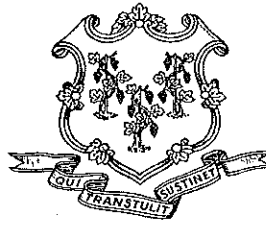


SENATOR MARTIN M. LOONEY
PRESIDENT PRO TEMPORE

Eleventh District
New Haven, Hamden & North Haven



State of Connecticut
SENATE

State Capitol
Hartford, Connecticut 06106-1591
132 Fort Hale Road
New Haven, Connecticut 06512
Home: 203-468-8829
Capitol: 860-240-8600
Toll-free: 1-800-842-1420
www.SenatorLooney.cga.ct.gov

Good morning Senator Doyle, Representative Tong, Senator Kissel, Representative Rebimbas and members of the Judiciary Committee. Thank you for the opportunity to testify in support of Senate Bill 11, AN ACT CONCERNING THE LEGALIZATION AND TAXATION OF THE RETAIL SALE OF MARIJUANA.

In 1920, our nation began what was called the Noble Experiment — prohibiting alcohol sales. Alcohol consumption initially dropped, but it soon began to steadily increase, and Prohibition created many new problems. The government had no control over alcohol production or sales, and an average of one thousand Americans died each year from tainted alcohol. Meanwhile, violent criminal organizations took control of the industry. Corruption became rampant in law enforcement, and the federal government was deprived of more than \$11 billion in tax revenue.

After 13 years, prohibition was abandoned in favor of regulation and taxation.

Following the end of Prohibition, the Federal Bureau of Narcotics, under controversial commissioner Harry J. Anslinger, engaged in a sensationalist, racially charged anti-marijuana campaign. This campaign culminated in the Marijuana Tax Act of 1937, which outlawed the possession or sale of marijuana. Such tactics continued into the 1970s during Richard Nixon's "war on drugs." In a 1994 interview published last year, Nixon advisor and key Watergate figure John Ehrlichman said the war on drugs was created as a political tool to fight African-Americans and anti-war advocates. Ehrlichman said "We knew we couldn't make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did."

Marijuana prohibition has lasted 80 years. Yet, it has been just as much of a failure as America's short-lived experiment with alcohol prohibition. It is time we take the rational, common-sense approach to marijuana, as we did with alcohol: regulating and taxing it.

According to the Substance Abuse and Mental Health Services Administration, 479,000 Connecticut residents use marijuana each year — over 13% of the state's population. Other than those who are

participants in our medical marijuana program, these users are getting this product from the illicit market, which poses significant dangers. Buyers can be sold marijuana tainted with harmful contaminants, offered hard drugs, or even physically assaulted. If this bill is enacted, consumers could purchase products from regulated stores. Marijuana would be produced by regulated growers and product manufacturers, and would be tested for potency and contaminants. It would also have warning labels and child-proof packaging.

Legalization can also help Connecticut's economy. It is estimated that, in 2015, the legal marijuana industry in Colorado created more than 18,000 new full-time jobs and generated \$2.4 billion in economic activity. A recent report projects that, by 2020, the legal cannabis market will create more than a quarter of a million jobs nationally. And these jobs will come with the protections workers deserve, from minimum wage and overtime regulations, to unemployment insurance and social security.

Taxation of marijuana would also generate significant revenue. Senate Bill 11 proposes a structure for taxation of marijuana and marijuana products inspired by the approach to legalization and taxation taken in the State of Colorado. Based on an Office of Fiscal Analysis report on Colorado's policy, I estimate that as drafted, Senate Bill 11 would raise approximately \$18.5 million in the first six months of collections, \$83.4 million in the following full year of collections, and \$135.0 million in the third year from these taxes. Further research from the Office of Fiscal Analysis can help to sharpen these figures as this bill moves forward.

I am aware that many individuals have passionate and sincere concerns about marijuana legalization. I would note that in a recent report, "Dose of Reality: The Effect of State Marijuana Legalizations", the Cato Institute reviewed data regarding, among other things, marijuana usage, suicide rates, treatment admissions, crime, traffic fatalities, school suspensions and expulsions, standardized test scores, home prices, unemployment rates and correction and police expenditures in the states of Colorado, Washington, Oregon and Alaska following legalization. The report found that: "The absence of significant adverse consequences is especially striking given the sometimes dire predictions made by legalization opponents." Regarding usage specifically, the report found that "state marijuana legalizations have had minimal effect on marijuana use and related outcomes." The report also found that available data from Colorado and Alaska on marijuana use from the Youth Risk Behavior Survey showed no obvious effect of legalization on youth marijuana use.

I would also note that, in recent years, Connecticut has seen a staggering number of deaths caused by legal prescription opioids. According to the Chief Medical Examiner, there were 917 such deaths in 2016 alone. Marijuana legalization could reduce the number of overdose deaths by providing a safer alternative. Several studies have shown that cannabis can be an effective substitute, allowing patients to reduce or eliminate their use of opiates. And, unlike opiates, the U.S. Drug Enforcement Administration reports that no deaths from marijuana overdose have ever been recorded.

We have also heard concerns regarding potential conflicts with federal law given that possessing, growing, and distributing marijuana is federally illegal. The cornerstone of the Obama administration's marijuana policy was emphasis on state regulation. In an August 2013 memorandum, then-Deputy Attorney General James Cole stated that the federal government would focus its efforts on specific enforcement priorities (for example, preventing the distribution of marijuana to minors or preventing revenue from the sale of marijuana from going to criminal enterprises) and rely on state law enforcement

authorities to manage areas that are not federal priorities. The Cole memo made clear that in order to ensure that the U.S. government's concerns are addressed, the department expects states to implement a strong regulatory framework.

There is ample reason to believe the Trump administration will continue this policy of non-intervention in states with well-regulated marijuana laws. During his campaign, President Trump said, "In terms of marijuana and legalization, I think that should be a state issue, state-by-state." In addition, the public overwhelmingly supports allowing states to determine their own marijuana policies without federal interference. A February 23, 2107 poll by Quinnipiac University found that 71% of American voters believe that the government should not enforce federal laws against marijuana in states that have legalized medical or recreational marijuana use.

We know there is popular support for legalization here in Connecticut. A March 11, 2015 poll by Quinnipiac University found that 63% of Connecticut voters support the legalization of marijuana. The support for legalization is not partisan or geographic. Two weeks ago, the Public Health Committee heard testimony on House Bill 5314, AN ACT CONCERNING THE REGULATION AND TAXATION OF THE RETAIL SALE AND CULTIVATION OF MARIJUANA FOR USE BY PERSONS TWENTY-ONE YEARS OF AGE OR OLDER, which was introduced by Representative Melissa Ziobron. In her testimony, Representative Ziobron informed the committee that she conducted a survey of her constituents in Colchester, East Haddam and East Hampton, and reported that "60 percent of my constituents favor legalization" and that "[more] than 300 of those who responded to the survey took the time to comment thoughtfully, one way or another, on the topic." I want to commend Representative Ziobron for her hard work on this issue, as well as Representatives Toni Walker and Robyn Porter who joined her to give their own compelling testimony.

Our region is rapidly moving toward regulating marijuana — Maine and Massachusetts voters approved ballot initiatives in November and are expected to have stores open next year. Rhode Island, Vermont, and New Jersey's legislatures are all seriously considering enacting similar measures either this year or next. We need to make sure that Connecticut is not left behind as our neighbors move forward with common sense marijuana policy.