

# Oregon Retail Marijuana

Interim Update 7/7/15

# Measure 91

## Legal retail marijuana

- Adults > 21 can possess small amounts
- OLCC to regulate
  - Licensing
  - Tax collection
  - Investigations
  - Advertising
  - DUI framework
- Cities/Counties can regulate
  - Time, place, manner, nuisance
- Taxes specified in measure (e.g. \$35/oz flower)
- After expenses, taxes go to:
  - Common School Fund (40%)
  - Mental Health Alcoholism and Drug Services (20%)
  - State Police (15%)
  - Cities (10%)
  - Counties (10%)
  - OHA (5%)

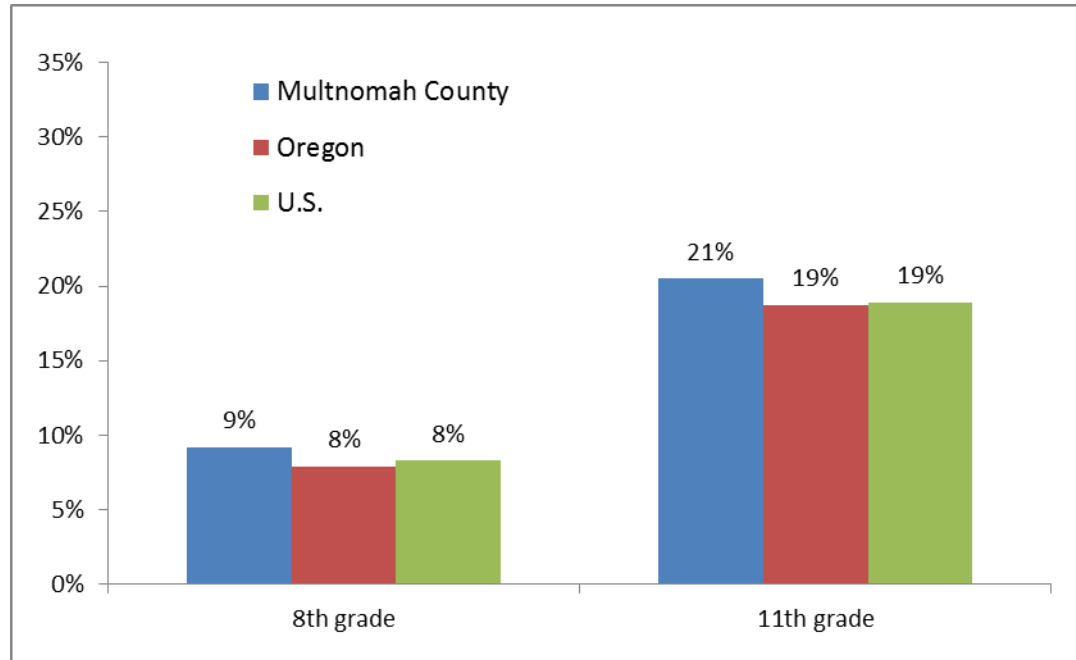
# Rationales for legalization

- Widespread use makes prohibition is inconsistent with norms
- Public Support statewide and especially in Multnomah County(71% yes votes)
- Harms of marijuana less than
  - alcohol and tobacco
  - far less than as heroin and meth
- A regulated market would increase public safety compared with the current situation
- Decrease criminal activity
- Less Illegal activity for usually law-abiding citizens
- Less justice involvement
  - Less racial bias
- Less abuse of medical marijuana system
- Less drugged driving
- Fewer grows on public land

