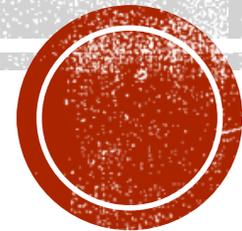


Nick Reinecker  
Opponent Testimony  
Senate Judiciary  
Feb. 8 2017  
Rick Wilborn Chair

SB 112



AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; unlawful possession of drug paraphernalia; penalty; amending K.S.A. 2016 Supp. 21-5709 and repealing the existing section.

**It is imperative that distinctions be made in Kansas law between the classifications of drug paraphernalia.**

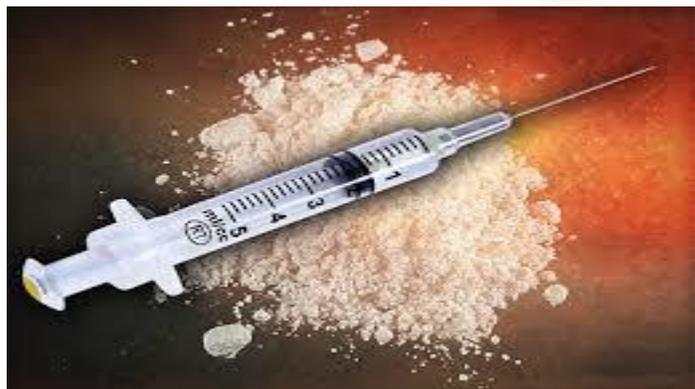


**The ongoing threat of methamphetamine use, abuse and manufacturing coupled with an emerging epidemic of prescription drug, heroin and fentanyl overdose deaths, make it clear, that the use of force and penalties imposed against Kansas citizens must be consistent with the threat level that the different possession of drug paraphernalia presents.**



A BALLOON AMENDMENT TO SB 112 IS WARRANTED THAT WOULD MAKE  
A VERY CLEAR DISTINCTION BETWEEN SYNTHETIC DRUG  
PARAPHERNALIA AND THAT WHICH IS USED WITH NATURALLY  
OCCURRING CANNABIS

Synthetic



Whole Plant Natural Occurring



# PROPOSED BALLOON AMENDMENT

- Page 1

- Line 33

- Striking the words, [fewer than five marijuana plants], after cultivate and adding the words, [more than two cannabis/marijuana plants] and adding the words, [except as provided in subsection (e)(2)(B)(1); and (1) a civil infraction punishable by a fine of no more than (\$75) if the drug paraphernalia was used to cultivate less than three cannabis/marijuana plants]

- Page 1

- Line 35

- Adding the words, [except as provided in subsection (e)(3)(A); and (A) a civil infraction punishable by a fine of no more than (\$25) if the drug paraphernalia was used in conjunction with naturally occurring cannabis/marijuana]



# PROPOSED BALLOON AMENDMENT CONTINUED

- Page 1
  - Line 36
    - Adding the words; [or (d)] after (c), and striking the word, and
- Page2
  - Striking line 1
- Section 1 (d) would constitute a drug severity level 5 felony
  - Remain not subject to subsection (f)



# IN CONCLUSION

I currently stand in opposition of this bill due to the fact it neglects to consider the need to discriminate between obvious public safety hazards and naturally occurring substance apparatus applications that among others are used for, non-FDA-evaluated therapeutic value.

Adoption of this proposed amendment would alleviate any reservations that prevent my support of Senate Bill 112, while still keeping the peace and proper prioritized Public Safety strategies in place.

Thank You  
Questions?

