Senate Bill No.16 Promotes Marijuana Industry, Does Not Regulate It

TO: MEMBERS OF THE JUDICIARY COMMITTEE
RE: TESTIMONY IN OPPOSITION TO S.B. 16 AN ACT CONCERNING THE ADULT USE OF CANNABIS.

My name is William Huhn, a resident of Guilford, Ct. I am a member of CT Smart Approaches to Marijuana, a statewide coalition opposed to legalization of retail MJ. I am also a member of Guilford Day, a local coalition committed to prevention of teen abuse of alcohol and drugs in Guilford.

I speak in opposition to the Governor’s Bill 16, now known as SB16. My opposition is based on the likelihood that marijuana use, and addiction, in Connecticut will double if retail commercialization of cannabis occurs. That has been the experience in Colorado, based on their sales and tax data, and their surveys of use. The impact on teen use and addiction is a particular concern.

Before addressing the important data on increased use and addiction, I must comment on the social justice aspects of the bill. It would appear to make sense for the Judiciary Committee to create a separate bill dealing with erasure of arrest and conviction records. Such a bill very likely be promptly enacted with bi-partisan support. While the erasure of records should be addressed now, I’m shocked by the Governor’s plan to develop a program to give license priority, reduced fees, and access to capital to people who have been arrested for drug offences. This would include gang and cartel members who are convicted drug dealers. See page 48-50, Sec. 19 (b) (1)-(9). I am not sure the Governor understands what is in his bill, but if he truly intends this, he’s trying to trick the public when he calls this a stringent regulatory bill. He should be honest with the public and call it a drug dealer rehabilitation bill, not a regulatory bill. And equally surprising is the sentence tucked into Sec. 19 (b)(10) that will pit the cities and towns in the state against each other. Apparently the Governor plans to distribute the marijuana revenues to the cities, while all the costs of administration, medical costs, and of extra substance abuse and addiction, will be paid by the entire state. The Governor should level with the public and call this a revenue redistribution plan, not a stringent regulatory plan.

Furthermore, I wish to briefly address the misconception that SB16 will provide strict regulation on marijuana use and sales. The bill is a grab bag for the marijuana industry. I skimmed through the 108 page bill in a couple of hours trying to find the strict regulations promised by the Governor. There is almost nothing that protects kids, or that protects people susceptible to addiction, or that protects public health. It doesn’t provide effective protection against intoxicated drivers. The proponents who claim this is a regulatory bill should be ashamed of themselves. In addition, the people who wrote this have buried many gifts for the industry in the 108 pages, and they haven’t included anything that would give heartburn to the big corporations funding the lobbying for this effort.

For example, none of the agencies responsible for public health, education, mental health, and children are given any oversight of the industry. The provisions for policing DWI are toothless. In fact,
buried on Page 70 of the bill, in Section 39, the industry lobbyists who blocked until 2022 any recommendations to the Governor or the legislature from public health, DMHAS, the Department of Education, the Department of Children and Families, and the state Universities “regarding efforts to promote public health, mitigate the misuse of cannabis, and the effective treatment of addiction.” So this bill not only excludes public health agencies from any regulatory power, it doesn’t even want any recommendations for two more years. That’s shameful.

If you decide to look at pages 69 and 70 of the bill, you may notice that as a gift to the industry, the draftsmen decided that the Banking and Insurance Commissioners are required to figure out by 2021 how to provide the industry access to banking and insurance.

Also on Page 69, the bill blocks out home grown marijuana and state run retailers. I suspect the big corporations behind this legislation had some input into that part of this so called “regulatory “bill.

Unfortunately, pages 69 and 70 reflect the pattern of the entire 108 pages- gifts to the industry, and no serious regulatory requirements.

Do you think my criticism is unfair? Sec. 24(9) on page 51 requires a warning label for marijuana products, and lists seven potential risks. But this so called stringent regulatory bill doesn’t require the label to describe the potential risks. It says that the label MAY include such risks. It’s disgraceful to call this a regulatory bill.

Other examples. In many of the states that have legalized marijuana, the industry has been banned by local governments, so broad segments of the “legal” states have no marijuana facilities. This bill would give the industry some protection from that. On page 59, in Sec. 27 (a) and (d), the bill states that dispensaries and producers cannot be excluded by municipalities. Likewise, municipalities cannot prohibit delivery of marijuana to consumers in the town.

On page 88, there’s a particularly outrageous provision buried in the bill. Section 49 (b) requires employers to allow the use of medical marijuana. At the top of the same page, the bill prevents colleges and hotels from prohibiting the consumption of marijuana. For real? The Governor should be ashamed of himself for calling this a “regulatory bill”.

