

**Joint Committee on Implementing Measure 91**  
**Bill Package – June 15, 2015**

**Adult-use Marijuana** (HB 3400 modified by -9 and -30 amendments)

---

**Regulation and Enforcement**

- Oregon Liquor Control Commission (OLCC) will be primary administrative agency.
- Local governments may impose reasonable time, place, and manner restrictions and may use nuisance law to ensure marijuana businesses are good neighbors.
- OLCC marijuana enforcement inspectors will be able to conduct investigations, issue citations, and seize product.

**Licensing and Certification**

- Producers, processors, wholesalers, testing labs, and retailers will need a license.
- Primary applicant must be 21 years old and have lived in Oregon for two years.
- No residency required for out-of-state investors, but background checks are required.
- Certification available for propagation of seeds and immature plants.
- Certification available for private research.

**Seed to Sale Tracking**

- All marijuana items offered for sale will be tracked and reported through a seed-to-sale system. The goal of this system is to prevent diversion of product to the illegal market.
- OLCC-licensed retailers may only receive and sell marijuana items from OLCC-licensed producers, processors or wholesalers.

**Grow Limits**

- OLCC will establish maximum grow sizes during the rulemaking process.

**Lab Standards and Testing**

- Oregon Health Authority (OHA) establishes rigorous lab certification and testing standards to provide consumers with accurate information about potency to prevent sale of contaminated product.
- OLCC will issue licenses to labs that meet these standards.

**Labeling and Packaging**

- OHA will establish labeling requirements and potency labeling standards.
- OLCC will establish standards for child-resistant packaging, clear information about ingredients.
- No marketing to youth.

**Edibles**

- Edible products will be subject to Oregon Dept. of Agriculture food processing requirements

**Local Government**

- Opt-out requirements will be tailored based on Measure 91 vote outcomes. Communities where more than 55% of the voters opposed Measure 91 may opt out through actions of local elected officials. In communities where Measure 91 received at least 45% of the vote, local officials will refer opt-out decisions to public vote.
- Local governments that allow all categories of legal marijuana within their jurisdiction are eligible to impose a local tax of up to 3% of the value of adult-use marijuana, subject to a community vote allowing such a tax.
- Grandfather clause protects existing legal marijuana businesses if a local government opts out of allowing new marijuana businesses.

**Marijuana Grow Site Opting In**

- Medical marijuana growers may choose to participate in the M91 system. If they participate in the M91 systems, they'll be subject to OLCC rules.

### **Marijuana Use Prevention Education for Youth**

- OLCC and OHA shall develop and implement an educational program to prevent youth from using marijuana.

### **Land Use**

- Marijuana businesses must comply with applicable land use laws and provide a Land Use Compatibility Statement with an application for an OLCC license.

### **Energy and Water Usage**

- A task force will track energy and water usage and recommend strategies to incentivize efficient use of energy and water.

### **Protection for Workers**

- Workers have whistle-blower protections if they report unlawful conduct and have the right to organize.

### **Criminal Justice Issues**

- Marijuana crimes are reclassified to reduce severity and to create opportunities for expungement.

### **Medical Marijuana** (HB 3400 modified by -10 and -31 amendments)

---

#### **Regulation and Enforcement**

- OHA will be the primary administrative agency.
- OHA will establish tracking and reporting system to prevent diversion to the illegal market.
- Local jurisdictions may impose reasonable time, place, and manner restrictions and use nuisance law.
- Local jurisdictions and law enforcement may access info about registered processing and dispensary sites to aid enforcement.

#### **Grow Limits and Lawful Possession**

- Medical marijuana grows may not exceed prescribed sizes (96/48/24/12), with phase-in of limits.
- Producers may lawfully possess what they grow.

#### **Lab Standards and Testing**

- Establishes consistent standards to provide consumers with accurate information about potency and protect them from harmful contaminants.

#### **Labeling and Packaging**

- Requires child-resistant packaging, clear information about potency, ingredients. No marketing to youth.

#### **Local Government**

- Existing law controls. Dispensaries are legal, moratoriums ended in May 2015.
- Opt-out requirements will be tailored based on Measure 91 outcomes, as described above.
- Local governments may not prohibit medical marijuana grows or caregiver processing or delivery to patients.
- Grandfather clause protects existing legal marijuana businesses if a local government opts out of allowing new businesses.