



CITY OF

PORTLAND, OREGON

OFFICE OF NEIGHBORHOOD INVOLVEMENT

AMANDA FRITZ, COMMISSIONER

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Marijuana Policy Program

1221 SW 4th Avenue, Room 110

Portland, Oregon 97204

Promoting a culture of civic engagement

Social Consumption of Marijuana

**Marijuana Policy Oversight Team
Social Consumption Subcommittee
Meeting Date: Tuesday, June 14, 2016**

SUMMARY

Marijuana Policy Oversight Team

Commissioner Amanda Fritz convened a group of marijuana industry and community representatives to form the Marijuana Policy Oversight Team (MPOT). The mission of the MPOT is to provide a diverse stakeholder perspective so that future marijuana policy decisions made by Commissioner Fritz and Portland City Council effectively respond to neighborhood safety and livability concerns, and reflect the changing philosophy around marijuana regulation.

Social Consumption Subcommittee

The focus of this committee is to provide recommendations that could inform policy decisions related to the social consumption of marijuana in the City. Committee members were asked to consider the following questions in developing recommendations:

- What kinds of social consumption recommendations do you think the City should or should not adopt?
- If social consumption regulation were to be addressed by the City, what might it look like?

For the purposes of this report we will refer to “the social consumption of marijuana” as the consumption of marijuana and marijuana products at private businesses which may include event venues, lounges, or cafes.

Subcommittee Representatives

Present:

Sam Chapman – New Economy Consulting, LLC
Darilyn Garcia-McMillan – Portland Community College
Meghan Walstatter – Pure Green Medical Dispensary
Helen Ying – Big Village Coalition
Betsy Clapp (for Laurel Moses) – Multnomah County Public Health

Absent:

Kealii Ching – Marijuana Paradise Medical Dispensary
Antonio Ramirez Subiria – Latino Network
Laurel Moses – Multnomah County Public Health

Process

The Marijuana Policy Program (MPP) convened a panel to share input on various perspectives related to the topic of Social Consumption and inform the discussion at the Social Consumption Subcommittee meeting held at City Hall June 14, 2016. The focus of the meeting was to develop preliminary

recommendations to be consider by the full MPOT meeting to be held on June 22, 2016. Recommendations were voted on by each member. In order to inform the voting process Subcommittee Members participated in a series of activities:

- Establish the charge and timeline
- Develop a collective understanding of the topic
- Identify and evaluate potential recommendations

(See Social Consumption Meeting Agenda Appendix A.)

Acronyms

Mult. Co.	Multnomah County
ICAA	Oregon's Indoor Clean Air Act
MPOT	Marijuana Policy Oversight Team
MPP	Marijuana Policy Program (City of Portland)
MRL	Marijuana Regulatory License
OHA	Oregon Health Authority
OLCC	Oregon Liquor Control Commission
ONI	City of Portland Office of Neighborhood Involvement

Following is a summary of each activity that took place during the meeting.

Panelists:

Erik Vidstrand – Multnomah County Environmental Health Services
Josh Taylor – Oregon Cannabis Concierge
Nick Pierson – Jupiter Hotel
Brad Forkner – Venture Portland
Leland Berger – Portland NORML
Kovi Altamirano – Big Village

Panel Presentation highlights

- Interest expressed to partner with the City to develop policy.
- Concerns raised about public consumption: tourists have nowhere to consume
- Lack of educational materials on responsible use
- Based on Colorado's experience, tourists are three times more likely to visit the ER because of overconsumption
- Request to ensure new regulations are not overly-burdensome for small businesses
- Concerns about the impact of workplace safety and second-hand smoke

- Reduce promotion of marijuana to minors, limit marketing, and control hours of operating and price to reduce chance of minor access.
- Health risk of marijuana on the developing adolescent brain
- Create strategies to address consequences for minor possession that are not damaging to youth
- Perspective that this is a matter of State law and that the City has too many regulations
- Regulations and fees are barriers to entry, especially for minorities
- Interest in neighborhood livability, safety for marijuana businesses, other businesses, and residents who live nearby.
- Request to see a change in the definition of “public area” to allow for places to legally consume outdoors. No changes needed in ICAA – possible to have outdoor public spaces.
- Smoking is allowed in some places: Certified smoke shops; Cigar lounges; Hotels are allowed to have smoking in up to 25% of their rooms (though some hotels are smoke-free).

