

Prevention is Prevention is Prevention!
Advocating for Children
in
Legalized Marijuana Washington State

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Introduction and Overview

- ❖ History of the Legalization of Marijuana in WA
- ❖ Legislation and Rule Making
- ❖ Issues of Concern for the General Public
- ❖ Impact on Children
- ❖ WA State Healthy Youth Survey Trends

Introduction and Overview

- ❖ Advertising and Other “Views”
- ❖ Advocacy and Education
- ❖ Start Mobilizing Now!
- ❖ Lessons learned
- ❖ Always Something New...
- ❖ Resources

History of the Legalization of Marijuana in Washington State

❖ Medical Marijuana

- ❖ Originally enacted in 1998 with recent amendments
 - ❖ RCW 69.51A Medical Cannabis
 - ❖ Authorized Collective Gardens
 - ❖ Up to 10 patients with 45 plants & 72 ounces of usable marijuana
 - ❖ Qualifying patients, caregivers and health care professionals
 - ❖ 60 day supply (up to 15 plants & 24 ounces of useable marijuana)
 - ❖ Medical Cannabis Dispensaries are illegal
 - ❖ THC levels not addressed in state law

History of the Legalization of Marijuana in Washington State

- ❖ Recreational Use of Marijuana
 - ❖ Legislative Efforts for several years with no legislation passed
 - ❖ November 2012: Voters Pass Initiative 502 (I-502)
 - ❖ December 2013: Regulations due from Washington Liquor Control Board

Legislation and Rule Making

- ❖ Components of I-502
- ❖ Special Session of Legislature
 - ❖ Enhanced penalties for child endangered
 - ❖ Budget Proviso – Medical Marijuana
- ❖ Rule Making Process
 - ❖ Liquor Control Board
 - ❖ Public Hearings
 - ❖ Ongoing changes

Legislation and Rule Making

- ❖ Components of I-502 – Recreational Use of Marijuana
 - ❖ Possession of up to 1 ounce by adults 21 or older is not a crime
 - ❖ Possession of up to 16 ounces of infused solids or 72 ounces of infused liquid products are not crimes
 - ❖ Possession, use and sale of marijuana-related drug paraphernalia are no longer crimes
 - ❖ Possession of between 28.3 and 40 grams remains a misdemeanor
 - ❖ Possession of 40 grams or more remains a Class C felony

Legislation and Rule Making

- ❖ Components of I-502 – Recreational Use of Marijuana
 - ❖ Possession of any amount by anyone under 21 remains a crime
 - ❖ Unlicensed manufacture, delivery or sale are crimes
 - ❖ Displaying or consuming marijuana or infused product in public is a Class 3 civil Infraction

Legislation and Rule Making

❖ Medical Marijuana

- ❖ Budget Proviso Language: 3ESSB 5034 Sec. 141(2):
 - ❖ (a) The liquor control board must work with the department of health and the department of revenue to develop recommendations for the legislature regarding the interaction of medical marijuana regulations and the provisions of Initiative Measure No. 502. At a minimum, the recommendations must include provisions addressing the following:

Legislation and Rule Making

- ❖ (i) Age limits;
 - (ii) Authorizing requirements for medical marijuana;
 - (iii) Regulations regarding health care professionals;
 - (iv) Collective gardens;
 - (v) Possession amounts;
 - (vi) Location requirements;
 - (vii) Requirements for medical marijuana producing, processing and retail licensing; and
 - (viii) Taxation of medical marijuana in relation to recreational marijuana.
- ❖ (b) The board must submit its recommendations to the appropriate committees of the Legislature by January 1, 2014.

Legislation and Rule Making

❖ Implementation of I-502 – Recreational Use of Marijuana

versus

Implementation of 3ESSB 5034 Sec. 141(2) – Medical Marijuana

❖ Age limit

- ❖ Recreational: 21 years of age to possess marijuana, hold a marijuana license or enter a licensed marijuana premise
- ❖ Medical: 18-20 years of age with medical authorization; 17 years of age and under also require parent/guardian consent; strict regulations for health care professional, parent/guardian, school use, labeling and other issues

Legislation and Rule Making

- ❖ Authorizing requirements to possess
 - ❖ Recreational: N/A
 - ❖ Medical: mandated patient and designated provider registry with detailed regulations on maintaining registration

Legislation and Rule Making

- ❖ Regulations regarding health care professionals
 - ❖ Recreational: N/A
 - ❖ Medical: detailed regulations similar to those for opioids and pain management, including, but not limited to definition of condition requiring marijuana, medical licenses, practice shall not be limited to medical marijuana, actual physical examination of patient required, prescribing, record-keeping, permanent physical location of place of practice, standard of care, etc.

Legislation and Rule Making

❖ Possession amounts

- ❖ Recreational: 1 ounce of useable marijuana; 16 ounces of infused solid product; 72 ounces of infused liquid product
- ❖ Medical: reduced from 60-day supply of 24 ounces of useable marijuana to 1-week supply of 3 ounces; allow additional infused product; eliminate home grows; eliminate collective gardens; eliminate current illegal “dispensaries”; designated provider may not also be a patient so doubling of limit eliminated; THC and other labeling requirements to ensure not intentionally attractive to minors and recreational users; eliminate affirmative defense in criminal case of medical requirement for possession above limit

Legislation and Rule Making

❖ Location requirements

- ❖ Recreational: Local zoning laws apply for state-licensed production, processing and selling entities; 1000 foot distance (currently under revision to avoid conflict with federal laws) from:
 - ❖ Elementary or secondary school
 - ❖ Playground
 - ❖ Recreational center or facility
 - ❖ Child care center
 - ❖ Public park
 - ❖ Public transit center
 - ❖ Library, or
 - ❖ Any game arcade where admission is not restricted to persons 21 years of age or older
- ❖ Medical: N/A because only licensed marijuana entities may produce, process or sell marijuana for any use

