



**Association of
Oregon Counties**

DATE: May 30, 2017
TO: Joint Committee on Marijuana Regulation
FROM: Stacy Michaelson, Association of Oregon Counties
SUBJECT: SB 307

Co-Chairs Burdick and Lininger:

For the record, I'm Stacy Michaelson with the Association of Oregon Counties. As most of you are likely aware, Oregon's counties are your partners in the public health system, having statutory responsibility to act as the local public health authority.

First, I would like to thank Senator Ferrioli and Representative Lininger for their effort in pulling together a workgroup on this issue. It was a great opportunity to discuss various issues relating to social consumption of cannabis, and I particularly value the proponents' willingness to think creatively about how to pursue this legislation while honoring the Indoor Clean Air Act. We appreciate the local opt-in language included in this bill, and we understand the need for some communities to have a legal process for regulating the social consumption of cannabis.

However, despite the work of this group, we remain concerned about SB 307 and are still opposed to the bill, even with the -3 amendments. Having only met a few times, there are a number of questions and issues that have not been addressed. I do want to be clear that we are open to continuing to engage in a discussion regarding social consumption, and we would support an amended SB 308, with the intent to address these questions with members of the public health, public safety, and OLCC communities involved.

In the interest of time, I will bullet point some of these lingering questions:

- There is ambiguity in the Indoor Clean Air Act (ICAA) language regarding where use is permitted, potentially causing unfunded mandates on local public health authorities for additional ICAA enforcement. Currently, complaints regarding outdoor smoking patios fall under the purview of local public health, as they are regulated under the Indoor Clean Air Act. It is not clear under the bill whether enforcement would be the responsibility of the OLCC, or local public health or public safety.
- There is no requirement for the OLCC to involve state or local public health in their rule-making process regarding public health and safety standards. As the OLCC does not have responsibility for public health work, this seems a missing component.

- Similarly, there is no requirement for cities to involve the local public health authority in their local ordinance process. As counties have statutory responsibility for public health, and cities do not, there is concern that cities may pass an ordinance that would impact counties without any coordination or input.
- Additionally, there is ambiguity in the language that may create confusion around where marijuana use is permitted, as it does not seem clear in the ICAA references that use is only allowed outside.
- The bill does not do enough to explicitly address youth exposure and prevention.
 1. There is concern that exposure to cannabis cafes will increase youth use in jurisdictions that allow social consumption. This based on having seen increased youth hookah use in counties allowing hookah bars, as reported by the Oregon Health Authority following their Healthy Teens Survey. The potential seems especially high for social consumption lounges to locate in low income neighborhoods and those that are predominantly communities of color, as there tend to be more renters in those areas (and the proponents argue that this about offering renters a legal place to consume cannabis).
 2. There is currently NO funding for LOCAL marijuana prevention, which will be especially problematic in jurisdictions that legalize cannabis cafes.

Again, our intention is not to be obstructionist and we are happy to engage in a longer discussion about social consumption during the interim. But the bill as written, even with the -3 amendments, raises too many questions for AOC to even get to neutral.

Thank you for the opportunity to testify on the -3 amendments.

Stacy Michaelson