

February 17, 2017

PROPOSED AMENDMENTS TO SENATE BILL NO. 2344

Page 1, line 4, after the fifth comma insert "and"

Page 1, line 4, remove ", and 19-24-42"

Page 6, line 3, replace "usable marijuana" with "dried leaves or flowers of the plant of genus cannabis in a combustible delivery form"

Page 6, line 4, replace "usable marijuana" with "dried leaves or flowers of the plant of genus cannabis in a combustible delivery form"

Page 6, line 4, remove "The allowable"

Page 6, remove line 5

Page 6, line 6 replace "marijuana, such as ingredients added to prepare a liquid delivery form" with "A registered qualifying patient may not purchase or have purchased by a registered caregiver more than ten grams of liquid, including oil, or pill delivery form of marijuana with a maximum delta-9-tetrahydrocannabinol concentration of thirty percent in a thirty-day period and may not possess more than fifteen grams of liquid, including oil, or pill delivery form of marijuana with a maximum delta-9-tetrahydrocannabinol concentration of thirty percent at any time"

Page 6, line 25, after the second underscored comma insert "member, manager, governor."

Page 7, line 11, after the underscored semicolon insert "and"

Page 7, line 21, remove "; and"

Page 7, remove line 22

Page 7, line 23, remove "the department"

Page 8, line 17, replace "twenty-one" with "nineteen"

Page 8, line 30, after "specialist" insert "or must be a pediatrician working in consultation with one of these pediatric specialists"

Page 9, line 12, after the second "marijuana" insert "or the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form"

Page 9, line 13, replace "the dried leaves or flowers of the plant" with "marijuana infused food"

Page 9, line 21, after "of" insert "useable"

Page 9, line 22, after the underscored period insert "If the physician authorizes the use of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form, the written certification must include an attestation in the physician's professional opinion no other form of usable marijuana would be effective in providing the patient therapeutic or palliative benefits."

Page 10, line 29, after "nonrefundable" insert "annual"

Page 10, line 29, after "fee" insert "of two hundred dollars"

Page 11, remove lines 1 and 2

Page 11, line 15, remove "and"

Page 11, line 16, after "(7)" insert "If the physician authorizes the patient to use the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form, attestation in the physician's professional opinion no other form of usable marijuana will be effective in providing the patient therapeutic or palliative benefits; and

(8)"

Page 12, after line 10, insert:

"4. If the applicant is a minor, the department may waive the application or renewal fee if:

a. The parent or legal guardian of the applicant is the applicant's registered designated caregiver; and

b. The applicant resides with the applicant's registered designated caregiver."

Page 13, line 22, after "nonrefundable" insert "annual"

Page 13, line 22, after "fee" insert "of two hundred dollars"

Page 13, line 24, remove "The department shall establish an application fee in an amount not to"

Page 13, remove line 25

Page 15, line 1, replace "caretaker" with "caregiver"

Page 50, line 23, replace the first "cardholder" with "compassion center"

Page 50, line 23, replace the second "cardholder" with "compassion center"

Page 50, line 24, replace "cardholder" with "compassion center"

Page 50, line 26, replace "registered qualifying patient or registered designated caregiver" with "cardholder"

Page 50, line 29, replace "registered qualifying patient or registered designated caregiver" with "cardholder"

Page 50, line 31, replace "section" with "chapter"

Page 51, line 1, replace "registered qualifying patient or registered designated caregiver" with "cardholder"

Page 53, line 15, remove "**Debilitating**"

Page 53, line 16, replace "**medical condition - Petition**" with "**Registry identification cards**"

Page 54, replace lines 1 through 7 with:

"1. Registry identification cards must contain:

a. The name of the cardholder;

- b. A designation as to whether the cardholder is a qualifying patient, designated caregiver, or compassion center agent;
 - c. A designation as to whether a qualifying patient is a minor;
 - d. A designation as to whether a qualifying patient or a designated caregiver's qualifying patient is authorized to use the dried leaves or flowers of the plant of the genus cannabis;
 - e. The date of issuance and expiration date;
 - f. A random ten-digit alphanumeric identification number containing at least four numbers and at least four letters which is unique to the cardholder;
 - g. If the cardholder is a designated caregiver, the random identification number of the qualifying patient the designated caregiver is authorized to assist;
 - h. A photograph of the cardholder; and
 - i. The phone number or website address at which the card can be verified.
2. Except as otherwise provided in this section, a registry identification card expiration date must be one year after the date of issuance.
 3. If a physician states in the written certification that the qualifying patient would benefit from the medical use of marijuana until a specified date, less than one year, the registry identification card expires on that date."

