

Good Evening.

I am Judi Vining, Exec. Director, of Long Beach AWARE, a state funded prevention agency providing resources, research and up to date well documented information for the community as well as this body.

While I found the previous presentation interesting, (yes we understand that there are 'rules' about underage sales written into MRTA, similar to those written for alcohol sales under the State Liquor Authority, and we see almost daily how that has worked out!) and could, in fact, counter much of what was said and promised, that is not our role here tonight. Although we do question why anyone with no ties to this community is weighing in on a hearing about how and what the citizens of Long Beach want for their own community. The merits or lack thereof, of marijuana adult use have already been decided by the enactment of MRTA. That said,

We are here tonight to ask that this City Council enact legislation which would allow the City of Long Beach to 'Opt Out' of the Marijuana Regulation and Taxation Act (MRTA) before December 31, 2021. As you are aware, if a city, town or village does not opt out by that date, ***it can never have the opportunity to do so again.*** The converse, however is not the case. ***But the city has the ability to 'opt in' at any time thereafter.***

Our stance and 'ask' is rather simple: we have no reason at all to rush to judgement. I was on a state-wide call yesterday with the Office of Addiction Supports and Services and the Office of Cannabis Management.

According to the Office of Cannabis Management, ***they do not anticipate awarding any licenses for sales or consumption sites prior to the end of 2022, with any anticipated tax revenue coming in early 2023 at the earliest. Their estimation, not ours.*** To quote the presenter from the Office of Cannabis

Management: Learning from other states, one estimate suggests ***it will take 18 months for the adult-use program to launch. (By the way, 18 months from October, 2021 is April, 2023).*** ***Why close out options for Long Beach, when there will be no stores, no licenses, no tax revenue for at least 18 months?*** The reason is very simple: they have yet to write any of the regulations that would govern MRTA, and even when they do issue regulations there is a process by which the proposed regulation is posted on the cannabis website with a 60 window for public comment. You can easily see how they do not anticipate any licenses being granted anytime soon.

We urge the City to opt out so that in the time it does take for all of this to unfold, the city can react and respond to any and all proposed regulations and make an informed decision as to what is best for the health, safety and well being of Long Beach adults and youth.

Such decision making should take into account that ***the ONLY WAY that ALL of the citizens of Long Beach can be assured of having a voice in their own community, is for this Council to 'Opt Out'***. Only then, can a citizen (or citizens) of this city ask the council to put sale and consumption sites on a ballot for a referendum. This includes having verified signatures of 10% of the electorate who voted in the last gubernatorial election. The referendum could then be placed on the ballot in the next general election. ***Without opting out, there is, by law, no referendum allowed.*** The community say only comes from hearings such as this and/or letters or emails. No doubt a very small, if vocal on either side of the issue, percentage of our 35,000 residents.

There are some other considerations:

- 1. It is not permissible if you don't opt out to 'opt out' of certain provisions of the law as it now stands, for example: home delivery, home growth, edibles.***
- 2. Marijuana cannot be sold in stores licensed for consumption***
- 3. Marijuana can only be sold in stores licensed for sales.***
- 4. Marijuana cannot be sold or consumed in stores or bar/restaurants where alcohol is sold or consumed.***

According to the Cannabis Management Board, right now, ***“the period post legalization and prior to the establishment of a regulated marketplace is a challenging time for public health.”***

Since This is ***exactly the position we are in right now, it would certainly behoove the City to take the prudent step of opting out of MRTA now while it is still an option.***

In addition, the Cannabis Management Board acknowledges that it will take some of its actions based on what has gone before in other states and from research into public health, and we applaud them for that.

We are not nearly the only community which is wrestling with, or has wrestled with, tis issue. For example:

2019 Data from California, Colorado and Oregon (who are required to collect this information show that:

80% of California municipalities ***did not opt in***

64% of Colorado municipalities ***did not opt in***

60 % of Oregon municipalities ***did not opt in***

In ***Michigan***, where non-medical sales began 12/19, ***more than 1400 of their 1773 municipalities opted out.*** (WXYZ Detroit, 2019) ***equaling 79%***

Furthermore, ***our youth are at greater risk in legalized communities*** and states:

- In ***2018 over half of the calls*** to the Rocky Mountain Poison Control Center ***were marijuana related.***
- In Colorado, ***youth marijuana related ED visits increased 54% from 2013 to 2017***
- There was a ***25% increase in Cannabis Use Disorder among 12–17-year-olds***, according to (Cerda et al, 2019), American Journal of Pediatrics
- 2019 study by Bertha Madras, Ph.D., Harvard found that ***parental marijuana use increases the likelihood of youth use of marijuana, as well as increases their risk of tobacco and opioid use.***

- A 2019 study found that ***cannabis use in adolescence leads to a 37% increased chance of developing depression as a young adult and a 50% increase in suicidal thoughts and a 3.5-fold increase in suicide attempts.*** (Gobi et al, 2019.)

I could continue to cite study after study from the CDC, NIDA, NHUD, but that really is not the point of tonight, horrifying as the numbers may be. Marijuana sales and consumption are already legal in New York State. ***The only purpose of tonight is for the council to decide to seize the opportunity to Opt Out by December 31, 2021. It is the one chance we have to do so.***

Tonight we are asking you to Opt Out and do something that has absolutely NO RISK to the community AT ALL. There will be no stores for marijuana sales or stores for consumption available to any municipality until at least April, 2023. Therefore, there will not be any anticipated tax revenue either. So, we again ask you for the sake of our community and those of us who live here, please do not remove our chance for choosing our own destiny. ***Opting out by 12/31/21 is the way that you, the people elected to be the guardians of the health and safety of the citizens of Long Beach, can fulfill your duty.***

We are grateful to the Long Beach Board of Education, the Central Council PTA and so many others who are urging you to make a common-sense decision with absolutely no downside. As you know, ***Island Park, Lynbrook, Freeport, Rockville Centre have already enacted opt out legislation,*** and the Town of Hempstead is holding a hearing on Dec. 7th @ 10:30 AM, with the intent of voting on the legislation that day. If the Town of Hempstead passes opting out, Long Beach has the potential be the ***marijuana destination*** if the city does not opt out. That is not how or what we want for children and families in Long Beach.

Our mission is to help make Long Beach a safe and healthy place for youth and families to grow and prosper – please do not forget that the City of Long Beach has been a partner in that mission for over 20 years. Please continue to do so.