

Strong States, Strong Nation



HEALTH SEMINAR FOR NEWER LEGISLATORS

 NATIONAL CONFERENCE of STATE LEGISLATURES

Medical and Adult Use Marijuana Policy | Sunday April 15, 2018



Overview of....

- ❑ Role of legislators in regulation
- ❑ Federal and medical opinions
- ❑ Comprehensive Medical Marijuana Programs (MMJ)
- ❑ Low Tetrahydrocannabinol (THC)/high cannabidiol (CBD) programs
- ❑ Adult use (recreational) legalization
- ❑ Legislation
- ❑ Resources



Legislative Roles in Regulation

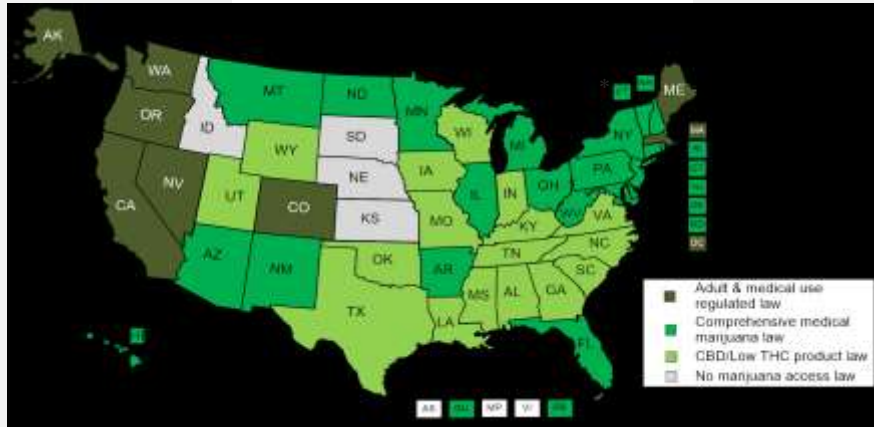
- Drafting legislation or enabling language
 - Creating rules/regulations or assigning responsibility
 - Establishing fees, tax mechanisms, funding
 - Oversight or assigning program implementation and evaluation
- Many states allow localities to further regulate industry and control licensure, taxes, locations, etc.



Medical & Federal Opinions

- Institute of Medicine: May help some people
 - Treatment Research Institute: Not advised
 - Other conditions/groups vary on the issue
 - Recent comprehensive review by National Academies of Sciences on MJ use - 100 conclusions, needs more research
 - Marijuana still Schedule I federally: No accepted medical use
 - As of this week U.S. Department of Justice (DOJ) rescinded previous DOJ memos and allowing U.S. state attorneys to prosecute
- Organizations have lists of groups' positions:
 - <http://learnaboutsam.com/the-issues/public-health-organizations-positions-on-medical-marijuana/>

CANNABIS IN THE STATES



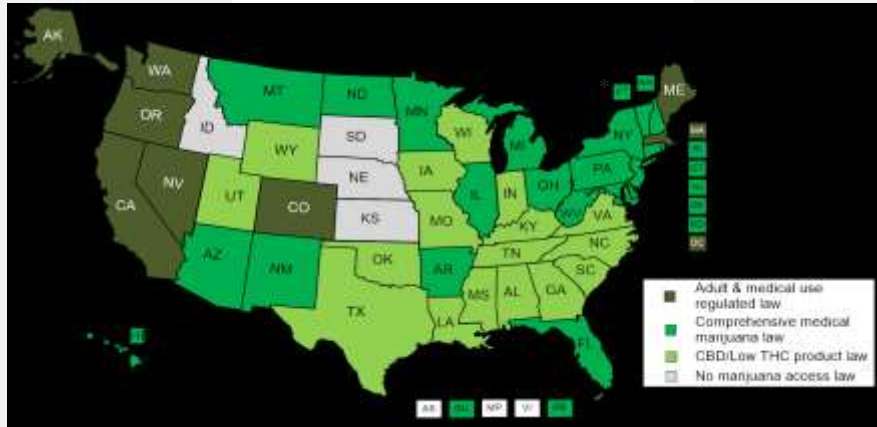
*NEW VERMONT ADULT USE LAW signed JAN. 11, 2018. Effective July 1, 2018



History of Medical Cannabis (MMJ) Laws

- CA: First state to pass with Prop. 215 in 1996
- Since then, 28 states, DC, Guam and PR have followed: AK, AR, AZ, CO, CT, DE, FL, HI, IL, ME, MD, MA, MI, MN, MT, NV, NH, NJ, NM, NY, ND, OH, OR, PA, RI, VT, WA, WV (**29 states + 3 territories total**)
- 16 became legal through voter/ballot initiative process
- 15 legal through legislation (CT, DE, HI, IL, MD, MN, NH, NJ, NM, NY, OH, PA, RI, VT, WV) (and 1 through Dept. of Health regulation)
- NCSL MMJ webpage: www.ncsl.org/default.aspx?tabid=19587

