

SENATOR FOR A DAY MOCK LEGISLATION

Senate Bill 8 – Legalizing Recreational Marijuana

Marijuana legalization takes a giant step backward

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By: Calder McHugh March 8, 2023

RIP 'TOKELAHOMA' — On Tuesday, Oklahoma slowed the roll of marijuana legalization across the country, voting down full legalization in a referendum by over 20 points.

Since 2018, when voters backed medical marijuana legalization by double-digits, the state has earned the nickname “Tokelahoma,” with roughly 12,000 licensed marijuana businesses and nearly 400,000 patients (in a state with less than four million residents).

This latest result, though, proves that a majority of residents are uninterested in the further expansion of an industry that many Oklahomans complain has spun out of control, with police seemingly raiding a new illegal grow operation every week.

To date, 21 states have legalized recreational marijuana use, while 37 have approved some form of medical marijuana statute. But the product remains illegal at the federal level, which has led to contradictory regulations.

To discuss the state of the legalization movement and the growing backlash, Nightly spoke with Paul Demko, POLITICO's cannabis editor. This conversation has been edited.

Oklahoma passed a medical marijuana legalization referendum in 2018. What has the state's experience been with weed since then?

Oklahoma has created the world's wildest weed market. There were initially no limits on business licenses, and licenses cost just \$2,500 to obtain. Local municipalities can't prohibit marijuana businesses from operating, as they can in most states. There are no qualifying conditions required to enroll in the medical program, so pretty much anyone qualifies. The end result is that there are roughly 12,000 licensed weed businesses in the state and nearly 10 percent of the population is enrolled in the medical program, by far the highest rate in the country.

Over the past decade or so, marijuana legalization has spread pretty rapidly across the country. But on Tuesday, voters in Oklahoma voted against going further. Is this a sign of a broader backlash or are there local factors at play here that are unique to Oklahoma's experience with marijuana so far?

You can make a case for both. There is a broader backlash, as evidenced by Arkansas, South Dakota and North Dakota all voting down referendums in November. However, the rapid spread of legalization continues, with Maryland and Missouri passing adult-use referendums in November, and legislatures in Minnesota, Kansas and North Carolina, among others, taking up legalization bills this year.

But there were definitely unique circumstances in Oklahoma that caused huge problems for legalization advocates. There have been dozens of raids on illegal grows across the state over the last two years, with law enforcement officials saying that many have ties to organized crime. In November, there was a grisly quadruple homicide at a weed farm in rural Kingfisher County. Both the victims and the alleged assailant were Chinese nationals.

This constant stream of negative headlines has really tarnished the medical program in the eyes of many Oklahomans.

Tell us about the coalitions on both sides of Tuesday's referendum. Which groups and interests lined up in favor of expansion, and which groups were in opposition? And are these battle lines similar to ones you might see in those other states that you referenced?

The alliance of legalization advocates is definitely familiar from campaigns in other states. Yes on 820 [the pro-legalization advocacy group in Oklahoma] was able to garner major financial support from national groups like the ACLU, Drug Policy Alliance and New Approach Advocacy Fund [a pro-legalization PAC]. What was somewhat unusual is that cannabis industry officials and legalization advocates in Oklahoma weren't united behind the ballot measure. That likely depressed turnout among supporters and really hurt the chances of passage.

The opposition campaign was far more organized than you've seen recently in many states. It was chaired by former Republican Gov. Frank Keating and a former state health secretary under a Democratic governor. But perhaps more significantly, law enforcement was extremely galvanized and vocal in their opposition to the ballot measure. Their message was pretty simple and apparently persuasive: Recreational legalization will only make the crime problems associated with the medical program exponentially worse.

Does that speak to why the 2018 referendum passed pretty easily yet it appears that Tuesday's referendum lost overwhelmingly? Right now, you mentioned North Carolina, Minnesota and Kansas are considering legalization bills. How might pro-legislation groups in those states learn from Oklahoma? How might opponents?

The dynamics were definitely far different from the medical marijuana referendum in 2018. The pitch five years ago was pretty simple: freedom. That's an argument that resonated with voters of different political stripes and it passed by double digits.

