

# LEARN THE LESSONS



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Learn the Lessons MN asks the tough questions about the impacts of legal cannabis on our state's youth, roads, workplaces and economy. Lawmakers have an opportunity to learn from states that have legalized cannabis – and from our own experiences with Big Tobacco and alcohol – before making this important decision.

## BEFORE LEGALIZATION, LET'S CONSIDER:

### [ PUBLIC SAFETY ]

#### ***What is the .08-type standard that determines cannabis intoxication?***

Above 0.08 BAC a person is considered intoxicated and unfit to drive, but no such standard exists for cannabis intoxication. Without a defined standard, regulators and law enforcement cannot effectively determine the culpability of individuals who are under the influence of cannabis while driving. This poses significant risks given that traffic accidents involving cannabis have spiked in states post-legalization.<sup>1</sup>

#### ***What is the on-location test for drugged drivers?***

Current testing technology cannot instantly determine levels of THC impairment. Without a functional test, it is more difficult for regulators and law enforcement to establish safe levels of use and keep the public safe.<sup>2</sup>

### [ WORKPLACE HEALTH AND SAFETY ]

#### ***Do we make it harder for essential businesses to find and keep employees if we rush to legalize cannabis?***

Federal workplace regulations promote regular drug testing for jobs that operate heavy machinery, such as construction and trucking. Employers for such positions face greater difficulties finding and retaining employees who can meet drug-free standards.<sup>3</sup>

#### ***How will cannabis use change our workplaces?'***

Without appropriate safeguards, legalizing recreational cannabis will create new risks in the workplace. Studies have linked cannabis use directly to increased prevalence of workplace injury, industrial accidents, and absenteeism.<sup>4</sup>

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<sup>1</sup> Farmer, C. M., Monfort, S. S., & Woods, A. N. (2022). Changes in traffic crash rates after legalization of marijuana: Results by crash severity. *Journal of Studies on Alcohol and Drugs*, 83, 494-501.

<sup>2</sup> National Institute of Justice. (2021) Field Sobriety Tests and THC Levels Unreliable Indicators of Marijuana Intoxication.

<sup>3</sup> Phillips, J. A., Holland, M. G., Baldwin, D. D., Gifford-Meuleveld, L., Mueller, K. L., Perkison, B., Upfal, M., & Dreger, M. (2015). Marijuana in the Workplace: Guidance for Occupational Health Professionals and Employers: Joint Guidance Statement of the American Association of Occupational Health Nurses and the American College of Occupational and Environmental Medicine. *Workplace health & safety*, 63(4), 139–164.

<sup>4</sup> Goldsmith, Robert S. MD, MPH, FACOEM. (2015) Medical Marijuana in the Workplace: Challenges and Management Options for Occupational Physicians. *Journal of Occupational and Environmental Medicine* 57(5):p 518-525

## [ PUBLIC HEALTH ]

### ***How do we prevent the cannabis industry from targeting adolescents, just as Big Tobacco has done?***

For decades, tobacco companies have intentionally marketed addictive products to young people with colorful packaging, sweet flavors and easy to conceal vaping devices.<sup>5</sup> Vaping devices are a popular method of cannabis use, and similar usage of flavors and colorful packaging has been seen in states that have legalized the drug. Most state laws that regulate tobacco marketing of have not been expanded to include the marketing of cannabis products.

### ***Will more access lead to more users becoming dependent on cannabis and other drugs?***

Extensive research has shown that cannabis use among young people and adults grows in states that legalize recreational use, leading to higher rates of cannabis use.<sup>6</sup> Recent studies have found that adolescents who use cannabis regularly demonstrate higher chances of developing cannabis use disorder, using other drugs, developing a mental disorder and attempting suicide.<sup>7</sup>

## [ STATE SPENDING ]

### ***Is Minnesota prepared to spend nearly five times as much addressing cannabis' harms as it raises in new tax revenue?***

A 2019 study in Colorado found that for every \$1 of tax revenue received from recreational cannabis sales, \$4.50 was spent by the state to counteract the adverse effects of cannabis on public health, productivity, transportation, and crime.<sup>8</sup>

## [ UNDERGROUND MARKETS ]

### ***Why are black markets for cannabis flourishing in states that have legalized the drug?***

In California, the black market for cannabis has grown since the drug was legalized, impairing attempts to control the quality and safety of cannabis products.<sup>9</sup> In New York, preventing black market sellers from undercutting licensed dispensaries has been likened to playing “whack-a-mole”.<sup>10</sup>

## [ DECRIMINALIZATION – NOT NORMALIZATION ]

### ***Can we decriminalize cannabis and address the harms of unjust enforcement without normalizing its use?***

Addressing the social injustices caused by inequitable enforcement of cannabis laws is not contingent upon creating a commercialized market for the drug. Lawmakers can remove criminal penalties, expunge records, and reform enforcement mechanisms without normalizing the use of cannabis.

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<sup>5</sup> National Center for Chronic Disease Prevention and Health Promotion (US) Office on Smoking and Health. (2012) Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. *Centers for Disease Control and Prevention (US)*

<sup>6</sup> Gunadi, C., Zhu, B., & Shi, Y. (2022). Recreational cannabis legalization and transitions in cannabis use: Findings from a nationally representative longitudinal cohort in the United States. *Addiction*.

<sup>7</sup> Hammond, C. J., Chaney, A., Hendrickson, B., & Sharma, P. (2020). Cannabis use among US adolescents in the era of marijuana legalization: a review of changing use patterns, comorbidity, and health correlates. *International Review of Psychiatry*, 32, 221-234.

<sup>8</sup> Hunt, J. (2019, March 25). *Economic and social costs of legalized marijuana*. Centennial Institute.

<sup>9</sup> Romero, D. (2019, September 20). California's cannabis black market has eclipsed its legal one. *NBCNews.com*.

<sup>10</sup> Sykes, S. (2022, December 23). Marijuana's Black Market is undercutting legal businesses. *CNBC*.