



JUDICIARY COMMITTEE

February 26, 2021

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent 168 towns and cities.

SB 888 An Act Responsibly And Equitably Regulating Adult-Use Cannabis

SB 888 would legalize the cultivation, manufacture, sale, possession, and use of cannabis in Connecticut. The proposed legislation would allow possession of cannabis and cannabis products for consumers over twenty-one years of age or older. The bill would limit consumer possession to one and one-half ounces of cannabis, of which no more than five grams may be in the form of a cannabis concentrate.

CCM's members are united in that any proposal that would legalize marijuana should be based on science and we urge the committee to seriously examine the health effects and public safety concerns before passing any legislation. CCM has been adamant that a municipality be afforded the ability to prohibit or restrict in any manner the operation of a cannabis establishment, as well considerations need to be made regarding the public safety concerns of legalizing the recreational use of cannabis and the treatment of substance abuse.

While CCM is appreciative that SB 888 does address some of those issues by:

- Allowing a municipality through its zoning regulations or local ordinances to prohibit the establishment of a cannabis establishment, except for a dispensary facility or producer.
- Permitting municipalities to charge necessary and reasonable costs for public safety for the first thirty days when an establishment opens. However, prohibits municipalities from entering into local benefit agreements with cannabis establishments.
- Allowing towns and cities to prohibit or otherwise regulate the consumption of cannabis in any public spaces within the municipality.
- Reworking impaired driving procedures with an emphasis on training for drug recognition.
- Allowing municipalities to receive 3% on the sales tax receipts from the sale of cannabis and cannabis products, though we anticipate that these revenues will not adequately compensate towns for the cost of enforcement and regulation. In addition, beginning in 2024, allow for 50% of the excise tax to be provided to municipalities whose neighborhoods have been ravaged by a racially-discriminatory War on Drugs to reduce property taxes, increase services and promote social equity.

With that being said, our members would like to see the following provisions incorporated into any legalization of recreational marijuana legislation:

- Allow municipalities to establish reasonable restrictions regarding the hours and signage within the limits of such municipality.
- In establishing a municipal excise tax on the gross receipts from the sale of cannabis and cannabis products by a cannabis retailer, have the taxes paid directly to the tax collector and deposited in the general fund of the municipality.
- Refrain from capping the municipal tax rate until the actual costs of municipal enforcement and implementation of the regulatory framework for the retail sale of recreational marijuana are established.
- Allow municipal governments to comply with federal law as it relates to drug testing employees whose job responsibilities require holding CDL licenses in good standing.
- Allow municipalities to continue drug testing for public safety employees such as police, fire and EMS.
- Allow a municipal employer to retain its right to discipline municipal employees who are subjected to drug testing for violations of its drug policies.

It must be noted however, that Connecticut towns and cities that opt to have cannabis in their communities will have to enforce new regulations and ensure public safety. Some of these concerns and issues were raised at CCM's 2019 Annual Convention where we hosted municipal representatives from Colorado and Massachusetts to share the municipal perspective regarding the legalization of marijuana in those States. The presentation raised several considerations that need to be contemplated before Connecticut legalizes marijuana. To view the CT-N coverage, please click on the link: [CCM Panel Discussion on the Legalization of Recreational Marijuana](#).

This panel highlighted the fact that the municipal role in the regulation and enforcement of legal marijuana is immense and resources need to be properly allocated in order to do it adequately. While we are appreciative that some of the municipal issues are contemplated in this proposal, we are concerned that others are left to the regulatory process and are not defined. In addition, how legal marijuana is treated in the workplace and public places are other areas that need attention.

CCM is willing to engage in dialogue over these concerns as the bill moves through the legislative process.



If you have any questions, please contact Mike Muszynski, State and Federal Relations Manager of CCM at mmuszynski@ccm-ct.org or (203) 500-7556.

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- Establishing a municipal excise tax on the gross receipts from the sale of cannabis and cannabis products by a cannabis retailer which is paid to the tax collector and deposited in the general fund of the municipality.
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It must be noted that while we support the provision to provide grants-in-aid to municipalities for brownfields remediation, we believe the funding mechanisms for municipalities in this do not adequately address the costs of enforcing and regulating recreational marijuana as it relates to municipal public safety and public health departments.