

Bills address marijuana accessibility, overproduction

By **CLAIRE WITHYCOMBE**
Oregon Capital Bureau

State lawmakers are considering more than two dozen bills that could affect Oregonians who consume recreational and medical marijuana.

Oregon voters approved legalizing recreational use of cannabis for adults 21 and older in 2014. Since then, legislators have been shoring up the state's system to regulate the newly legal product.

This year, proposals would tighten some regulations and loosen others as the state continues to wrestle with a glut of marijuana plants and products.

That excess has prompted federal authorities to insist on tougher regulation while lawmakers consider measures that would allow Oregon cannabis businesses to sell inventory in neighboring states.

State auditors recently uncovered issues with how the state regulates marijuana. In January, the Secretary of State's office reported that the Oregon Liquor Control Commission has been unable to keep marijuana from seeping into the black market. Errors in the data the agency uses to track legal marijuana have made it harder to spot suspicious issues, and the agency

hasn't employed enough people to keep up with the demand for licenses and the need for inspections, auditors said.

Lawmakers may take aim at the agency's workload issue by allowing the liquor control commission to limit marijuana licenses.

Cannabis has a long history in Oregon. The state's voters favored legalizing marijuana for medicinal uses in 1998, 25 years after Oregon became the first state to decriminalize cannabis.

The two markets — recreational and medical — continue side by side, with a well-established constituency rooting for medical marijuana.

Here is some of the cannabis-related legislation pending in the 2019 Legislature:

You might be able to order cannabis through a state website — or from a neighboring city.

House Bill 2723 would direct the OLCC to set up a system so medical marijuana patients could order cannabis online.

Sponsor: Rep. Rob Nosse, D-Portland.

Status: Lawmakers conducted a hearing on the bill Monday.

Chatter: The OLCC doesn't think it's necessary for them to set up an online ordering system for the private sec-



EO file photo

The Oregon Legislature is looking at bills that would make marijuana more accessible to legal users while cracking down on the black market.

tor, said the agency's executive director, Steve Marks.

The state could coordinate a medical marijuana delivery pilot, perhaps twice a month for a small group of patients in certain regions of the state, Marks said.

"Do people want it delivered? Can we organize it? Is it going to work for patients if we did something like this? And is it actually worthwhile?" Marks said in an interview with the Oregon Capital Bureau. "I'm kind of skeptical. On the other hand, if we had a pilot, we'd have information to judge whether we'd want to do something larger or smaller in the future."

House Bill 2909 would allow retailers to deliver to

adjacent cities and unincorporated counties that have also opted in to allow legal recreational cannabis.

Sponsor: Rep. Ken Helm, D-Beaverton, Sen. Floyd Prozanski, D-Eugene

Status: Lawmakers heard public testimony on the bill Monday and Wednesday.

Chatter: "Creating efficiency and safety in technology for cannabis companies is one of the strongest actions we can take against the illicit market for cannabis," said Skip Newberry, president of the Technology Association of Oregon, in written testimony to the House Economic Development Committee.

It may become illegal for an employer to fire you

because of a positive drug test for cannabis.

House Bill 2655 would prohibit an employer from using a positive drug test for a legal substance, including cannabis, as the only grounds for firing, or as the sole reason not to hire you.

You couldn't use the substance during work hours, and it can't impair your work.

The law wouldn't apply if a ban on consuming cannabis is a "bona fide qualification" for the job or is included in a collective bargaining agreement.

Sponsor: Rep. Chris Gorsek, D-Troutdale

Status: The bill received a public hearing before the House Business and Labor Committee on Feb. 13, but hasn't been voted on.

A companion bill, **Senate Bill 379**, received a public hearing Feb. 7 but has not moved either.

Chatter: "In addition to employees directly regulated by (the U.S. Department of Transportation), many employees within the trucking industry are still in safety-sensitive positions where impairment of any kind could jeopardize the health and safety of themselves, our drivers, or the motoring public," Waylon Buchan, a lobbyist for the Oregon Trucking Association, told lawmakers in written testimony.

Opponents of the bill have said the proposal could conflict with federal laws.

You could smoke at a cannabis lounge or at temporary events, like festivals and concerts.

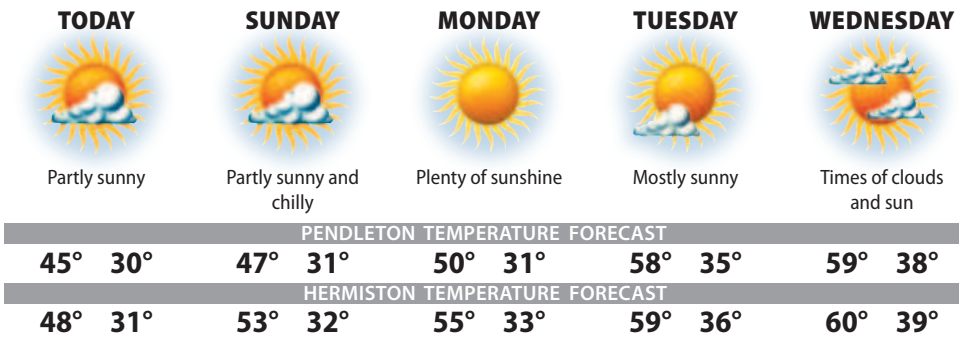
Senate Bill 639 would allow Oregonians 21 and older to smoke at temporary events and "cannabis lounges."

