



UP IN SMOKE?

Winning the legal pot loss

BY SHANNON FINNELL

Some might say that you'd have to be pretty stoned to consider a loss a win. Colorado's and Washington's creation of alcohol-like statutes for marijuana made Oregon a bronze-at-best state for pot legalization, but marijuana policy reform advocates are riding high. And not (necessarily) from Cheech-and-Chong-like hijinks.

Many Oregon drug policy reform advocates are calling the vote on pro-legalization Measure 80, which garnered 46.75 percent favorability, a significant success — one that makes them certain alcohol-style regulation (legal for adults 21 and older, with carefully regulated and taxed sales) is right around the corner. Just two years ago, Oregonians shot down a measure creating dispensaries for Oregon Medical Marijuana Program (OMMP) patients with just 44 percent voting yes, and advocates say that gaining about three marijuana-related points in two years — and this time for possession (for ages 21 and up) without limitations based on amount — means the tide is greening. Even President Barack Obama has called pot prohibition a low priority.

If Measure 80 was just a slightly loser-y winner, it lost due to lack of funding for a widespread, coherent ad campaign. That lack, activists say, is probably a result of not letting all the stakeholders, including national-level reform advocates, take part in its crafting. Not to worry, Oregon advocates already have their eyes on election years of Novembers yet to come.

Even while moving forward, Oregon House Ways and Means Co-chair Peter Buckley recalls why he got passionate about weed in the first place: money. Harvard economist Jeffrey Miron told *EW* that he estimated that prohibition costs Oregon about \$61 million per year; he also estimated legalization could bring in about \$36 million in tax revenue. That's a \$97 million difference annually for Oregon's budget.

"I've worked on budget after budget that has cut funding for education; we've struggled to maintain funding for services for people with disabilities and seniors," Buckley says. "It makes no sense to me to do anything in this state that is wasteful of tax dollars that can be put to a better use."

Oregonians consider our home a pioneer state. We're still bragging about the Bottle Bill enacted in 1971. We think we're a little mavericky — we see marijuana as a sibling to alcohol to the extent that Oregon ranked seventh nationally for use in the past year, according to one 2009 report by the Bulletin of Cannabis Reform. So how is it that those Washingtonians and Coloradans stopped throwing money and resources down the toilet before us?

PINEAPPLE EXCESS

Measure 80 faced a lot of criticism from the public and editorial boards for proposing the "Oregon Cannabis Commission," which would have had five of seven members elected by licensed growers and processors, to regulate sales and commercial cultivation. Some called it "putting the stoners in charge of the henhouse."

Buckley agrees that the measure was imperfect, but he endorsed it nonetheless, partly due to its potential budgetary impact. "It did [have flaws], but for me it was important to try to get over the barrier of legalization," he says. "The flaws could be fixed through legislative action, and I certainly was looking forward to the opportunity to try to fix them through legislative action."

While Buckley says that the commission "rankled" people, he also says that quantity limits on possession could have made legalization more palatable to one district attorney he spoke to. Washington's bill, Initiative 502, legalized possession of up to an ounce for those over 21, and thanks to Amendment 64, Coloradans of drinking age can now possess up to an ounce while on the go, plus six plants and all their trimmings in a locked location. "If Oregon's proposal had been closer to Colorado's, I think we would have been able to prevail — if we'd had some funding behind the measure as well," Buckley says.