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Maryland NORML Supports SB0891 Constitutional Amendment

Maryland NORML is the state chapter of the National Organization for the Reform of Marijuana Laws. As a grass-roots organization representing a broad range of Marylanders, we advocate for sensible, evidence based cannabis policy. We respectfully urge the MD Senate Judicial Proceedings Committee adopt the proposed regulatory structure outlined under SB0928 or to send the question to the voters. Public opinion polls demonstrate that Maryland citizens are ready to legalize cannabis and establish a regulated commercial cannabis market that favors small Maryland based businesses over artificial monopolies.

The proposed constitutional amendment would immediately end the arrest and conviction of adults who grow small amounts of cannabis for their own personal non-commercial purposes. It would also protect the rights of property owners to prohibit cultivation on their properties by tenants and call for the establishment of a regulatory structure for a commercial cannabis market. This is sound public policy and reflects the lessons learned from jurisdictions across the country that have already put an end to the failed “arrest and prosecute” policies that have taken such a toll on the lives of so many of our best and brightest citizens. Fears about youth gaining unfettered access to the plant, or of expanded unregulated “black market” production and sales, are simply not supported by evidence from those jurisdictions that have already implemented adult use cannabis markets with limited home cultivation rights.

There is no discernible public interest in arresting adults for limited, non-commercial home cultivation. However, there are many benefits.

For adult consumers, home cultivation can reduce cannabis expenditures, freeing up financial resources for other purchases or for savings. For low-income cannabis consumers, this cost savings can represent a significant portion of their available financial resources. This diversion of funds away from an unregulated and untaxed “black market,” or from higher priced legal cannabis products, creates economic activity and increases the “velocity of money” through the Maryland economy.

As with our right to home-brewed beer, the number of citizens who would choose to take advantage of the home cultivation right is limited – the number is also inversely proportional to the availability of reasonably prices, accessible legal

cannabis products. Growing cannabis is a time consuming and complicated process, and purchasing cannabis legally at a store will always be more convenient for the consumer. However, protecting individual liberty for adults to grow their own limited supply maintains an incentive for Maryland businesses to keep legal cannabis product prices as low as possible.

To avoid the prospect of citizens exceeding their limited right to home cultivation by growing plants in quantities beyond what might be needed for limited personal consumption, a low-cost permit system for “craft cultivation” operations should be adopted. This provides a low-cost mechanism for entrepreneurial farms and small businesses to legally enter the cannabis cultivation sector, increasing competition and, again, reducing costs for consumers.

States that have established regulated commercial cannabis markets with limited home cultivation provisions have shown minimal effect on cannabis use by their citizens. According to the libertarian leaning Cato Institute: “The absence of significant adverse consequences is especially striking given the sometimes dire predictions made by legalization opponents.”¹ In fact, teen marijuana consumption rates in Colorado are statistically unchanged following legalization and are lower than the national average. Arguments against cannabis legalization remain based on unsubstantiated claims, negative stereotypes, and fear.

We recognize that many legislators remain cautious about ending failed public policies that drive our citizens into the criminal justice system for experimenting with cannabis, despite the fact that these policies undermining the positive aspirations and full potential of Marylanders. As a result, we urge the Committee to adopt a comprehensive, effective, regulated cannabis market by approving SB0928 or to put the question before the voters by approving SB0891.

¹ “Dose of Reality: The Effect of State Marijuana Legalizations” by Angela Dills, Sietse Goffard, and Jeffrey Miron (September 16, 2016)