Legislation and Rule Making

- ❖ Production, processing and retail licenses
 - ❖ Recreational:
 - ❖ Three license tiers: producer, processor and retail
 - ❖ Licensee may be producer and processor simultaneously, but not also be retailer
 - ❖ 30-day window to apply for licenses
 - ❖ 3 months' of state residency required
 - ❖ Criminal history, fingerprint and background check
 - ❖ Point system with limit for arrests and/or convictions
 - ❖ Limits on licenses, production and amount of marijuana
 - ❖ Medical: only licensed marijuana entities may produce, process or sell marijuana; retailers require medical marijuana endorsement; implement no sooner than January 1, 2015

Legislation and Rule Making

❖ Taxation

❖ Recreational:

- ❖ Producers: 25% excise tax on wholesale sales; Business and Occupation (B&O) tax as wholesaler
- ❖ Processor: 25% excise tax on wholesale sales; Business and Occupation (B&O) tax as manufacturer
- ❖ Retailer: 25% excise tax on retail sales; Business and Occupation (B&O) tax as retailer; collect state/local retail sales and use tax
- ❖ Retail buyers: pay state/local retail sales and use tax
- ❖ Medical: Same structure as recreational, but provide exemption from state/local retail sales and use tax for medical marijuana patients registered with Department of Health

Issues of Concern for the General Public

- ❖ The clash between medical marijuana and recreational marijuana
- ❖ The true cost to the public
- ❖ Health and safety concerns to the public, law enforcement and, especially, children
- ❖ The regulations have not yet been fully adopted; only recreational use of marijuana rules adopted.

Impact on Children

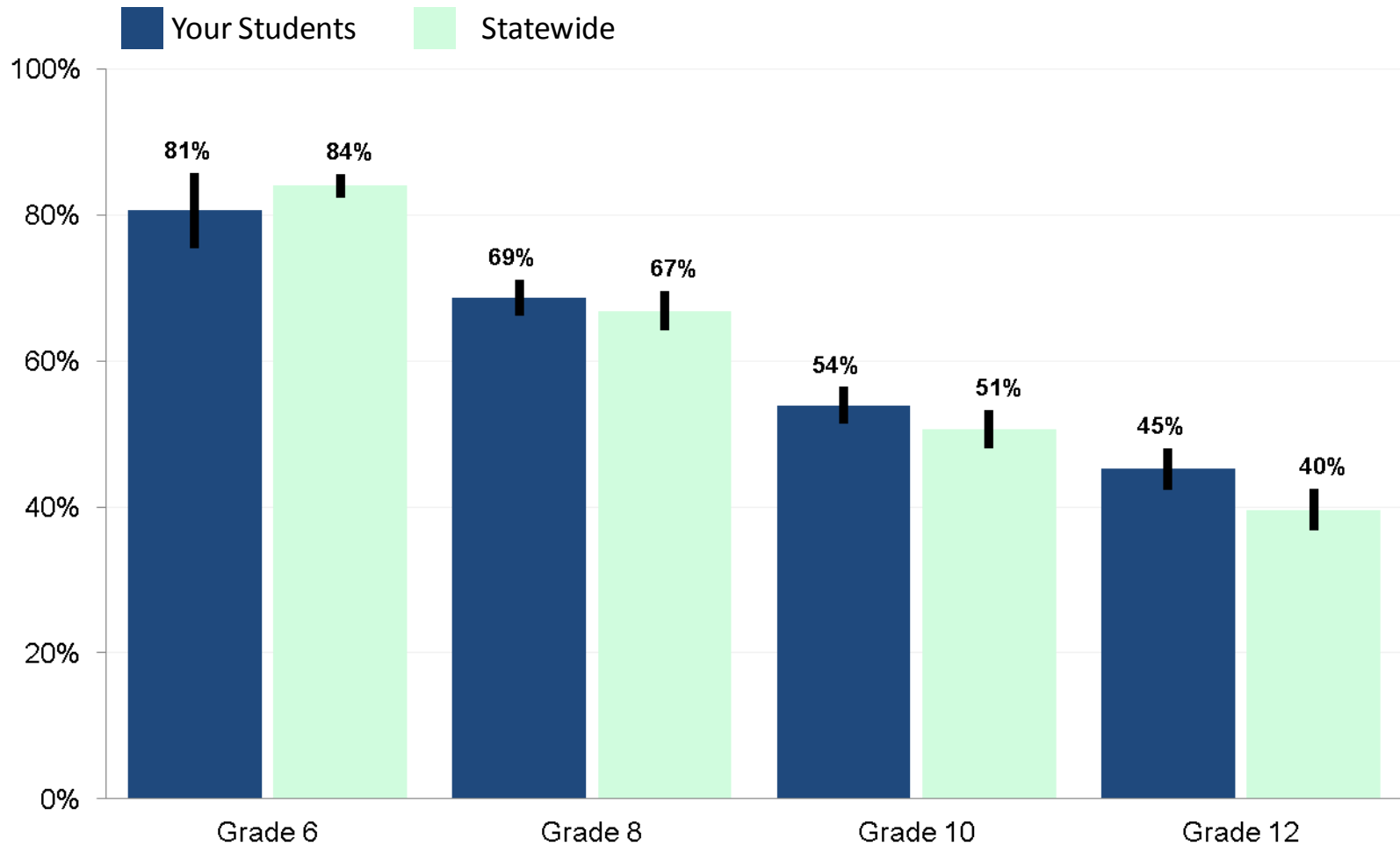
- ❖ Advertising
- ❖ Product Placement and Labeling
- ❖ Underage User
- ❖ Community Norms
- ❖ Smoke-Free Environments
- ❖ Long range impact on growing bodies/brains
- ❖ Education & Employment Challenges