This time around legalization advocates had to contend with the lived reality of the last five years. The proliferation of illegal operations and criminal activity, and just a sense that legalization has dramatically changed the staunchly conservative state, were too much to overcome.

The lesson legalization advocates should take from Oklahoma is that the promise of a safe, taxed, regulated market for a product that millions of Americans already consume better match reality. That's not what many Oklahomans saw when they looked at the wild proliferation of weed businesses over the last five years. Instead, they saw an industry that operated with few rules and rampant criminal activity.

Legalization opponents will see Oklahoma as a lifeline for stopping the movement. There's been a sense that something akin to national legalization is inevitable for some time now. In many states, the

opposition campaigns have been poorly funded and not very organized in recent years. This could galvanize their efforts.

Seven In Ten Americans Back Marijuana Legalization, With Majorities Embracing Pro-Reform Politicians, Two New Polls Find

<https://www.marijuanamoment.net/seven-in-ten-americans-back-marijuana-legalization-with-majorities-embracing-pro-reform-politicians-two-new-polls-find/>

By: Kyle Jaeger April 25, 2022

Another pair of recent polls found that marijuana legalization enjoys majority, bipartisan support—with most Americans also saying they'd be more likely to support politicians that back reform.

The market research firm SSRS found that 69 percent of Americans back adult-use legalization, while a whopping 92 percent back legalizing cannabis for medical use.

With respect to adult-use legalization, 78 percent of Democrats, 74 percent of independents and 54 percent of Republicans said they favor the policy change.

The SSRS survey—which involved interviews with 1,009 adults from April 1-4, with a +/-3.5 percentage point margin of error—also found that 58 percent of Americans agree that marijuana is less harmful than alcohol.

“Voters support legalizing marijuana regardless of political party affiliation,” Paul Armentano, deputy director of NORML, said. “At a time when national politics remain acutely polarized, elected officials ought to come together in a bipartisan manner to repeal the failed policy of cannabis prohibition. It is one of the few policy reforms that voters on the right and on the left can all agree upon.”

The survey also found that 65 percent of Americans said that they've personally tried cannabis. And 97 percent of those who've used marijuana back medical cannabis legalization, compared to 83 percent who said they haven't tried it.

Meanwhile, a separate poll released by the cannabis company Jushi Holdings last week found that 61 percent of adults 21 and older would be more likely to support a political candidate if they support legalization.

That includes 33 percent of Democrats, 25 percent of Republicans, 24 percent of independents and 13 percent of those without a political affiliation.

The poll further determined that 76 percent of respondents favor allowing military veterans to access medical cannabis, 68 percent said they think the federal government should allow marijuana businesses to access the financial system and majorities also believe that legalization plays an important economic role (62 percent) and creates high-quality jobs (57 percent).

Additionally, 59 percent of respondents agreed that “cannabis overall has a positive impact on society.”

“The results of our inaugural ‘4/20 Cannabis Insights Poll’ are clear, consumer confidence in cannabis is growing, as more Americans enter the state-legalized market and are exposed to the benefits of state legalization,” Jim Cacioppo, CEO of Jushi, said in a press release.

“With the majority of Americans now living in a state with a medical or adult-use program, misconceptions around cannabis are being shed. The latest data clearly shows more people are not only embracing cannabis in their own lives, but also seeing the value it brings to their communities,” he said. “This poll shows views on the plant and legalization are trending in a positive direction, and we believe this trajectory will only strengthen in the coming years.”

For example, another recent poll found that a strong majority of Americans, including most Republicans, support drug decriminalization. There’s also majority support overall for allowing the operation of overdose prevention centers where people can use illicit substances in a medically supervised setting and receive treatment resources.

Marijuana policy changes are popular in Europe, too, another recent survey found. The landmark poll found an average of 55 percent of people from eight major countries in the region back legalization.

Separately, three in four South Carolina Republican primary voters say they support legalizing medical marijuana, according to a poll released last week.

Nearly six in ten Louisiana voters support legalizing marijuana, another recent poll from the University of New Orleans (UNO) showed.