Sponsor: Sen. Lew Frederick, D-Portland and Sen. Floyd Prozanski, D-Eugene.

Status: A public hearing was held Feb. 28 with no movement since then. A companion bill in the House, **House Bill 2233**, went through a public hearing Wednesday.

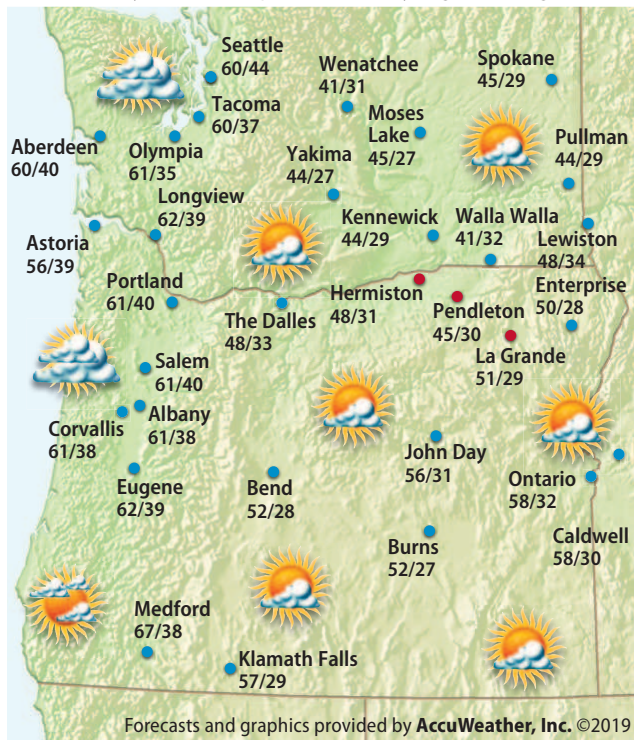
Chatter: "Both first-hand and second-hand marijuana smoke contains many of the same cancer-causing chemicals as tobacco smoke, and there is no evidence that ventilation of smoke within enclosed areas is effective in mitigating health effects," said Jessica Nischik-Long, executive director of the Oregon Public Health Association, in written testimony. "The addition of cannabis cafes creates an increased risk of driving under the influence, as there are no assessments to measure when an individual is 'too high' to drive and no set guidelines to determine when someone should no longer be served."

Forecast for Pendleton Area



OREGON FORECAST

Shown is today's weather. Temperatures are today's highs and tonight's lows.



ALMANAC

PENDLETON through 3 p.m. yest.

TEMP.	HIGH	LOW
Yesterday	41°	29°
Normals	55°	35°
Records	78° (1901)	1° (1906)

PRECIPITATION

24 hours ending 3 p.m.	0.00"
Month to date	0.39"
Normal month to date	0.61"
Year to date	5.24"
Last year to date	3.08"
Normal year to date	13.2"

HERMISTON through 3 p.m. yest.

TEMP.	HIGH	LOW
Yesterday	49°	25°
Normals	58°	34°
Records	77° (1940)	15° (1944)

PRECIPITATION

24 hours ending 3 p.m.	0.00"
Month to date	0.10"
Normal month to date	0.47"
Year to date	3.49"
Last year to date	1.87"
Normal year to date	2.71"

WINDS (in mph)

