



July 12, 2017

Honourable Kathleen Ganley
Minister of Justice and Solicitor General
424 Legislature Building
10800 97 Avenue
Edmonton, AB T5K 2B6

Dear Minister Ganley:

Please find attached AUMA's submission for the provincial survey on the legalization of cannabis for recreational use.

We appreciate the opportunity to provide feedback for this initiative, both through the survey and our participation in the Cannabis Secretariat's roundtables. We would appreciate receiving further information on the process that you will use to make decisions relating to provincial legislation. I urge you to include an opportunity for AUMA's Board to be engaged in the decision-making process.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads 'Lisa Holmes'.

Lisa Holmes
AUMA President

Attachment

AUMA Responses to Provincial Survey on Cannabis Legalization

How socially acceptable do you think it is for a person to use the following substances occasionally?

Smoking cannabis for non-medical purposes:

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

Vaping cannabis for non-medical purposes

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

Eating cannabis for non-medical purposes

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

How socially acceptable do you think it is for a person to use the following substances occasionally?

Alcohol

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

Smoking cannabis for medical purposes

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

Vaping cannabis for medical purposes

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

Eating cannabis for medical purposes

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

Tobacco (cigarette/cigar/snuff)

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

Tobacco (vaping)

- Completely acceptable
- Somewhat acceptable
- Somewhat unacceptable
- Completely unacceptable
- No opinion

To what degree do you support or oppose the federal government's decision to legalize cannabis?

- Strongly support
- Somewhat support
- Neither support nor oppose
- Somewhat oppose
- Strongly oppose

The federal government has introduced legislation that will make cannabis, or marijuana, legal in Alberta and the rest of Canada by July 2018.

Before then, all provinces need to establish programs, policies, and laws about where and when cannabis can be sold, and how communities will be protected from potential negative consequences like the harms of using cannabis and drug-impaired driving.

As Alberta considers its options related to legal cannabis, there are four broad objectives that are being considered in every decision. These are:

1. Limiting the Illegal Market for Cannabis
2. Keeping Cannabis Out of the Hands of Children and Youth
3. Protecting Public Health
4. Promoting Safety on Roads, in Workplaces, and in Public Spaces

We want to ask your opinion about these four objectives. Please click or tap the arrow to read a brief explanation of each one, and then we'll ask you our questions.

1. Limiting the Illegal Market for Cannabis

- Right now, there are two ways to get cannabis: approved sales for medical use and the illegal black market.
- Cannabis is legal in other countries, but their experience indicates that it is unlikely that any province can completely eliminate the illegal black market.
- But the decisions that Alberta makes about how it is sold and used can go a long way to reduce the black market and the profits that go to criminals.

2. Keeping Cannabis Out of the Hands of Children and Youth

- Right now, there are two ways to get cannabis: approved sales for medical use and the illegal black market.
- Nearly half of Canadians in grade 12 say they have tried cannabis at least once during high school.
- Without a prescription, this is illegal and very dangerous.
- According to research, young people who use cannabis:
 - Are at a greater risk of increased mental health problems; and
 - Have a greater risk, if using regularly, of negatively impacting brain development and functioning.
- The Government of Alberta wants to:
 - Make sure that legalization reduces, rather than increases, the problem of cannabis use by youth; and
 - Reduce the risk of accidental cannabis use by children, by requiring protective packaging and labels.

3. Protecting Public Health

- Cannabis is a drug and using it has consequences.
- By putting rules in place that limit where and how cannabis can be purchased and used, Alberta can protect the health of all Albertans, particularly those who are most vulnerable.
- By focusing on protecting health and promoting healthy decisions, Alberta can:
 - Reduce the potential health risks to Albertans,
 - Provide information and supports to help identify and address problematic use, and
 - Help inform Albertans about the health risks of cannabis.

4. Promoting Safety on Roads, in Workplaces, and in Public Spaces

- Using drugs and then driving or going to a jobsite while impaired are dangerous activities.
- Using cannabis in a public space with no regulations puts all Albertans at risk.
- The federal government has proposed additional new laws to deter driving while impaired.
- With every policy or program considered, Alberta needs to consider how it can reduce the risks of drug impairment on our roads, in our workplaces, and in our public spaces.

Again, Alberta is considering four objectives in every decision.

1. Limiting the Illegal Market for Cannabis
2. Keeping Cannabis Out of the Hands of Children and Youth
3. Protecting Public Health
4. Promoting Safety on Roads, in Workplaces, and in Public Spaces

How consistent are these four with your organization's priorities for cannabis legalization?

- Very consistent
- Somewhat consistent
- Neither consistent nor inconsistent
- Somewhat inconsistent
- Very inconsistent

Although the four objectives overlap, and Alberta will not focus on just one, please rank the four objectives in order of importance to your organization.

1. Protecting Public Health
2. Promoting Safety on Roads, in Workplaces, and in Public Spaces
3. Keeping Cannabis Out of the Hands of Children and Youth
4. Limiting the Illegal Market for Cannabis

All the goals are equally important

None of these goals are important

Are there other policy priorities Alberta should consider? If so, what are they?

