

Press Release  
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FOR IMMEDIATE RELEASE  
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## **SAFE Glen Cove Coalition: Why the City of Glen Cove Should Opt Out of Marijuana Dispensaries**

### **THE LAW**

- ***Overview of New York State’s Marihuana Regulation and Taxation Act (MRTA)***
  - On March 30, 2021, the New York State Assembly and State Senate approved the “Marihuana Regulation and Taxation Act” (MRTA.) On March 31, 2021, this legislation (S.854-A/A.1248-A) for legalizing, taxing, and regulating adult-use cannabis was signed into law by Governor Andrew M. Cuomo
  - Senate bill S.854-A was substituted for Assembly bill A.1248-A.
  - For complete details of MRTA, see the full text <https://legislation.nysenate.gov/pdf/bills/2021/s854a>.
  - This new law established the Office of Cannabis Management (OCM) & Cannabis Control Board as an independent entity within the Division of Alcoholic Beverage Control with the authority to prescribe forms of applications, licenses and permits, as well as the discretion to make the preliminary determinations on the issuance of more than ten (10) different types of cannabis licenses
  - Personal Use of Cannabis (see S 222.05p.86)-Under MRTA, for persons 21 years of age or older the following acts are now legal in New York State:
    - Possessing, displaying, purchasing, obtaining, or transporting up to three ounces of cannabis and up to twenty-four grams of concentrated cannabis;
    - Transferring, without compensation, to a person twenty-one years of age or older, up to three ounces of cannabis and up to twenty-four grams of concentrated cannabis;
    - Using, smoking, ingesting, or consuming cannabis or concentrated cannabis;
    - Possessing, using, displaying, purchasing, obtaining, manufacturing, transporting or giving to any person twenty-one years of age or older cannabis paraphernalia or concentrated cannabis paraphernalia;
    - Planting, cultivating, harvesting, drying, processing or possessing cultivated cannabis;

- Cannabis, concentrated cannabis, cannabis paraphernalia or concentrated cannabis paraphernalia involved in any way with conduct deemed lawful by this section are not contraband nor subject to seizure or forfeiture of assets;
- No conduct deemed lawful by this section shall constitute the basis for approach, search, seizure, arrest or detention;
- No finding or determination of reasonable cause to believe a crime has been committed shall be based solely on evidence of the following facts and circumstances, either individually or in combination with each other:
  - The odor of cannabis;
  - The odor of burnt cannabis;
  - The possession of or the suspicion of possession of cannabis or concentrated cannabis in the amounts authorized in this article;
  - The possession of multiple containers of cannabis without evidence of concentrated cannabis in the amounts authorized in this article;
  - The presence of cash or currency in proximity to cannabis or concentrated cannabis;
  - The planting, cultivating, harvesting, drying, processing or possessing cultivated cannabis.
- **Municipal Opt Out (MRTA Article 6: General Provisions; Section 131, p. 70)**
  - Cities, towns, and villages may opt-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses by passing a local law by December 31, 2021 or nine months after the effective date of the legislation. They cannot opt-out of adult-use legalization
    - In 2014 the City of Glen Cove banned Hooka Lounges- lets be consistent with the messages we send the community; Allowing recreational marijuana stores normalizes marijuana use and sends the wrong message to children that marijuana is an acceptable, safe, standard recreational activity
    - Increased access means increased use- Dispensaries will increase visibility, access, and social acceptance and decrease the perception of risk and harm, driving up use-especially among children, teens and young adults
    - In 2019 a study published in the journal **Addiction** found that living near a marijuana dispensary increases the likelihood of marijuana use and frequency of use among young people aged 18-22; Commercialization increases drug use!
    - According to the National Institutes of Health (NIH), young people (18-22 years) living within 4 miles of a marijuana dispensary are more likely to use the drug and use it often
    - (NIH) Adolescents using cannabis are four to seven times more likely than adults to develop cannabis use disorder and 1 in 6 youth who use marijuana become addicted
  - **Policing and Taxpayer Burden**

Neighboring towns and villages are opting out including: Garden City, Freeport, Oyster Bay, Roslyn, Great Neck, Bayville, Williston Park, Massapequa Park, Rockville Center, Roslyn, Roslyn Estates, Mineola, Bayville and Floral Park.

Given that fact that all of these places have opted out, if Glen Cove opts in, residents from all over the Island will come to Glen Cove and this will present a tremendous issue for police and prevention efforts.

For every \$1 million of marijuana sold in Nassau County, the municipalities in which it was sold would split \$30,000. We need to think long and hard before Glen Cove balances its budget for 3 cents on the \$ and the social service agencies deal with the negative impact.

- If allowed, the City of Glen Cove would be the go to municipality with a Dispensary, and, therefore, the City can expect a surge of non-resident traffic and all the negative consequences
- The Glen Cove Police Department anticipates increases in traffic accidents, speeding, and traffic infractions
- In order to deal with the traffic, a large Police staffing increase would be needed. Homeowners would bear the financial burden of that via taxes
- There is no provision for Policing funding based upon Sales Tax Revenue

- ***Impaired Driving***

- Marijuana significantly impairs judgment, motor coordination, and reaction time, and studies have found a direct relationship between blood THC concentration and impaired driving ability (National Institute on Drug Abuse 2020)
- Marijuana is the illicit drug most frequently found in the blood of drivers who have been involved in vehicle crashes, including fatal ones (National Institute in Drug Abuse (2020)
- With respect to traffic safety, the New York State Department of Health **will** work with institutions of higher education to conduct a controlled research study designed to evaluate methodologies and technologies for the detection of cannabis-impaired driving. After completion of the research study, Department Of Health **may** create and implement rules and regulations to approve and certify a test for the presence of cannabis in drivers.
- Note: MRTA was passed without having any testing protocol to determine whether a driver is impaired by marijuana.

- ***MRTA- Lack of Guidance for Community Regulations of Public Places and Homes***

- There is no restriction on retail marijuana stores and its location to parks, playgrounds or neighborhoods
- Marijuana in NYS- did you know:
  - You will be able to grow up to 6 plants in your home

- You will be able to store up to 5 pounds of marijuana in your home
- One pound of marijuana is about 448 joints...5 pounds is about 2,240 joints
- What a municipality CAN NOT regulate:
  - Use and possession of marijuana
  - Growing cannabis at home
  - Cannabis delivery services

SAFE Inc. is the only alcohol and substance use prevention agency in Glen Cove. To learn more about SAFE and its Coalition, please follow us on [www.facebook.com/safeglencovecoalition](http://www.facebook.com/safeglencovecoalition) or visit SAFE's website to learn more about the negative consequences of marijuana use at [www.safeglencove.org](http://www.safeglencove.org).