SUPPLY SYSTEM, ASSISTANCE AND RESEARCH PROGRAMS; ALLOWS LIMITED SELLING OF MEDICAL MARIJUANA

The word “medical” can be added to accurately describe the measure in a way that is not misleading by being confused with Initiative Petition #2. The word count can be maintained by replacing an “AND” with a comma that is more grammatically correct.

Thank you for consideration of these comments. Please send me a copy of the certified ballot title when it is issued.

Sincerely,

John A Sajo