

My name is Carl Olsen and I represent Iowans for Medical Marijuana, which according to the last Iowa Poll represents about 78% of the population of Iowa.

Most Iowans would like to think our state respects the rule of law, both state and federal.

I would like to address three items on the agenda today.

Item 5(d): "Federal Exemption Update"

Items 6(a) and 6(b): "Previous Recommendations Not Adopted" and "2021 Recommendations Discussion".

This board's 2020 recommendation to rename our program from "cannabidiol" to "cannabis" demonstrates this board's application of scientific knowledge to inform legislators of technical errors and omissions. CBD is not the only cannabinoid. Our program includes all "cannabinoids" and "cannabidiol" is just one of them.

In August 2019, this board recommended the department apply for a federal exemption using the process in 21 C.F.R. § 1307.03, which would bring us into compliance with federal drug law.

In January 2020, this board's 2020 recommendation somehow got transformed into a choice between two options "federal funding guarantees" or "federal exemption."

In June 2020, our legislature enacted a law requiring the department to apply for federal funding guarantees. This sends a message that Iowans are doing something wrong and want the federal government to ignore it and look the other way. It sends a message that we do not respect the rule of law and are incapable of governing ourselves.

In September 2020, the department said the only clear path forward to bring us into compliance with federal drug law is federal exemption using the process in 21 C.F.R. § 1307.03.

In January 2021, this board's annual report said the department was still "evaluating" what to do rather than moving ahead with 21 C.F.R. 1307.03.

In April 2021, I filed a lawsuit against the executive branch for failure to apply for federal funding guarantees as required by our legislature. In April 2021, the department applied for those federal funding guarantees.

This is a lesson in civics. The executive's duty is to implement the law as written by the legislature, unless there is some constitutional reason not to. The executive branch is clearly not going to get out ahead of the legislative branch on this issue.

For the same reason the board must correct a technical error by recommending "cannabis" instead of "cannabidiol" to reflect scientific reality, the board must listen to the department's

legal analysis and recommend the legislature apply for exemption using the process in 21 C.F.R. § 1307.03, to reflect legal reality.

The board acknowledged the legal reality in August 2019, and the department acknowledged the legal reality in September 2020. We obviously know what to do. So, the only question remaining is whether we will do it.

This board should unequivocally recommend federal exemption using the process in 21 C.F.R. § 1307.03 in its "2021 Recommendations". The board must not give the legislature options that incriminate the participants in our medical cannabis program.

I do not pretend that the task assigned to this board and to the department is an easy one.

We either show our respect for the rule of law or we prove unworthy of governing ourselves.

Thank you for your service to our state and to the people of Iowa.