It is not the public’s responsibility to do the quality control work on proposed legislation. It’s your job. This is a flawed bill, and you can’t rely on the Governor’s word that it provides stringent regulation. It absolutely doesn’t.

**IMPACT OF COMMERCIALIZATION ON USE AND ADDICTION**

The most important question for you is whether or not it makes sense to commercialize marijuana use. There is clear evidence that commercialization will approximately double use and addiction. There is equally clear evidence that our kids will be adversely affected. There is plenty of
scientific evidence on the adverse health effects. If you believe we should double marijuana use and addiction in the state, you should vote for the Governor’s bill. If you disagree, vote against this.

WHAT DOES THE DATA SHOW?
1) INCREASE IN MARIJUANA CONSUMPTION IN COLORADO 2014 – 2017
A report released by the Colorado Department of Revenue contains information on consumption that shows that Connecticut’s marijuana use and addiction will double following commercialization. Market Size and Demand for Marijuana in Colorado, 2017 Market Update,
2014 131.1 Metric Tons
2017 208.6 Metric Tons

The report estimates that Colorado adult marijuana consumption increased from 131.1 metric tons in 2014 to 208.6 metric tons in 2017. The huge increase is not surprising, considering the impact of commercialization, with increased access and advertising.

Unfortunately the situation is much worse than that. Total regulated production in 2017 was 340 metric tons. The report attributes the 129 Metric Ton difference in production and local adult consumption to use by teens, illegal exports across the state borders, increased inventories by users, and discarded waste. (I speculate that the Colorado Department of Revenue did not wish to make specific estimates of illegal use by teens and illegal cross border sales because the data is embarrassing to the state political leaders.) Likewise the report ignores any estimates of illegal black market sales that would document additional illegal activity. The increase in consumption does not indicate a windfall for the state tax revenues, because at the same time, the sales prices fell 62%.

1) INCREASE IN ADULT MARIJUANA ADDICTION IN COLORADO IN 2014 – 2017.
2014 111,550 “Heavy Users”
2017 206,000 “Heavy Users”

The Report also contains important information on the growth of adult marijuana addiction in the state since legalization. In 2014, there were 111,550 adult “heavy users”, a euphemism for “addicts”. At the end of 2017, Colorado had 206,000 adult “heavy users” of marijuana. Virtually all the “heavy users” are addicted, by definition using marijuana every day, in large quantities. In 2017, the “heavy users” consumed 82% of the marijuana used in Colorado. So in three years, Colorado added 94,000 people who suffer the consequences of marijuana addiction. The dollar costs of this additional addiction to the state are substantial. In addition, consider the life disruption of the 94,000 new addicts, the impact on their parents, their spouses, their children, and their workplace. And consider the people who will move on from marijuana addiction to other, even more damaging substances, such as cocaine, crystal meth and heroin. The social costs of commercializing marijuana far outweigh, both in dollars and pain, the potential tax revenue from legalization.
2) **Teen Use:** The states that have legalized retail marijuana have much higher use by teens than those which have not.

**PAST MONTH USAGE 12-17 years old, 2016, 2017** Source SAMHSA.gov, National Survey on Drug Use and Health

**10 States with highest teen 30 day MJ use**
1) Vermont - Legalized - 10.75%
2) Oregon - Legalized - 10.35%
3) Maine - Legalized - 9.88%
4) New Mexico - Med MJ - 9.74%
5) RI - Med MJ - 9.49%
6) Colo - Legalized - 9.02%
7) Washington (state) - Legalized - 8.96%
8) Mass. - Legalized - 8.91%
9) Alaska - Legalized - 8.84%
10) Nevada - Legalized - 8.82%

**10 States with lowest teen 30 day MJ use**
41) West Virginia - 5.45%
42) Georgia - 5.39%
43) Oklahoma - 5.38%
44) New Jersey Med. MJ - 5.16%
45) Kansas - 5.16%
46) Iowa - 5.11%
47) Mississippi - 5.05%
48) No. Dakota - 4.99%
49) Texas - 4.86%
50) Utah - 4.71%

One of the saddest aspects of the legalization movement is the promotion of marijuana abuse as a risk-free, “recreational” activity, a “healthy” one. The industry ignores the substantial body of research on the brain impacts of marijuana, and especially the risks for adolescents. Such risks are real, and the damage is real.

It is not necessary to sort out the statistics in the states that have legalized marijuana to understand what will happen in Connecticut. It is common sense to know that legalization will increase teen use. The MJ corporations are aiming this at kids. They characterize MJ use as “recreational”. Kids will assume that the legislature would not legalize MJ unless it is safe. And increased supplies and access definitely will lead to increased use by all ages, including kids. Big money is at stake and you all must know that the corporations behind this are willing to lie to you when they assert that teen MJ use will not increase following legalization.