Trends from the Washington State Healthy Youth Survey

- ❖ Perception of Harm
- ❖ Availability
- ❖ Use

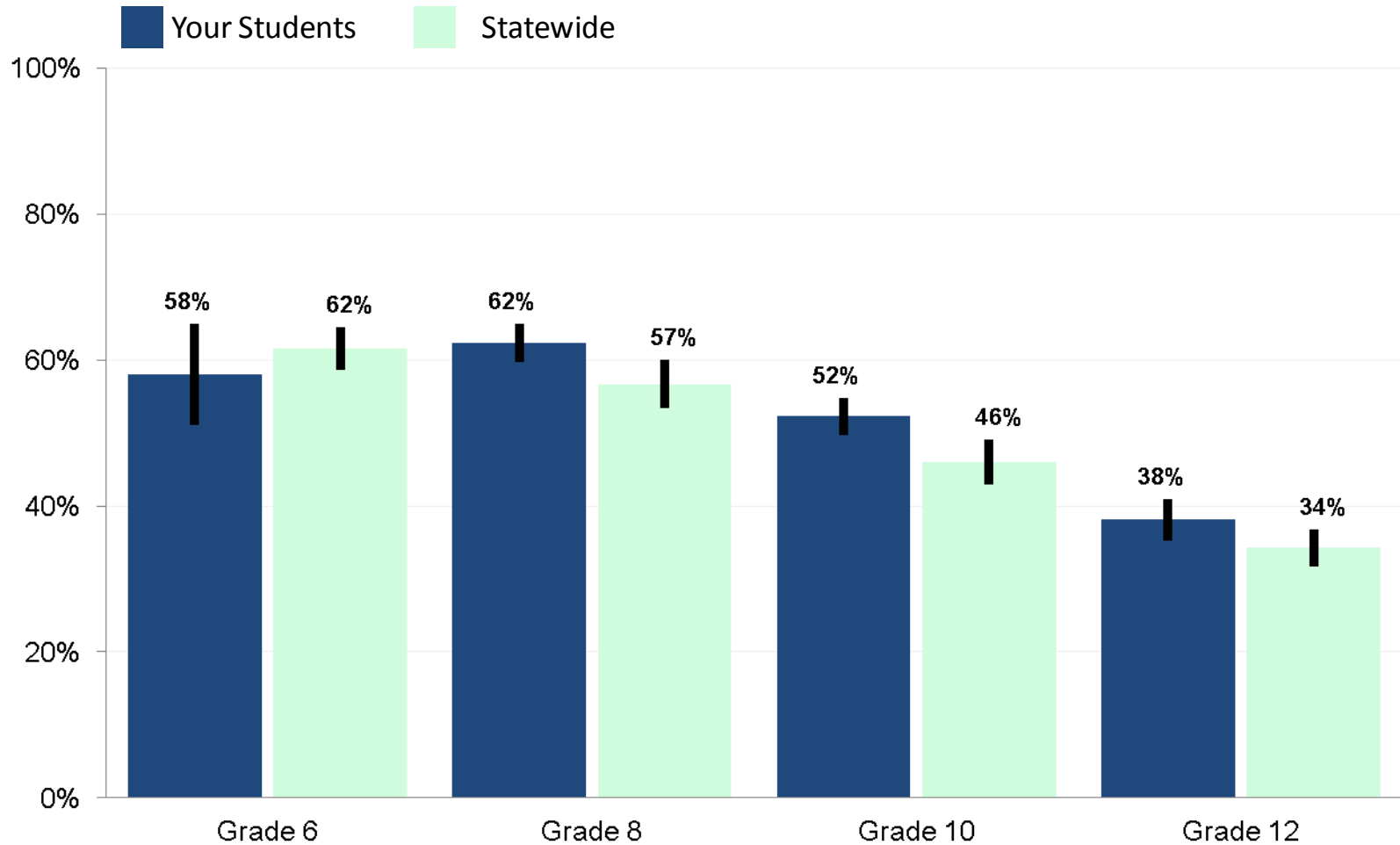
Perception of Neighborhood Norms - Marijuana

Percent of students who report that adults in their neighborhood think youth marijuana use is "very wrong"



