



Oregon

Kate Brown, Governor

Liquor Control Commission

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OLCC understands local governments are interested in the public health, safety and environmental impact of recreational marijuana. Provided is a list of frequently asked questions and answers regarding the OLCC's efforts to regulate the industry and the emerging businesses therein.

1. Is OLCC likely to limit recreational facilities within 1000 feet of elementary, secondary or career schools attended primarily by minors?

HB3400 Section 16 prohibits recreational facilities within 1,000 feet of schools as described in ORS 339.020 and ORS 339.030 and the OLCC will abide by this limitation.

2. Is OLCC considering any other distance limitations (i.e., to other facilities, daycares, or other establishments with minors in attendance) under the authority to adopt implementing rules?

OLCC has engaged a broad range of stakeholders through a Rules Advisory Committee and Technical Advisory Committees, which have discussed and will continue to discuss other distance limitations. However no additional limitations have been adopted to date.

3. Does OLCC anticipate licensing marijuana as a home-based business, including in a residential zone, similar to home brewers?

In HB3400 the definitions of "premise" or "licensed premises" exclude a primary residence. If an applicant applied for a license in a mixed use area that was not a primary residence it would most likely not be prohibited by law.

4. OLCC has said publically that it may not grant a license for growing and dispensing recreational marijuana at the same facility. Please confirm and cite the appropriate statutes.

Measure 91, section 24 does not prohibit an applicant from holding one or more of OLCC's license types. However please note Section 18 of HB3400 gives OLCC the authority to require premises to be segregated to protect public health and safety.

5. Is OLCC intending to regulate recreational grow or cultivation operations at all through its licensing program?

Yes, OLCC will provide growing site regulations for licensed indoor and outdoor growers by November 2015. OLCC has no authority to regulate home grows.

6. Does OLCC intend to regulate, expressly permit or prohibit smoking clubs or marijuana bars/smoke rooms in any way?

OLCC is unlikely to permit smoking clubs or marijuana bars/smoke rooms, as these likely constitute public consumption. Legislation would have to pass in order to the agency authority to issue such licenses.

7. Does the OLCC intend to license mobile marijuana locations?

Item 3, Section 11 of HB 3400 indicates mobile premises will not be licensed. This refers to all license types.

8. Will OLCC provide uniform regulations for retailers relating to labeling for potency?

OLCC is coordinating with OHA and Oregon Department of Agriculture to label and package products in a consistent and clear way. HB3400: Labeling requirements, Section 101. Packaging requirements, Section 103. Dosage, Section 105.

9. What steps are the OLCC taking to ensure that underage sales of recreational marijuana does not take place?

All licensed recreational marijuana retailers are 21+ establishments, each consumer will be asked to provide their identification prior to completion of a transaction.

10. Have education materials been created to deter underage marijuana consumption?

Per Section 114 of HB 3400 the Oregon Health Authority, State Board of Education and Alcohol and Drug Policy Commission shall collaborate on developing marijuana abuse prevention curricula and public information programs for students, parents, teachers, administrators and school board members.

11. What impact on the environment, i.e. air quality, does the OLCC foresee regarding numerous grow operations? Is the environment also being taken into consideration for waste disposal practices?

Section 132 of HB 3400 created a Task Force on Cannabis Environmental Best Practices consisting of various members including representatives from the State Department of Agriculture and State Department of Energy. The Task force will not only be studying the use of electricity and water, and the agricultural practices associated with, the growing of cannabis by persons who hold a license, but will also include suggestions related to environmental best practices for the propagating, producing and harvesting of cannabis. Regarding the disposal of marijuana waste, facilities are to be in compliance with the already established state and local laws and regulations for proper waste disposal.

12. If a member of the public witnesses questionable practices on a licensed premises who should they notify? What if they witness suspicious behavior outside of a licensed premise?

If any person witnesses questionable activities on licensed or unlicensed premises OLCC advises those persons to use their best judgement in determining who would be the proper authority to regulate such behaviors, be it the OLCC or local police authorities.

If you have additional questions beyond what is provided please feel free to contact us directly at 503-872-6366 or marijuan@oregon.gov