



Revenue and Transportation Interim Committee  
65th Montana Legislature

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March 16, 2018

Sen. Mary Caferro, Chair  
Children, Families, Health, and Human Services Interim Committee  
Capitol Building  
Helena, MT 59620

Dear Chairwoman Caferro and Members of the Children, Families, Health, and Human Services Interim Committee (CFHHS):

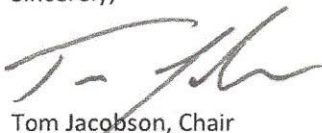
During the Revenue and Transportation Interim Committee (RTIC) meeting on March 14, 2018, the committee received an update from Erica Johnston, Operations Services Branch Manager for the Department of Public Health and Human Services, on the implementation of administrative rules for the medical marijuana program. RTIC is interested in the implementation of changes to the medical marijuana program enacted in Senate Bill No. 333 because the House and Senate Taxation Committees, on which many members of RTIC serve, worked extensively on the bill.

During public comment on the update from Ms. Johnston, the committee heard concerns about the administrative rules adopted pursuant to MAR Notice 37-820 on February 9, 2018, and effective April 10, 2018. RTIC agrees certain administrative rules do not comply with legislative intent. The committee is concerned about rules in the following four areas:

- a large (50 square feet) per patient allowable canopy space;
- testing standards;
- lack of scientific standards for testing laboratories; and
- the phase-in of provider licensing.

As the committee with administrative rule oversight for DPHHS, the Revenue and Transportation Interim Committee respectfully requests the CFHHS committee object to the adopted medical marijuana rules pursuant to 2-4-406, MCA, and recommend that DPHHS amend the administrative rules in the areas cited above to better address legislative intent and public input offered during the administrative rule process.

Sincerely,

  
Tom Jacobson, Chair

  
Mark Blasdel, Vice Chair

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