Page 54, line 29, remove "dispensary or a"

Page 54, line 30, replace "manufacturing facility" with "compassion center"

Page 56, line 14, after "fee" insert "of five thousand dollars"

Page 56, line 15, remove ", in the amount set by the"

Page 56, line 16, remove "department, not to exceed five thousand dollars"

Page 56, line 17, after "incorporation" insert "or articles of organization"

Page 56, line 17, after "bylaws" insert "or operating agreement"

Page 57, line 3, after "member" insert ", or of each member-manager, manager, or governor,"

Page 57, line 5, after "member" insert ", or each member-manager, manager, or governor,"

Page 57, line 8, after the first underscored comma insert "or for each of the proposed compassion center applicant's member-managers, managers, or governors."

Page 58, line 6, after the underscored comma insert "or of the member-managers, managers, or governors."

Page 58, line 28, remove "established by the"

Page 58, line 29, replace "department, not to exceed one hundred thousand dollars" with "of sixty thousand dollars for a dispensary and eighty thousand dollars for a manufacturing facility"

Page 59, line 4, after "incorporation" insert "or articles of organization"

Page 59, line 4, after "bylaws" insert "or operating agreement."

Page 59, line 29, remove "in an amount established by the"

Page 59, line 30, replace "department, not to exceed one hundred thousand dollars" with "of sixty thousand dollars for a dispensary and eighty thousand dollars for a manufacturing facility"

Page 60, line 28, after "**Bylaws**" insert "**or operating agreement**"

Page 60, line 30, after "bylaws" insert "or operating agreement"

Page 60, line 31, after "bylaws" insert "or operating agreement"

Page 61, line 1, after "bylaws" insert "or operating agreement"

Page 61, line 1, after "ownership" insert "or management"

Page 61, line 2, after the second underscored comma insert "board of governors, member-managers, or managers."

Page 62, after line 6, insert:

"c. May not dispense to a registered qualifying patient or registered caregiver the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form unless the registry identification card and verification system authorize this form of useable marijuana."

Page 63, line 20, after the second "be" insert "well"

Page 63, line 20, remove "as provided by"

Page 63, line 21, remove "rules adopted under this chapter and"

Page 69, line 11, after "member" insert ", member-manager, manager, or governor."

Page 70, line 4, remove "established by the department in an"

Page 70, line 5, replace "amount not to exceed three" with "of two"

Page 71, line 16, replace "registration" with "registry identification"

Page 71, after line 25, insert:

"12. Notwithstanding subsection 2, the department may issue a registry identification card to an otherwise qualified compassion center agent who is a compassion center employee or volunteer and who is not a North Dakota resident."

Page 72, line 25, replace "C" with "B"

Page 73, line 2, replace "C" with "B"

Page 73, line 9, replace "C" with "B"

Page 73, line 20, remove "A compassion center must be fined up to one thousand dollars for a violation of this"

Page 73, replace lines 21 and 22 with "In addition to any other penalty applicable in law, if a compassion center violates this chapter the department may fine the compassion center up to one thousand dollars for each violation."

Page 73, line 25, replace "C" with "B"

Page 73, line 30, replace "C" with "B"

Page 74, line 4, replace "registration" with "registry identification"

Page 74, line 9, replace "B" with "A"

Page 76, line 26, replace "Vaporizing" with "Using a combustible delivery form of usable marijuana or vaporizing"

Page 76, line 26, after "the" insert "smoke or"

Page 76, line 27, remove "nonpatient"

Page 76, line 27, remove "child"

Page 77, line 27, after "vaporizing" insert "or combustion"

Page 78, replace lines 5 through 22 with:

19-24-35. Rules.

1. The health council shall adopt rules as necessary for the implementation and administration of this chapter.
2. The health council may adopt rules regarding the operation and governance of additional categories of registered medical marijuana establishments.
3. The health council shall adopt rules to establish requirements for reporting incidents of individuals not authorized to possess marijuana or usable marijuana under this chapter and who are found in possession of marijuana or usable marijuana. The rules must identify professionals required to report, the information the reporter is required to report, and actions the reporter shall take to secure the marijuana or usable marijuana.
4. The health council shall adopt rules to establish requirements for law enforcement officials and health care professionals to report to the department incidents involving overdose or adverse reaction related to the use of usable marijuana.

Page 81, remove lines 1 through 16

Page 81, line 17, replace "19-24-41" with "19-24-40"

Page 81, replace lines 26 through 30 with:

SECTION 41. Section 19-24-41 of the North Dakota Century Code is created and enacted as follows:

19-24-41. Funding.

Beginning in the 2019-21 biennium, revenue generated by the department under this chapter must be sufficient to cover all costs of the department."

Renumber accordingly