Panel Q&A

- Discussion about social consumption in two buckets:
 - Events
 - Question of public vs. private space (lounges)
- Questioning the definition/interpretation of “for consideration,” claiming that paying for entry, then being given a free sample does NOT meet the definition.
- Sentiment that current City policy on marijuana events is an overreach.
- Concern that marijuana regulations are creating barriers that will hinder the ability of businesses to survive.
- Question around creating spaces where people can consume, specifically concerned about smell. Any recommendations from the panel?
 - Leland: indoors, there are carbon filters that are used in small places and larger events.
 - Josh: smoking (burning) is what creates a smell, not vaporization. Claimed that the City doesn’t regulate smells in other contexts (food, etc.)
 - Erik: speaking on ventilation, would need ventilation strong enough to suck everything out of the room, and no knowledge that anything like this exists
- Concerned with only smell, or also with the smell reaching people and affecting them – a “contact high?”
 - Darilis: discussion has been more around smell, but she’s thinking of anyone who doesn’t want to partake.
 - Discussion about what may or may not give someone an unwanted contact high.

- Desire to ensure subcommittee is looking at whole picture, and that accurate data is being used.
- Hotels may designate up to 25% of their rooms for smoking: Does that allow for smoking cannabis?
 - Erik and Nick: Yes, can be any type of smoking – may not be well-known in the industry.
- Question about the ICAA definition of “enclosed space”: Has it gotten broader or narrower?
 - Erik: It has gotten narrower, now it is two walls and a ceiling. Used to be three walls and a ceiling.
- Comment that Alaska has rules that will allow consumption in retail establishments

Identify potential recommendations

City staff acknowledged limitations in the City’s jurisdiction, explaining that potential recommendations may be used to shape the City’s legislative agenda, for example, which may, in turn, affect state policy changes.

The Subcommittee offered the following potential recommendations:

- Allow for ticketed marijuana events to give away samples
- Create a concrete definition of what “social consumption” means
- Explicitly ALLOW, and create license for, social consumption (permanent marijuana lounges and events)
- Temporary sales licenses for events (sampling and consumption)
- Explicitly NOT ALLOW social consumption, with intent to prevent youth access and/or harm (both permanent marijuana lounges temporary events where marijuana would be consumed)
- Commission a study to take a deeper dive into how other jurisdictions (states and/or municipalities) approach social consumption
- Require signage and/or education about marijuana at marijuana lounges and events

Public Comment Period

Staff gave the floor to the public in attendance to offer their comments on the discussion and actions of the meeting. Those comments are described below:

- Expression of skepticism at the concept of providing education at marijuana events or lounges.
- Support for allowing spaces for social consumption.
- Recommendation that if education at marijuana events and lounges were required, that it include information about parental responsibility.
- Support for the consumption of marijuana in hotels and other areas of the hospitality industry.
- (From Leland – now speaking as member of public) Noted that NORML has always opposed youth consumption, and stating that having marijuana licensed and regulated provides the biggest protection for children

- Expressed agreement with many of previous public comments, and encouraging Portland to be the first jurisdiction to regulate and allow social consumption.

Discussion of possible recommendations (PR)

PR: Allow for ticketed marijuana events to give away samples

- Question about the goal of free samples. Response that it's similar to free sample in other industries: to generate consumer interest.
 - Comment that marijuana is different from other industries due to its potential negative effects and intoxication potential.
- Comment that this recommendation be tied to the established values, like safety.

PR: Create a concrete definition of what “social consumption” means

- Group would like a concrete definition from the City.

PR: Explicitly ALLOW, and create license for, social consumption (permanent marijuana lounges and events)

- Comment that these should be allowed and should be regulated with community concerns in mind. City can regulate through a permit or business license.
- Comment that events and lounges can look different. There shouldn't be a lot of red tape.
- Comment that, if allowed, requirement that youth cannot see people using. Fences, frosted windows.
- Comment that similar to dispensary distance buffers, there should be distance buffers from schools.

PR: Temporary licenses for events (sampling and consumption)

- Discussion of a consumption license.
- Recommendation to separate events with samples from events that allow consumption.
- Questions about how such consumption would be regulated to prevent the kinds of problems most folks would like to see avoided.