# Public Health Approach and Priorities

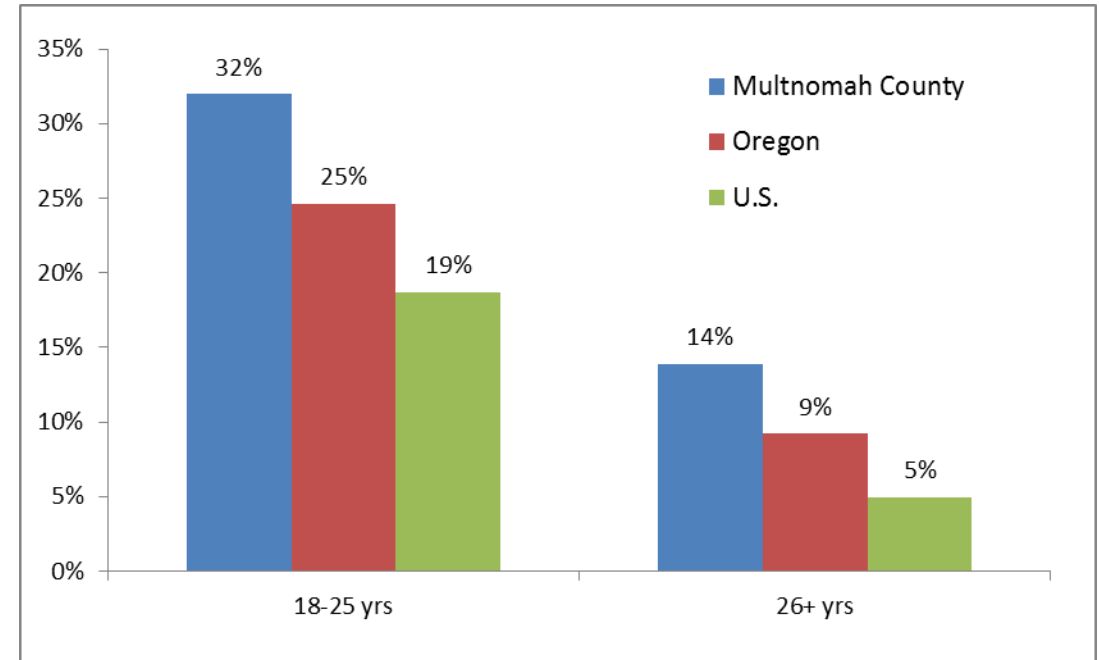
- Evidence Review
  - Bias in publication
  - Bias in funding
  - Prohibitions on research
- Cautious approach to develop enforceable and effective policies
- Areas of Public Health Priority for retail marijuana
  - Youth access
  - Public Safety, especially DUI
  - Personal Health
    - Lungs
    - Acute anxiety
    - Dependence
    - Contamination
    - Dose

# Current Marijuana Use Multnomah, OR, USA



## Youth

2014 Student Wellness Survey



## Adult

Source: NSDUH 2010-2012 combined. "Current use" is any use in past 30 days

# Possible Health Effects of Retail Marijuana

## -Limited data-

- Risks to users

- Acute (right away)
  - Anxiety, especially in new users- STRONG
  - Short-term Cognitive impairment-STRONG
    - Memory, attention, reaction time, coordination, psychomotor performance
- Chronic
  - Dependence-STRONG
  - Respiratory-MIXED
  - Cognitive-WEAK
  - Mental Illness-WEAK

- Public Safety

- Automobile crashes-STRONG
- Explosions making hash oil
- Criminal activity-WEAK

# Possible Health Effects: Infants, children, youth

- Pregnancy and Breastfeeding
  - THC reaches babies, effect unclear
- Poisoning in children
  - Especially edibles
  - Increased ED visits and poison center calls
- Dependence-MIXED
- Long-term cognitive impairment-MIXED
- School completion-WEAK
- Gateway drug-WEAK

# OLCC Rule Making

- OLCC areas of regulation include:
  - Purchase, sale, processing, production, transport, delivery
  - Licensing
  - Collect taxes
  - Investigate violations
  - Advertising
  - Determine DUI framework and drug levels
- City/County regulation
  - Time
  - Manner
  - Place
  - Nuisance



# On-going Policy Issues

- Consequences for medical marijuana
- Local Authority
  - East/West divide?
- Size of tax
  - Too high, illegal market continues
  - Too low, easier youth access
- Equity regarding location of retail, processing, growing

# 2015 House Bill 3400

- Local Opt out
  - City or County Government
    - Must have voted >55% No on 91
    - No tax sharing
  - Local Vote referred by City/County
    - General election (even Novembers)
    - No tax sharing
- Land Use
  - Requires Land Use Compatibility Statement for license
- Local Tax up to 3%
- OLCC Expanded Duties
  - Regulation
  - Handler permit
  - Seed to Sale tracking
  - Lab licensing
  - Packaging and Dosing
  - Medical grower opt-in

# 2015 House Bill 3400- continued

- Oregon Medical Marijuana Program

- Requires grow site tracking
- Requires growers, processors, dispensaries to submit info to database
- Permits law enforcement access to database (transaction info with subpoena)
- Limits plant number at single address

- Dispensary can lose registration for violations

- No dispensary in residential zones

# Other Bills

- SB 460 Early Start
  - Medical shops can sell retail on October 1, 2015
  - Limits amount
  - Cities/Counties can prohibit
- HB 2041 Tax
  - 17% on retail (revokes 91 taxes)
  - Same distribution
  - Early start tax is 25%
- SB 844
  - Research task force
  - Expunction wait to 1 year for offenses under age 21
- HB 2668 Hemp
  - > 1000 feet from school
  - Research
  - Ag Rules Advisory Committee
  - No new licenses until March 2017