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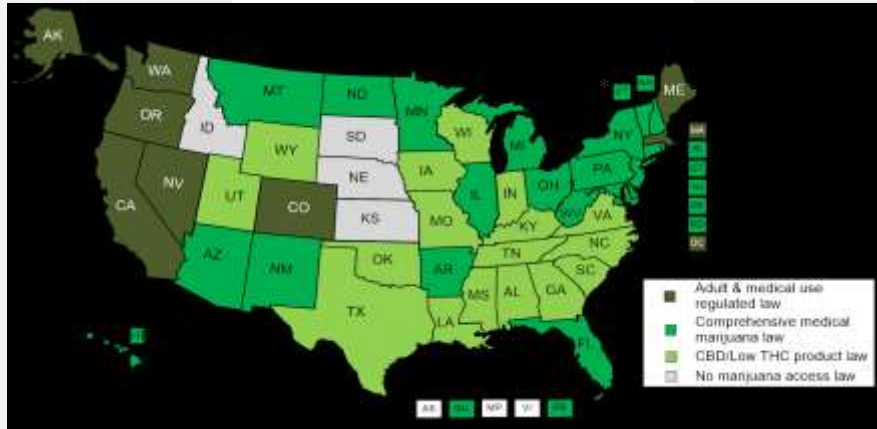
MMJ Programs Vary by State*

Some require or allow for:

- Patient Registries: At least 28 states require
- Grower/Caregiver Registries and Limits: varies by state
- Dispensaries: At least 20 states allow
- Specific Conditions: At least 28 states and all low THC programs
- Recognize Patients from Other States: At least 7 states
- Product Testing: varies by state

* Some approved program details yet to be determined

CANNABIS IN THE STATES



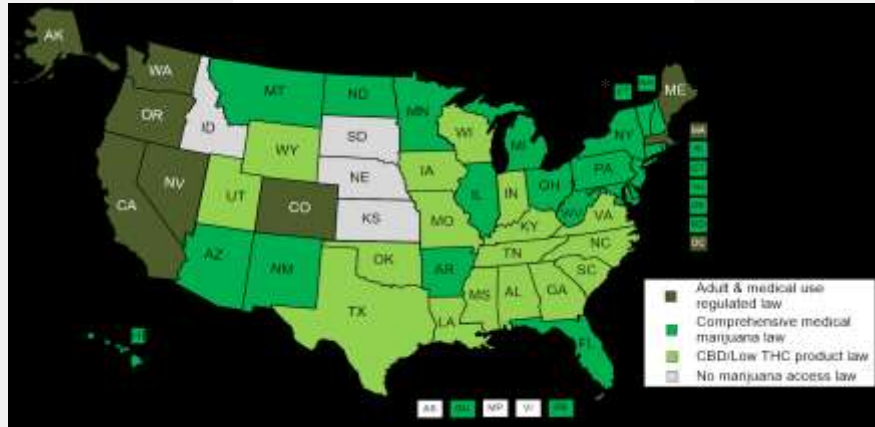
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History of Limited MMJ Laws

- New “low THC” or “high cannabidiol” (CBD) medical programs: 18 states (11 in 2014 + GA, ID (vetoed), OK, TN, TX, VA, WY, in 2015, IN in 2017)
- Vary widely by source of CBD products, % of CBD or THC, research, distribution, conditions, etc.
- NCSL MMJ webpage:
<http://www.ncsl.org/default.aspx?tabid=19587>

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Legalized Adult Use in 9 states & DC

- 2012: Colorado (A 64-2012) and Washington (I 502-2012)
 - Colorado had 24-member Implementation Task Force at work, rulemaking
 - Included 4 state legislators. Chairs are executive director of Dept. Revenue and the Gov's chief legal counsel, others
 - Washington implementation with the state Liquor & Cannabis Board
 - Alaska - licensing/regulation started late 2016
 - Oregon - Ore. Liquor Control Commission
 - DC - limited personal growing and sharing allowed (not regulated)
 - 2016: California, Maine, Massachusetts, Nevada (all at ballot box)
 - 2018: Vermont legislature approved limited personal growing starting July 1, until further notice



Significant Legislation*

- States/territories with proposals to legalize and regulate adult use: “similar to alcohol” in 2018 session: 21

AZ*, CT, DE, GA*, HI, IL, KS, KY, LA, MD*, MN, MS, MO, NH, NJ, NM, NY, PA, VT, WV, WI.

- States with bills to create comprehensive medical marijuana programs in 2018: 14

GA, IN, IA, KS*, KY, MS, MO*, NE*, NC, OK, SC, TN, VA, WI

- 2018 Ballot Initiatives: Adult-use - AZ, GA, MD (if approved by leg.), MI. Medical - GA, NE (if approved by legislature), MO*, OK, UT

**new and potential for carry-over as of April 1, 2018 (red = died)*



Resources

NCSL Legislative Summit sessions: Banking, Federalism, New Learning from Old
www.ncsl.org/summit2017

- NCSL MJ Deep Dive: www.ncsl.org/bookstore/state-legislatures-magazine/marijuana-deep-dive.aspx
- Medical and Adult-use programs: www.ncsl.org/research/health/state-medical-marijuana-laws.aspx
- Criminal Justice and Civil issues: www.ncsl.org/research/civil-and-criminal-justice/marijuana-overview.aspx
- LegisBriefs:
 - Regulating MJ-Taxes, Banking and Federal Laws
www.ncsl.org/research/health/regulating-marijuana-taxes-banking-and-federal-laws.aspx
 - Regulating MJ- A Year and a Half In
www.ncsl.org/research/health/regulating-marijuana-a-year-and-a-half-in.aspx
- National Cannabis Summit 2017: www.nationalcannabissummit.org



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La Jolla, CA | April 13-15, 2018