

To the North Dakota Senate Human Services Committee

My name is Dustin Peyer. I live in district 28. I am a sponsor of the Freedom of Cannabis ACT. I am asking you to amend 1420 , 1391, 1359, to include the right to grow cannabis for adult use. We must allow people to grow their own cannabis if they choose. This will create a free market balance and system of quality regulation created by the people themselves, not the government. 20 states have allowed and added home cultivation to their programs and there is no reason why North Dakota cannot do the same. This will provide patients and those who want adult use the Freedom to create and use cannabis as they see fit. A free society is not hampered down by unnecessary regulation and government overreach. How long do you think the 216,000 who voted for measure 5 will continue to accept prohibition lite and a legal state run cartel. A monopoly is taking over the North Dakota cannabis industry. While I support cannabis reform I strongly urge a do not pass until home cultivation is added. Is freedom still at the core of enough members to actually give it to the people. The Freedom of Cannabis ACT has a solid infrastructure and continues to grow every time cannabis rights are denied. Patients are paying some of the highest prices in the nation and deserve better. We all deserve better.

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Cannabis Caucus amendment compromise

19 - 24.1 - 08.1. Qualifying patients and designated caregivers - Producing.

A North Dakota resident and qualifying medical marijuana patient may produce up to eight marijuana plants, at any stage beyond a non germinated seed, in an enclosed, locked facility.

The enclosed, locked facility may not be within one thousand feet [304.80 meters] of a property line of a public or private school.

The registered qualifying patient or designated caregiver shall give the medical marijuana advisory board a notice of intent to produce marijuana in an enclosed, locked facility out of sight from the public. The notice must include the qualifying patient's name, a copy of the written certification, and the address of the location where the marijuana will be produced. No fee may be charged.

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What other states do.

Alaska– Alaska allows for at-home cultivation. Adults aged 21 and older can grow up to six marijuana plants. Used for either adult-use or medical purposes, growers must keep in mind that only three mature and flowering plants are permitted at any given time. Additionally, all plants must be grown out of public view and properly secured from unauthorized access.

Arizona– Arizona allows for at-home cultivation, but only if a registered patient lives more than 25 miles from their closest dispensary. State-approved patients can grow up to 12 plants.

California– California allows for at-home cultivation. Adults aged 21 and over each can grow up to six plants for recreational use, with only six plants allowed per residence at a given time. Registered medical cannabis patients, however, are allowed to grow the amount of cannabis required for their medical treatment. However, individual counties are able to set further home cultivation restrictions. It is best to check with your local jurisdiction before starting a home grow.

Colorado– Colorado allows for at-home cultivation. Recreational users can grow up to six plants, with three allowed to mature and flower at any time. Caregivers can grow additional plants, as they can be assigned to up to five patients. They are permitted to cultivate up to 36 plants. Medical patients are allowed to cultivate six plants as well, though they are also allowed to petition for, “greater amounts [when] medically necessary to address the patient’s debilitating medical condition.”

Hawaii– Hawaii allows for at-home cultivation. Before growing, medical patients must register as a cultivator with the state. Once approved, they can produce up to ten plants at a time.

Illinois– Illinois allows for at-home cultivation. Medical patients are permitted to grow their own cannabis, with up to five plants per household regardless of the number of patients living there.

Maine– Maine allows for at-home cultivation. Adults aged 21 and over can grow their own plants, each home can contain up to six mature and twelve immature plants. The state differentiates between medical and adult-use home grows, but the limits for cultivation are the same.

Massachusetts– Massachusetts allows for at-home cultivation. Both medical patients and recreational users aged 21 and over can grow up to six plants. If two adults live in one home, they can collectively produce twelve plants.

Michigan– Michigan allows for at-home cannabis cultivation. Recreational users are permitted to grow up to 12 plants at home. Medical patients can be permitted to cultivate if they are unable to access a medical dispensary due to financial hardship, physical incapability, or lives too far to access a dispensary reasonably. There is no set number of plants a medical patient can cultivate, but the grow is limited to “an amount needed to harvest a 60-day supply,” totaling ten ounces. Caregivers can provide support for up to five patients. They can grow for their patients once the caregiver registers with the state and they can grow up to 60 plants if taking care of five patients.

Missouri– Missouri allows for at-home cannabis cultivation. Medical cannabis patients can grow up to six plants in an enclosed and secured space at their homes. Home cultivators must pay an additional licensing fee to be approved.

Montana– Montana allows for at-home cannabis cultivation. Home growing is permitted to medical patients, who can grow up to four mature plants or 12 seedlings at any time. Two adults living together can grow up to eight mature plants and eight seedlings.

Nevada– Nevada allows for at-home cannabis cultivation. Adult-use growing is allowed if a person lives 25 miles or more away from the closest dispensary with a max of six plants per person or 12 in one household. A property owner or landlord can prohibit growing on their site, while the state requires all activities to occur in an enclosed, secure space. Medical cannabis patients CAN'T home cultivation if a dispensary opens in their county of residence. They are expected from this rule and can cultivate at home only if:

A dispensary is more than 25 miles from their residence  
The cardholder is unable reasonably to travel to a medical marijuana dispensary  
A strain or amount needed is not provided by a dispensary in their county  
Or was already cultivating at home before July 1, 2013.

New Hampshire– New Hampshire allows for at-home cannabis cultivation. Medical patients and caregivers can grow up to three mature plants, as well as three immature plants and 12 seedlings. All plants must be stored in a secure location undetectable from the street or public view.

New Mexico– New Mexico allows for at-home cannabis cultivation. Medical patients and their caregivers have been allowed to cultivate up to 16 plants, with four allowed to be mature.

Oklahoma– Oklahoma allows for at-home cannabis cultivation. Medical patients can grow up to six mature plants and six seedlings.

Oregon– Oregon allows for at-home cannabis cultivation. Adults 21 and over have been allowed to grow up to four plants at home for their own personal use. Medical caregivers can grow up to eight plants but are capped at six adult plants at any time.

Rhode Island– Rhode Island allows for at-home cannabis cultivation. Qualified medical patients or caregivers are permitted to grow up to 12 plants and 12 seedlings on their property inside their home.

Vermont– Vermont allows for at-home cannabis cultivation. Adult residents are allowed to grow up to two mature plants at a time, with a max total of nine.

Washington– Washington allows for at-home cannabis cultivation. Medical patients are allowed to grow up to six plants at home, but they could grow more if they appeal to the state. If the appeal is successful, a person can grow up to 15 plants at a time. Adult-use recreational cultivation is still illegal.

Washington D.C.- Washington D.C. allows for at-home cannabis cultivation. Recreational users aged 21 years or older are allowed to cultivate and possess up to six plants at a time, with three being mature and three being seedlings. Home cultivation for medical purposes is not allowed in the nation's capital.