Today	Sun.
Boardman NE 3-6	NE 4-8
Pendleton NNW 4-8	N 4-8

SUN AND MOON

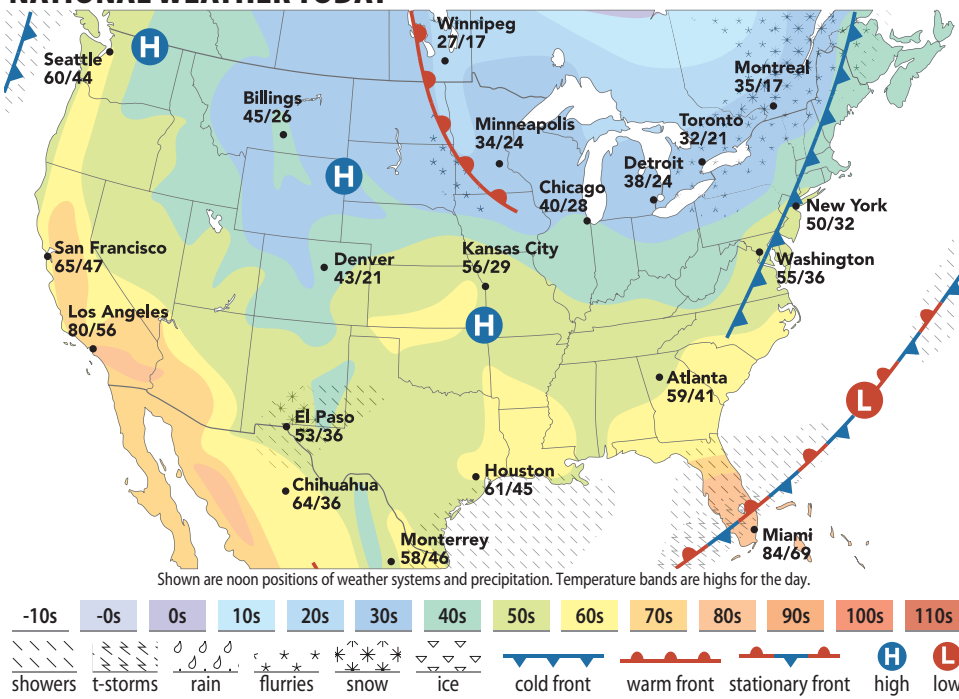
Sunrise today	7:07 a.m.
Sunset tonight	7:02 p.m.
Moonrise today	1:47 p.m.
Moonset today	4:29 a.m.

Full Mar 20, Last Mar 27, New Apr 5, First Apr 12

NATIONAL EXTREMES

Yesterday's National Extremes: (for the 48 contiguous states)
High 88° in Plant City, Fla. Low -18° in Farson, Wyo.

NATIONAL WEATHER TODAY



Oregon sends foster kids to former jails, not families

ROSEBURG (AP) — A move to improve the care of foster children relegated to living in hotels has resulted in 25 percent more children removed from their families being housed in institutions, such as former juvenile jails, *The Oregonian/OregonLive* has found.

The children sent to cinderblock facilities are often the most traumatized and difficult to care for. Most are teens but the state is looking at expanding institutional programs for children as young as 6.

Oregon child welfare leaders signed a court settlement a year ago promising to stop housing vulnerable foster children in hotels, state offices and juvenile detention centers instead of with families.

State caseworkers had increasingly relied on those makeshift methods as Oregon faced a shortage of foster homes.

Child welfare officials say they've begun phasing out the use of hotel rooms and, on any given day in December, three foster children were spending the night in hotels, compared

with 15 in February 2018.

But at the same time, the state has placed dramatically more young people in institutional settings. Since July 2018, the state has had around 400 foster children assigned to live in such settings, state figures show. In September 2016, when two foster children and their advocates sued the state over its use of hotels, the number was close to 300.

Critics question whether former jails are the right place for foster children. And for many, such placements mean moving far from their home communities, switching to unfamiliar and sometimes segregated foster child-only schools and losing the chance to live in the care of a parent figure instead of a rotation of shift workers.

When news broke of children staying in hotels in 2016, state officials attributed the phenomenon to a shortage of foster parents.

But Oregon child welfare director Marilyn Jones, who was hired in 2017, now says recruiting more foster families is not the solution and

increased institutional care is necessary.

"We don't have foster families that can meet the high trauma that these children have," Jones told *The Oregonian/OregonLive*. "They can be suicidal and homicidal. They can have self-harm or have harmed others."

The Department of Human Services didn't respond by Thursday to a request for the minimum age of foster children housed in institutional settings.

In Douglas County, Juvenile Department director Eric Fromdahl says his staffers have done what they can to turn one of the two "pods" in their detention center — a grey cinderblock building designed as a youth jail with an enclosed exercise yard — into a welcoming space.

"It's not the softest building, but we do our best," Fromdahl said.

For a 15-year-old girl from Multnomah County assigned to the facility last summer, the program in Roseburg felt both jail-like and remote.

State hits pause button on chronic pain proposal

BEND (AP) — Oregon health officials have delayed consideration of a controversial change under the Oregon Health Plan that could have forced many patients with chronic pain off opioids.

The Bulletin reports that while chronic-pain patients cheered the development as a sign the agency wanted to back off the proposal, early indications suggest the delay may still proceed.

The proposal was scheduled to be considered by the Health Evidence Review Commission Thursday. But Oregon Health Authority director Patrick Allen asked for more time to allow the agency to review a potential conflict of interest that arose with a consultant who had worked on the proposal.

The proposal under consideration would establish new coverage under the Oregon Health Plan for five

chronic pain conditions that have not been covered in the past. That would allow patients with those conditions to receive opioid and non-opioid medications, as well as a range of non-pharmacological services.

But the proposed policy has been controversial because of initial language that would have forced patients with those conditions to be tapered off of opioids within a year.

CORRECTIONS: The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

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