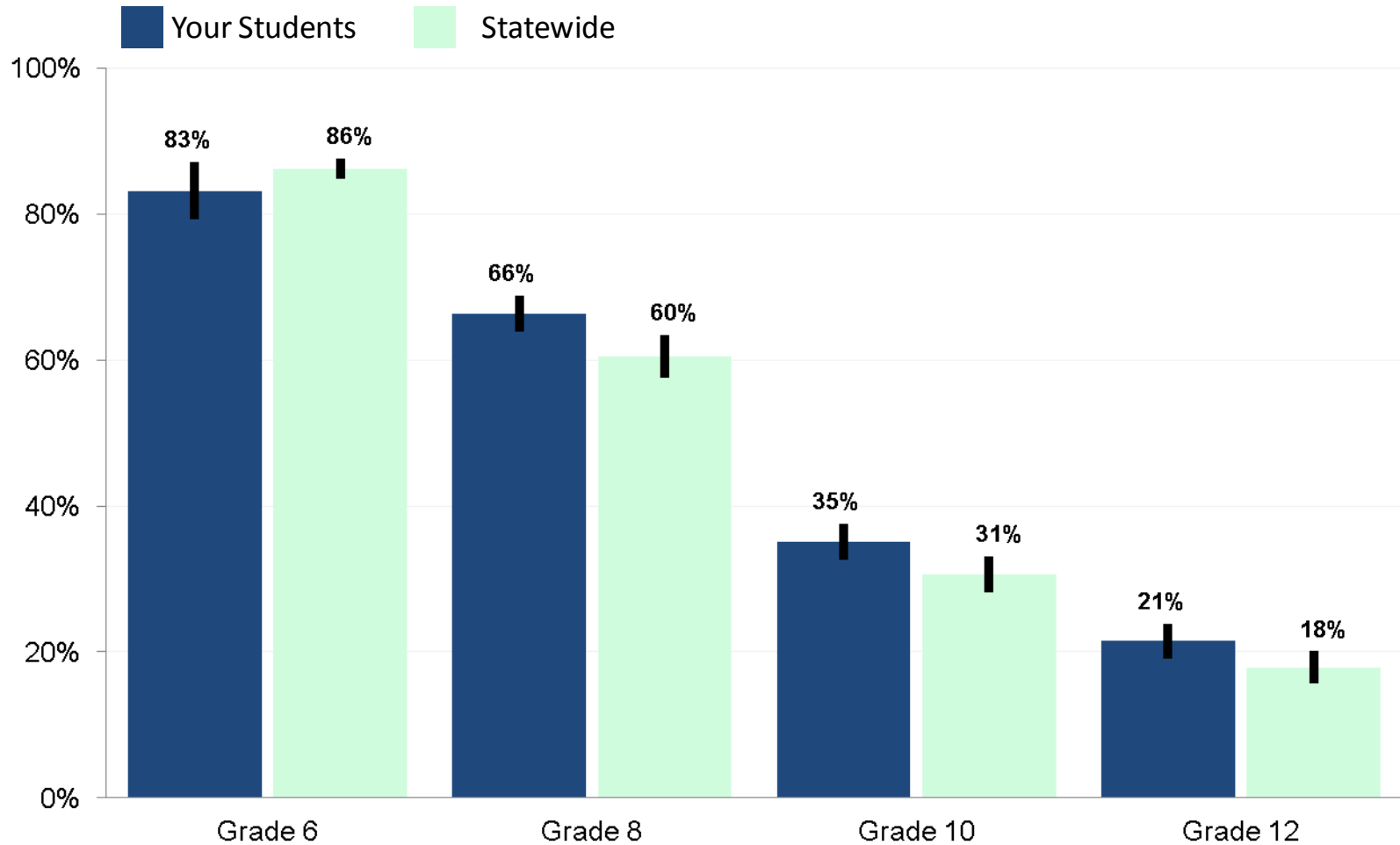
Perceived Risk of Regular Marijuana Use

Percent of students who report "great risk" of harm from smoking marijuana at least once or twice a week



