

MMA examines implications of marijuana ballot question

By David Lakeman

Among the ballot questions that Massachusetts voters will decide on Nov. 8 is a proposal to legalize the sale and use of recreational marijuana.

The proposed law would limit the sale and use to adults age 21 and over. Edibles (food and drink infused with THC) would be allowed and regulated.

To regulate the industry and to promulgate regulations, the initiative would create a three-member Cannabis Control Commission, modeled after the Alcoholic Beverage Control Commission, as well as a 15-member Cannabis Advisory Board. The treasurer's office would appoint the CCC commissioners.

The initiative would set a 6.25 percent sales tax, a 3.75 percent excise tax, and an optional 2 percent local tax on marijuana products. For reference, Colorado has a 2.9 percent sales tax, a 10 percent retail marijuana special sales tax, and a 15 percent special excise tax. Opponents of the ballot initiative claim that the much lower tax rates for Massachusetts would not provide sufficient revenue to cover the cost of administering and regulating the program, and would fall far short of the revenue gains seen in Colorado.

Under the guidelines set forth by the initiative, individuals would be allowed "home growth" of up to 12 marijuana plants, but would not be allowed to advertise or promote the sale of their home plants.

Municipalities seeking to limit dispensaries would need to opt-out of the program, and any municipal government seeking to limit the number of dispensaries below 20 percent of the number of liquor licenses issued for that city or town would be required to hold a referendum on the issue.

At the May 3 meeting of the MMA Policy Committee on Municipal and Regional Administration, committee members got a chance to engage advocates on both sides of the issue. Sen. Jason Lewis and Rep. Hannah Kane represented the Campaign for a Safe and Healthy Massachusetts, which opposes the initiative, and Will Luzier and Jim Borghesani represented The Campaign to Regulate Marijuana Like Alcohol.

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Committee members raised concerns about the availability of edibles (particularly around children), potential revenue shortfalls, and the local opt-out process. The committee will likely recommend a position on the ballot question at its June meeting.

Massachusetts decriminalized possession of less than an ounce of marijuana in 2008 and legalized medical marijuana in 2012.



Sen. Jason Lewis discusses a ballot question that would legalize marijuana for recreational use during the May 3 meeting of the MMA Policy Committee on Municipal and Regional Administration at the MMA office in Boston. The committee also heard a presentation from proponents of the ballot question.

The text and summary of proposed ballot questions can be found on the attorney general's website (www.mass.gov/ago/government-resources/initiatives-and-other-ballot-questions/current-petitions-filed.html). ●



'Value capture' bill discussed

Rep. William Straus discusses his transportation infrastructure "value capture" legislation during the May 26 meeting of the MMA Policy Committee on Public Works, Transportation and Public Utilities. The legislation (H. 4094) would allow cities and towns to dedicate a portion of property tax growth toward funding state transportation projects. Straus said he filed the bill last year after reading about rising property values attributed to the MBTA's Green Line Extension.