

FLOYD PROZANSKI  
State Senator

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REPLY TO ADDRESS INDICATED:

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OREGON STATE SENATE  
900 COURT ST NE  
SALEM, OREGON 97301

Hon. James R. Strickland  
Springfield Municipal Court  
Springfield, OR 97477

Re: City of Springfield v. Paul McClain  
Case No: 10-1238

Dear Judge Strickland,

This letter is intended to provide the court with some legislative history and intent concerning medical marijuana cardholders possessing and transporting medical marijuana. I was an adviser for the drafters of the initiative, the Medical Marijuana Act of Oregon. As a state legislator, I have been involved in numerous work groups adjusting the Act.

It has always been the intent under the Act, for medical marijuana cardholders to transport their lawful medicine between patients, growers, and caregivers. The Act would be rendered meaningless if caregivers and growers could not transport the medicine to the patients, and equally so if the patients were prohibited from transporting their own medicine. Usually, transporting medical marijuana requires possessing it in public places.

The drafters of the initiative only intended to prohibit the "ingestion" of the medicine or growing it in a public place, not the simple act of carrying their medicine on their person or in their belongings when in a public place.

The legislature recently amended the Act in an attempt to clarify the transportation issue by stating it is lawful to transport medical marijuana. We tried to clarify what was perceived as an ambiguity in the language of the Act. The *McClain* case appears to have identified another "ambiguity" that will need to be addressed during the 2011 Regular Legislative Session.

Respectfully submitted,

Dated: 4/14/10

A handwritten signature in black ink, appearing to read "F. Prozanski".  
Floyd Prozanski

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