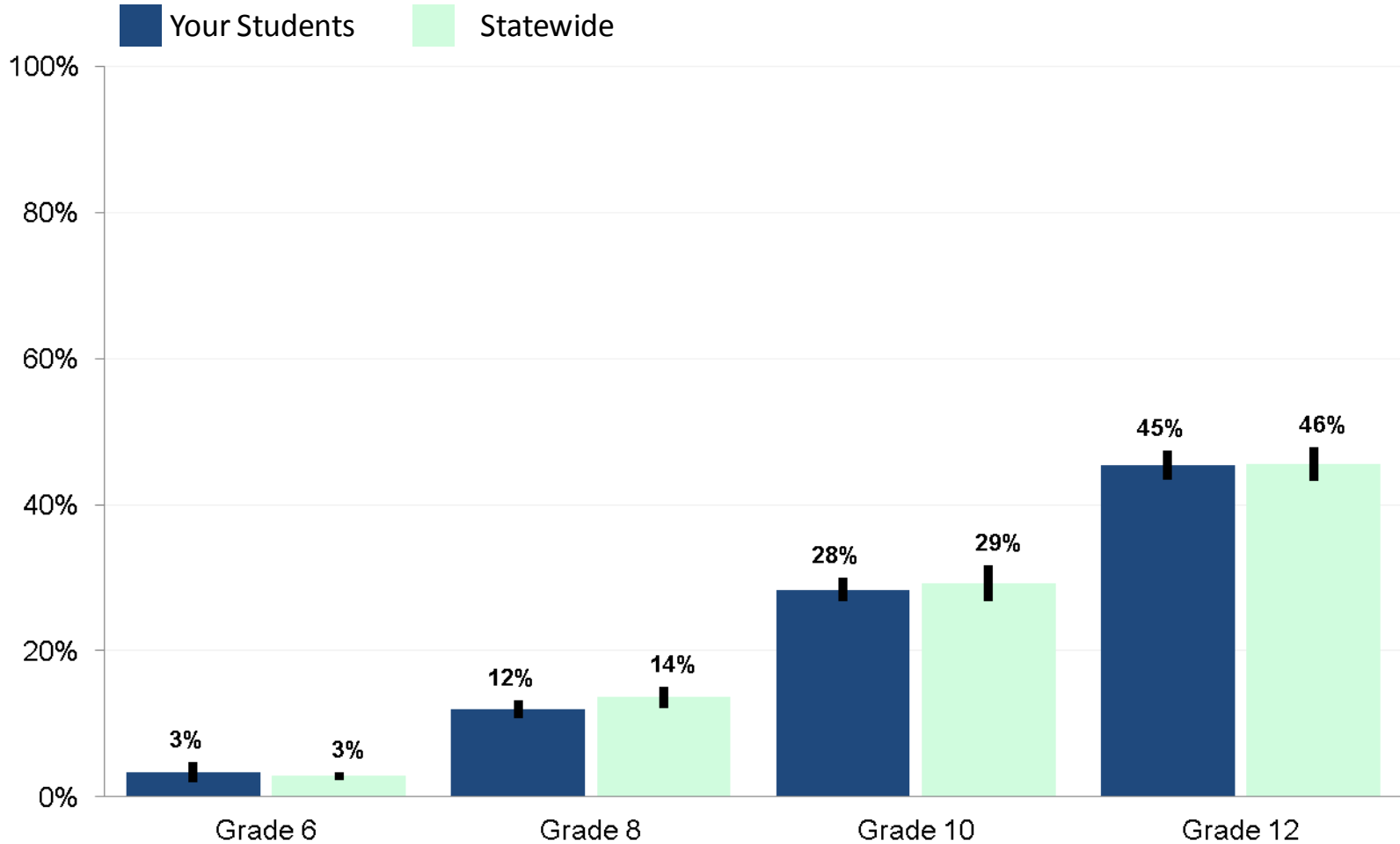
Perceived Availability of Marijuana

Percent of students who report marijuana would be "very hard" to get



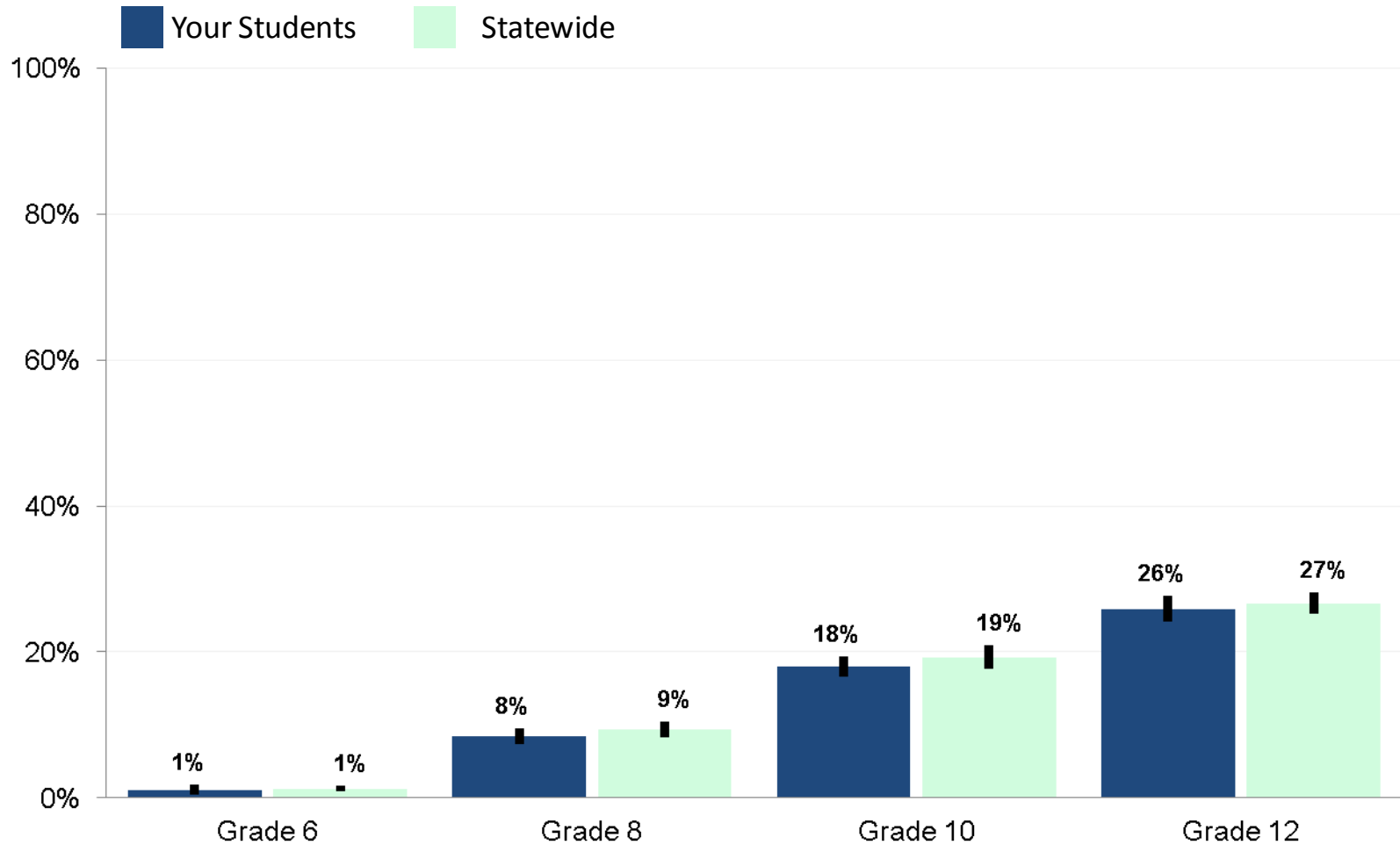
