

A G E N D A

WALLA WALLA COUNTY BOARD OF COMMISSIONERS

SPECIAL MEETING THURSDAY, JUNE 30, 2016

9:30

COUNTY COMMISSIONERS

Chairman Johnson

- a) Roll call and establish a quorum
- b) Declarations re: conflict of interest
- c) Discussion and possible action regarding new state marijuana regulations

- A D J O U R N -

Walla Walla County is ADA compliant. Please contact TTY 509/524-2994 or the Commissioners' Office at 509/524-2505 three (3) days in advance if you need any language, hearing, or physical accommodation.

Please note that the agenda is tentative only. The Board may add, delete, or postpone items and may take action on an item not on the agenda.



and Associates

PLANNING, LAND USE
AND DEVELOPMENT SERVICES

Memorandum

Date: June 24, 2016
To: Board of County Commissioners
From: Bill Stalzer, county planning consultant
Cc: Jesse Nolte, Deputy Prosecuting Attorney; Tom Glover, Director, Walla Walla County Community Development Department
Re: Summary of New Medical Marijuana Regulations

Background

In April, 2015, Second Substitute Senate Bill 5025 regarding medical marijuana was signed by the governor with vetoes of certain sections. RCW 69.51A is the statute regulating medical marijuana and was renamed Medical Cannabis in 2015 to reflect the changes required by the new legislation. While some provisions of the new legislation are already in effect, the provisions with the greatest implications for medical marijuana – the elimination of collective gardens and medical marijuana dispensaries, the addition of cooperatives, and more stringent recognition card requirements-- go into effect on July 1st of this year. Below is a summary of the new medical marijuana regulations.

Who can grow medical marijuana?

- Recreational marijuana producers licensed by the Washington State Liquor and Cannabis Board (“WSLCB”)
- Qualifying patients 21 or older enrolled in the state medical marijuana authorization database and designated providers may grow up to 15 plants and possess a combination of 48 ounces of marijuana-infused product in solid form, 3 ounces of useable marijuana, 216 ounces of marijuana-infused product in liquid form, or 21 grams of marijuana concentrates, all for their use in one housing unit (see “Notes” below) provided that the activity cannot be readily seen or smelled from a public place or the private property of another housing unit.
- Qualifying patients 21 or older not enrolled in the state medical marijuana authorization database may grow up to 4 plants and 6 ounces of usable marijuana for their use in one housing unit provided that the activity cannot be readily seen or smelled from a public place or the private property of another housing unit.
- Cooperative members. Members of a cooperative (see “Cooperatives” on the next page) may grow marijuana at the cooperative location in a quantity of up to the total amount of plants for which they are authorized on their recognition cards, but no more than 15 plants. They also may possess at the cooperative location up to 72 ounces of usable marijuana produced by the authorized number of plants. Cooperative members must:
 - be a qualifying patient 21 years or older or a designated provider;
 - have a valid recognition card;
 - participate in only one cooperative;
 - not grow plants elsewhere;
 - provide assistance in growing plants at the cooperative location; and
 - not sell, donate, or otherwise provide marijuana or marijuana products to non-members

Notes:

A housing unit is a house, apartment, mobile home, group of rooms, or a single room occupied as separate living quarters with direct access from the outside of the building or through a common hall (e.g. a multi-family residential building).

A qualifying patient:

- is a patient of a health care professional;
- has a terminal or debilitating medical condition;
- is a resident of Washington at the time of diagnosis;

- has been advised of the of the risks and benefits of medical marijuana and that he or she may benefit from the use of medical marijuana;
- has been issued an authorization form from his or her health care professional **or** is entered into the medical marijuana authorization database and has a recognition card; and
- is in compliance with RCW 69.51A Medical Cannabis

A designated provider is a person 21 or older who:

- is the parent or guardian of a qualifying patient under 18 and holds a recognition card **or** is designated by a qualifying patient 18 or older to serve as his or her designated provider; and
- is the designated provider for only one qualified patient at any one time; and
- has an authorization form from the qualifying patient's health care professional; and
- is in the medical marijuana authorization database as the designated provider for the qualifying patient; and
- provides marijuana only to the qualifying patient; and
- is prohibited from consuming marijuana obtained for the personal, medical use of the qualifying patient for whom he or she is acting as the designated provider; and
- has a recognition card

A recognition card is:

- a card issued to qualified patients and designated providers by a marijuana retailer with a medical marijuana endorsement from the WSLCB who has entered the qualified patient or designated provider into the medical marijuana authorization database.
- Recognition cards for qualifying patients 18 or older and for designated providers are valid for 1 year.
- Recognition cards for qualifying patients under 18 are valid for six months.

An authorization form is a form provided by the Department of Health that is completed and signed by a qualifying patient's health care professional and printed on tamper-resistant paper.

A medical marijuana endorsement is an endorsement issued by the WSLCB in accordance with the provisions of RCW 69.50.375.

What are the regulations for Cooperatives?

- Licensed by the WSLCB
- Limited in number to 4 members (qualifying patients and designated providers only)
- Limited to one cooperative per property tax parcel
- Located in the domicile of one of the members
- Can grow up to the total number of plants authorized for the 4 members, but not exceeding 60 plants
- Cannot be located:
 - Within 1 mile of a marijuana retailer
 - Within the smaller of:
 - 1,000 feet of the perimeter of an elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade that is not restricted to persons 21 or older; or
 - the area restricted by ordinance if the city, county or town allows cooperatives
 - Where prohibited by a city, county or town zoning ordinance

Who can buy medical marijuana?

- Any qualifying patient 21 or older; or
- A designated provider on behalf of a qualifying patient 21 or older; or
- A designated provider on behalf of a qualifying patient between 18 and 20; or
- A parent or guardian designated provider on behalf of a qualifying patient under 18

Who can sell medical marijuana?

- An existing recreational marijuana retailer with a medical marijuana endorsement
- A new medical marijuana retailer that has a marijuana retail license, meets the locational requirements for a marijuana retailer, and has a medical marijuana endorsement
- An existing medical marijuana dispensary that obtains a marijuana retail license, meets the locational requirements for a marijuana retailer, and has a medical marijuana endorsement