OPINION

Contact: Editorial: 503-221-8150 • commentary@oregonian.com • letters@oregonian.com

Voters should decide local bans on weed dispensaries

Oregonians made the right decision to legalize marijuana for recreational use. So why would the Joint Committee on Implementing Measure 91 make it hard for voters to weigh in on medical marijuana dispensaries?



Oregon's Joint Committee on Implementing Measure 91 reached an impasse over allowing local communities to ban medical manipuana facilities.

regon's marijuana policy has evolved so dramatically over the past 17 years for one reason: direct democracy. In 1998, voters supported a citizen initiative legalizing the use of pot for medical purposes. Sixteen years later, voters supported a citizen initiative legalizing the possession and sale

of pot for recreational use. Editorial The state Legislature has dipped a toe into the policy

bong water here and there — by sanctioning medical marijuana dispensaries in 2013, for instance. But marijuana has been made available to sick people and, soon, everyday people only because Oregonians themselves took the lead.

Given this history, Monday's debate among members of the Legislature's pot-legalization committee, which resulted in an impasse, is a bit baffling. The panel, ironically, deadlocked over the role voters should play in banning medical marijuana dispensaries. While adopting either of two options discussed Monday would be preferable to an impasse, the one that engages voters automatically is more in keeping with both the history and spirit of manjuana legalization in Oregon.

The panel, known officially as the Joint Committee on Implementing Measure 91, has a difficult task. It must, as its name indicates, figure out how to implement last fall's legalization measure. In addition, it must rein in the state's medical marijuana system, whose lax regulation allows the diversion of huge amounts of pot to recreational users. It makes little sense to allow the recreational sale of a taxed and tightly The make-'em-work option is particularly odd given the provisions of Measure 91, Rep. Ann Lininger, D-Lake Oswego, noted. The measure allows recreational pot sales to happen unless opponents place a local prohibition on the ballot and convince voters to back it. Why, if recreational pot sales are legal unless local voters say otherwise, should supporters of medical marijuana have to gather signatures and hold a vote to make it available locally? This is completely inconsistent, even nonsensical.

The pot panel has focused so far on the shortcomings of the medical-marijuana system and is, Rep. Ken Helm, D-Beaverton, said Monday, 97 percent of the way toward a great bill (Senate Bill 844). The remaining 3 percent has proved a challenge, to say the least.

On Monday, Jeff Mapes of The Oregonian/OregonLive reported, the panel deadlocked on the process for banning medical marijuana facilities. When the Legislature gave its blessing to medical dispensaries in 2013, it also allowed local governments to prohibit them until May 1, 2015. They did just this in droves, with 146 cities and 26 counties saying "no" to pot dispensaries. The question the committee wrestled with Monday is, in essence, "what now?" Should who want to overturn such bans have to place them on the ballot? Supporters of the

latter option would require ban opponents to gather signatures equivalent to 4 percent of the vote cast locally in the last gubernatorial election. Gathering that many signatures would hardly be an insurmountable task, and a version of SB844 that set such a hurdle would efficience of legisla-

hardly be an instrinoritable task, and a version of SB844 that set such a hurdle would still be a valuable piece of legislation. It seems more honest, however, to place any ban adopted by a local government on the ballot automatically. The point of the exercise should be to find out what a community wants, and the most straightforward way to do this is to ask the community directly. By, you know, having a vote. Requiring people to gather signatures, on the other hand, makes it more difficult for a community to adopt the regulations it wants.

The make-'em-work option is particularly odd given the provisions of Measure 91, noted Rep. Ann Lininger, D-Lake Oswego. The measure allows recreational pot sales to happen unless opponents place a local prohibition on the ballot and persuade voters to back it. Why, if recreational pot sales are legal unless local voters say otherwise, should supporters of medical marijuana have to gather signatures and hold a vote to make it available locally? This is completely inconsistent, even nonsensical.

This week's impasse notwithstanding, the pot-legalization committee is sure to recommend a version of SB844 at some point. When it does, it ought to back the version that best allows communities to create the policies they want.