Lifetime Marijuana Use

Percent of students who report having ever smoked marijuana



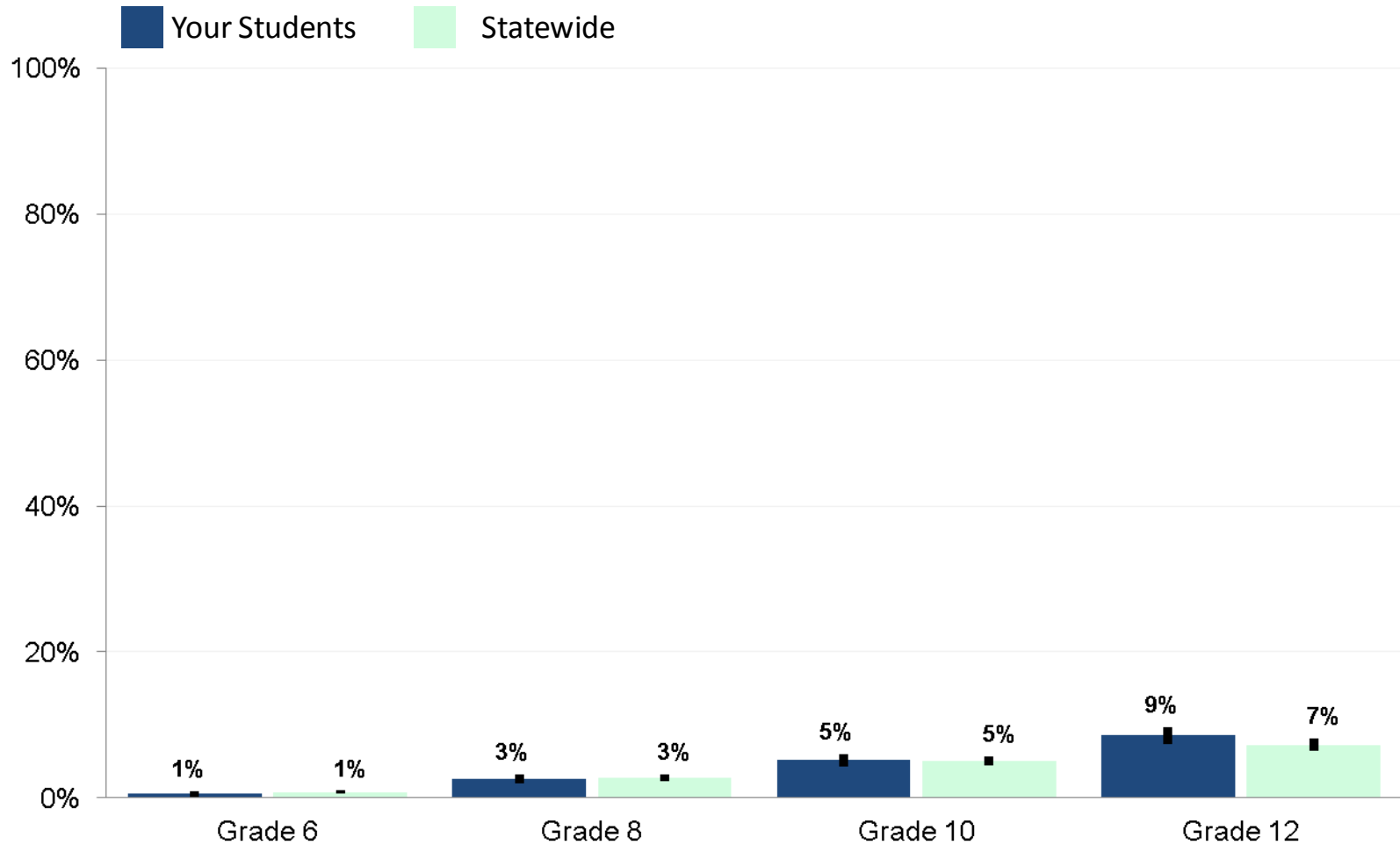
Current Marijuana Use

Percent of students who report smoking marijuana