PR: Explicitly NOT ALLOW social consumption, specifically with intent to prevent youth access and/or harm (both permanent marijuana lounges and temporary events where marijuana would be consumed)

- Comment about desire to reduce promotion: If events increase visibility and promotion, then would not support having events or spaces.

PR: Commission a study to take a deeper dive into how other jurisdictions (states and/or municipalities) approach social consumption

- Comment that the money and effort may not make this possible.

PR: Require signage and/or education about marijuana at marijuana lounges and events

- Comment that education is a requirement of temporary alcohol licenses, and that education could be part of the requirements for licensing for marijuana events.

VOTING ON POSSIBLE RECOMMENDATIONS (PRs)

(Betsy abstained from voting since she was representing an absent member)

1 PR: Allow for ticketed marijuana events to give away samples

- FOR: 4
- AGAINST: 1 (One member voted twice)

2 PR: Create a concrete definition of what “social consumption” means

- FOR: 4
- AGAINST: 0

3 PR: Explicitly ALLOW, and create license for, social consumption (permanent marijuana lounges and events)

- FOR: 3
- AGAINST: 1

4 PR: Temporary licenses for events (sampling and consumption)

- FOR: 3
- AGAINST: 0

5 PR: Explicitly NOT ALLOW social consumption, specifically with intent to prevent youth access and/or harm (both permanent marijuana lounges and temporary events where marijuana would be consumed)

- FOR: 2
- AGAINST: 2

6 PR: Commission a study to take a deeper dive into how other jurisdictions (states and/or municipalities) approach social consumption

- FOR: 2
- AGAINST: 2

7 PR: Require signage and/or education about marijuana at marijuana lounges and events

- FOR: 4
- AGAINST: 0

Summary and conclusions

Five out of seven recommendations were supported unanimously or by a majority:

- Allow for ticketed marijuana events to give away samples
- Create a concrete definition of what “social consumption” means
- Explicitly ALLOW, and create license for, social consumption (permanent marijuana lounges and events)
- Temporary licenses for events
- Require signage and/or education about marijuana at marijuana lounges and events

After evaluating potential recommendations, there was support for the City to regulate public consumption of marijuana at lounges and/or events. There was also agreement that the City should develop a concrete definition of the term “social consumption” and create local social consumption policies defining what is (and is not) allowed. Finally, the subcommittee agreed that signage and/or education should be present at lounges and events allowing marijuana consumption, including age restrictions and directives for responsible use, with the goal that marijuana not be more accessible to minors, and the promotion and suggestion of marijuana use for those under 21 be prevented.

**Marijuana Policy Oversight Team
Social Consumption Subcommittee**

City Hall Pettygrove Room
June 14, 2016 and 6:00-8:00 PM

Pre-meeting Dialogue (via email)

- **Review MPOT Stated Values**
- **Review Panelists Values and Desired Outcomes**
- **Review Brief on the landscape of Social Consumption**
- **Brainstorm topics within social consumption:**
 - Brainstorm the types of events and activities that come to mind with regard to social consumption.
- **Identify values:**
 - What are some guiding values that will inform your input and perspective with regard to social consumption?
- **Identify desired outcomes:**
 - What are some of the desired outcomes that impact the group or community you represent?

Meeting Agenda

- **Dinner early arrival.....5:45 PM**
- **Develop deeper understanding of topic.....6:00 PM**
 - Panel presentation to inform discussion (30 min.)
 - Q & A (20 min.)
- **Break.....6:50 PM**
- **Identify potential recommendations.....7:00 PM**
 - Establish potential recommendations to be considered as part of the findings and final recommendations.
 - What kinds of social consumption recommendations do you think the City should or should not adopt?

- If social consumption regulation were to be addressed by the City, what might it look like?
- **Public Input period.....7:20 PM**
- **Evaluate potential recommendations.....7:30 PM**
 - Evaluate and identify potential recommendations to be included as part of the report on the findings and final recommendations that will be presented to the full MPOT.
 - How do each of these potential recommendations fit with the values identified at the last meeting?
 - Do they or do they not support the desired outcomes identified at the last meeting?
 - Vote to identify final recommendations to the full MPOT.
- **Adjourn.....8:00 PM**