

Better Laws Come from Tested Results

By Senator Pete Campos

All across the country, states are moving to legalize cannabis. So far, 33 states and the District of Columbia have legalized marijuana in some form. Ten states and the District of Columbia allow adult recreational use, and another 14 states, including New Mexico, have now passed laws decriminalizing marijuana possession. During this year's legislative session, hundreds of citizens came to voice their opinions regarding the next logical step, the legalization of recreational cannabis in New Mexico. Policy changes such as this have profound effects on health, education and the economy, so it is imperative that we proceed cautiously.

It is often overlooked that New Mexico was actually the first state to recognize the medicinal value of marijuana with the passage of the Controlled Substances Therapeutic Research Act in 1978. This law allows doctors to prescribe cannabis for cancer and glaucoma symptoms and encourages further research of beneficial uses. In 2007, the qualifying conditions for the use of medical cannabis were expanded under the Lynn and Erin Compassionate Use Act. This year, the legislature decriminalized marijuana possession, further expanded medical cannabis laws, legalized hemp manufacturing and introduced the Cannabis Regulation Act, which, if passed, would have legalized cannabis for adult recreational use and created a state-run system for the testing, manufacture, packaging, transportation, licensing and sale of cannabis.

Ultimately, the Cannabis Regulation Act passed in the House but did not make it in time to be heard on the Senate floor. Although this bill represented a collaborative effort by Republicans and Democrats from both chambers, many people still believed that we were acting prematurely. Ongoing cannabis studies continue to dominate discussions among policy groups, medical professionals and the general public, and this year's session was no exception. While many New Mexicans and reform advocates were frustrated that the legislature failed to end prohibition altogether, we did make great strides toward a more fair and equitable system. Our medical cannabis expansion and further decriminalization show the receptiveness by lawmakers to proceed as this growing industry unfolds in our state.

Until the time arrives when a national decision determines unilateral laws governing the cannabis industry, each state is responsible for determining its own path to legalization. Moving forward, we have the opportunity to learn from other states — the mistakes and successes,

unforeseen public health and safety consequences, various approaches to taxation and licensing and the details of operating under a federal ban. Before recreational marijuana sales become legal in New Mexico, we must consider what additional laws affecting health, safety and the overall well-being of the public are needed.

Health is possibly the largest area of concern, as there is still much to be understood, such as the long-term effects of marijuana use, potential for substance use disorder and effects on brain structure and mental health. Beyond health concerns, we must consider the various licenses that will be required, how to ensure that New Mexicans have the opportunity to enter the market and whether the proceeds from sales will go to the General Fund or for earmarked purposes such as early childhood education and crime reduction strategies. We must consider the challenges stemming from the federal prohibition, including access to banking systems, legal risks for business owners and consumers and interstate trafficking to states where marijuana remains illegal.

Although legalization has contributed to employment growth and tax revenues in other states, we must weigh those benefits against the potential public safety and health outcomes. I will continue, with an open mind, to research the benefits of our existing medical cannabis program and the proposed recreational cannabis program throughout the interim and will work with those who have an interest in this life-changing industry as New Mexico considers its future direction.