in the past 30 days



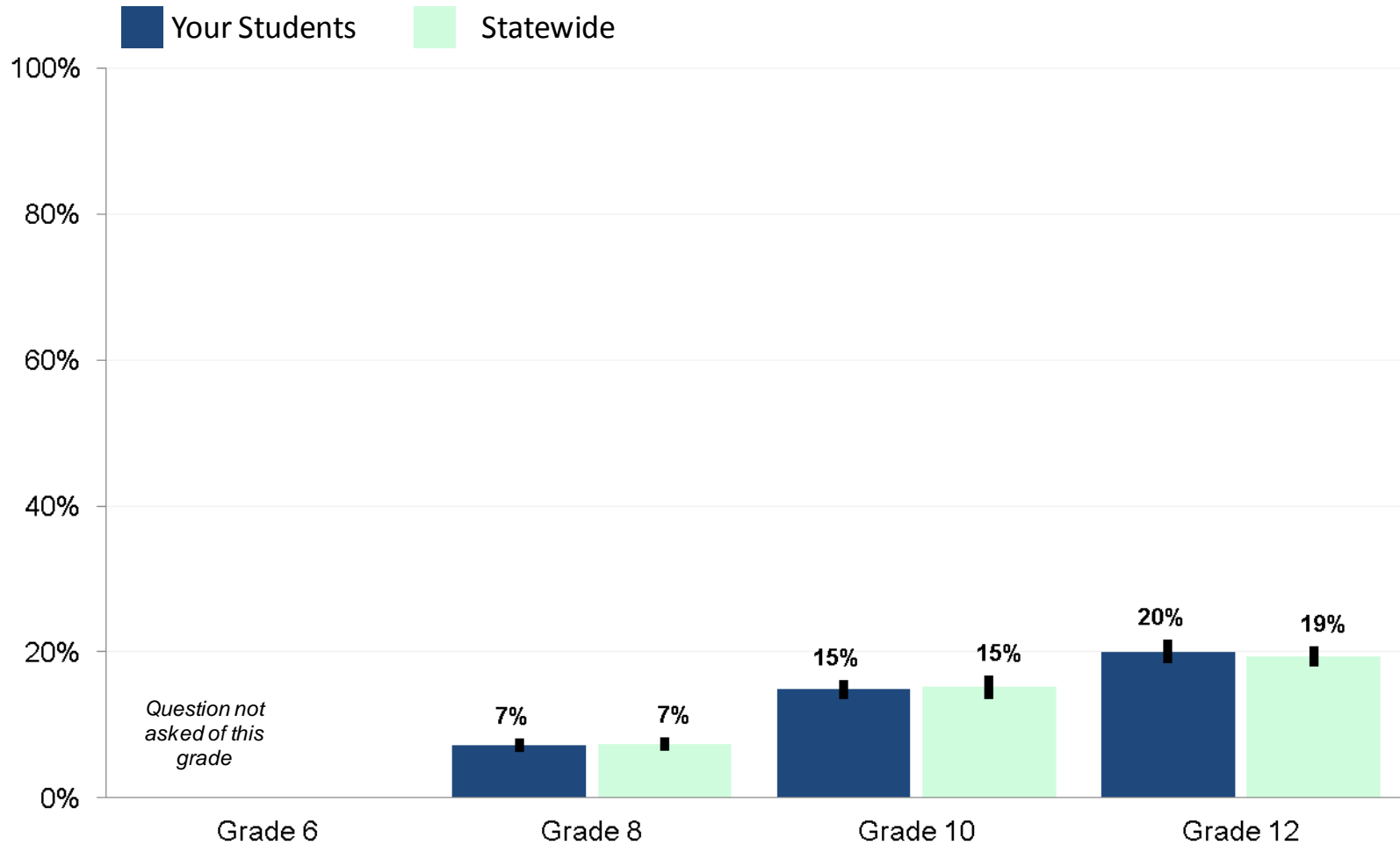
Current Illegal Drug Use

Percent of students who report using illegal drugs
in the past 30 days (not including alcohol, tobacco or marijuana)



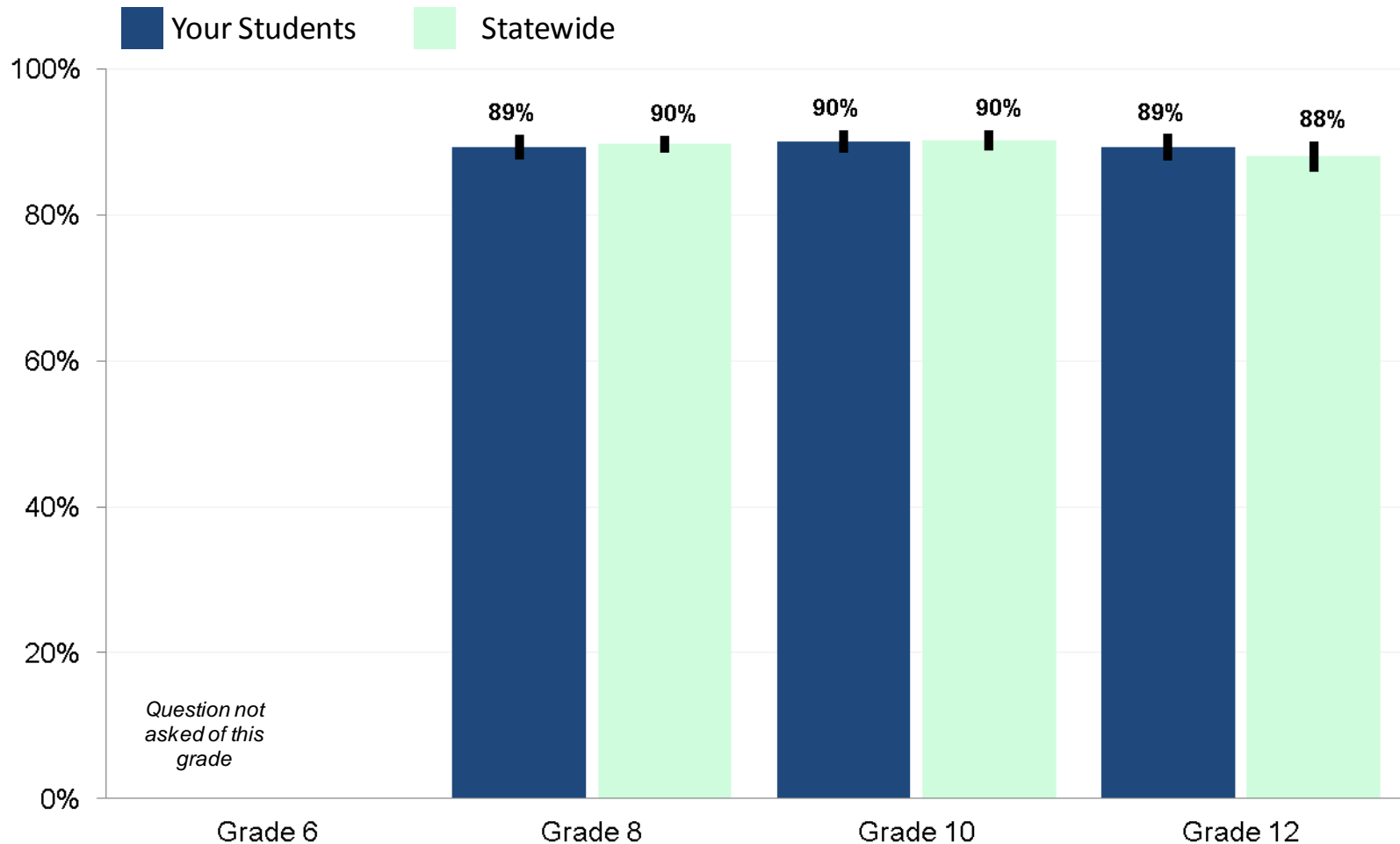
Substance Use at School

Percent of students who report being drunk or high at school
in the past year



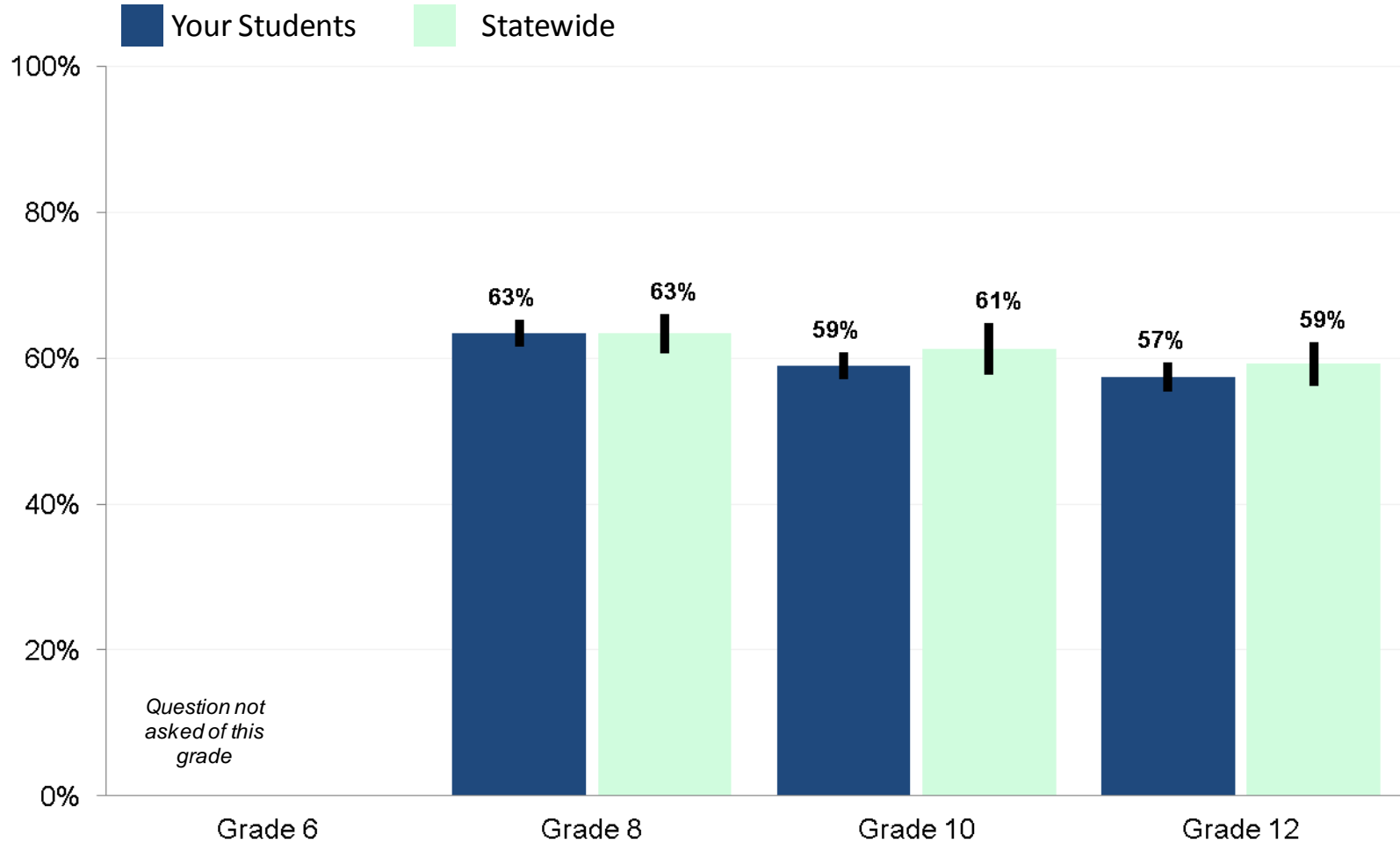
Enforcement of Alcohol and Drug Policies

Percent of students who report their school punishes students caught using alcohol or drugs



Help at School for Problems with ATOD

Percent of students who report school having staff for students to discuss problems with alcohol, tobacco or other drugs



Advertising and Other “Views”

- ❖ Rule Making
- ❖ Infused Products
- ❖ Input on Labeling
- ❖ Reputation of our state
- ❖ The Community Norm
- ❖ What will they think of next?

Start Mobilizing Now!

- ❖ Be proactive in verifying partners
- ❖ Secure solid commitments
- ❖ Unanticipated supporters
- ❖ Work together as a state/region
- ❖ Document your data/statements
- ❖ Be where the action is

Advocacy and Education

- ❖ What you can and cannot do
- ❖ How you can advocate and educate
- ❖ What others can do

Lessons Learned

- ❖ Start right now—you are probably late
- ❖ Understand the details of any revenue aspects of the legislation/initiative
- ❖ Solidify a relationship with media
- ❖ Have prepared and willing speakers
- ❖ Make your message palatable to folks

Always Something New...

- ❖ Synthetic Marijuana
- ❖ Cannabis Energy Drink
- ❖ Purchasing infused products with Food Assistance Funds
- ❖ Marijuana Bars
- ❖ Sellers of Medical Marijuana Cards to under 21

Resources

- ❖ www.wadecalliance.org/marijuana.html
- ❖ www.wasavp.org
- ❖ www.liq.wa.gov
- ❖ www.whitehouse.gov/ondcp/marijuana

www.wadecalliance.org

WASHINGTON ALLIANCE
FOR DRUG ENDANGERED CHILDREN



Rescue. Defend. Shelter. Support.

Thank you.