Municipalities are concerned about the downloading of new duties related to cannabis legalization onto municipal governments, without accompanying resources to ensure that these duties, particularly enforcement, can be effectively conducted.

Municipalities also have concerns around protection of property should tenants choose to grow marijuana in rental facilities.

Public education with respect to the potential risks and harms of cannabis must be a policy priority for the province. AUMA supports early and intensive public education, as well as an approach to packaging, marketing, and advertising similar to that of tobacco, to limit the appeal of cannabis to youth.

AUMA strongly supports a slower timeline for implementing cannabis legalization, given the complex nature of the health and safety issues that need to be resolved, and the need for comprehensive and coordinated legislation by all three levels of government.

AUMA believes that the inspection and enforcement of distribution and retail systems should remain a provincial responsibility. Adequate resources must be provided for these duties to ensure they are carried out effectively.

Purchasing Cannabis in Alberta

The federal government made the decision to make cannabis legal in Canada, but each provincial government must decide how cannabis will be sold (private or government stores) and how cannabis will be stored and distributed to stores.

The federal government is responsible for the following area, but each province can add additional restrictions: ensuring responsible marketing and safe production.

1. How cannabis will be sold

- There are two general options for the sales of cannabis:
 - Private stores
 - The Government of Alberta could set rules for things like:
 - Who can sell cannabis (such as requiring a clean criminal record);
 - Where it can be sold (e.g., minimum distance from schools);
 - What training is required for staff;
 - When stores can be open (hours of operation); and
 - what signage for stores could be (e.g., to make them less appealing to youth).
 - The Province would:
 - Require anyone who wants to open a retail cannabis store to get a licence; and
 - Conduct regular inspections to make sure stores were following the rules and not selling cannabis to anyone under age.
 - Government stores
 - Cannabis retail stores could be owned and operated directly by the government, the same way alcohol is sold in some other provinces and territories.
 - This option would eliminate the need for some inspections, as the rules would be established and carried out by government staff.
 - This option could also ensure that stores are available across the province.

2. How cannabis will be stored and distributed to stores

- The same options (private or public) are also available for how warehousing and distribution will be managed.
- The Government of Alberta could:
 - Set rules and license private distributors, similar to tobacco and pharmaceutical products today; or,
 - Operate and run one provincial distribution system for all cannabis products entering or being sold in Alberta, as is done with liquor products today.

3. How to ensure responsible marketing and safe production

- Regardless of who owns and operates stores, the federal government will also be establishing rules restricting how cannabis products can be marketed and advertised, how products need to be labelled, and the type of products that can be produced.
- The federal government will be responsible for inspections to make sure these rules are followed.
- Alberta could put in place additional restrictions to suit our province's own environment and attitudes.

In your organization's view, who should own and operate retail cannabis outlets in Alberta?

- Private stores: government should set the rules, but licensed private retailers should run the stores
- Government should own and operate all cannabis stores
- Don't know/not sure/no opinion

How should cannabis outlets be allowed to sell cannabis?

- Specialized: Cannabis stores should be specialized, and only sell cannabis and related products
- Existing regulated retailers: existing stores that are also regulated, like pharmacies, should be allowed to sell cannabis
- Any retailer: Any type of retailer that can meet the licencing requirements should be able to apply for a licence
- Other (specify)
- Don't know/not sure/no opinion

Regardless of who operates stores, please indicate which requirements should be considered in the development of rules and regulations for cannabis retailers.

- Number of stores in a given area
- Training requirements for staff who work in cannabis stores
- Where cannabis stores can be located
- Hours cannabis stores are open
- Other products that can be sold in the same location
- Other (specify) Marketing, advertising, packaging, displays and signage that limit the appeal and normalization of cannabis consumption (i.e. similar to tobacco rather than alcohol).
- None of the above

Are there some rules that should be left to local governments to determine, even if it means the potential for different rules from community to community in Alberta?

- Hours cannabis stores are open
- Where cannabis stores can be located

- Whether minors should be allowed on the premises
- Other products that can be sold in the same location
- Other (specify) Density and number of retail outlets
- The option to be a cannabis-free community
- None of the above (province should decide rules for all Albertans)

Who should oversee and manage cannabis distribution within Alberta?

- Government should allow producers to distribute directly to retail stores
- Government should license private distributors
- Government should oversee and manage all distribution into or within Alberta and retailers would purchase their wholesale products from the government distributor
- Don't know/not sure/no opinion

Consider this statement: "Regardless of whether stores are private or publicly operated, services like online sales and home delivery should be allowed for cannabis". Does your organization...

- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

Using Cannabis in Public

The legislation recently introduced by the federal government would allow adults to have up to 30 grams of cannabis in their possession in public. It's up to the provinces to determine whether cannabis can be consumed in public, and, if so, where and under what circumstances.

For example:

- Some jurisdictions that have legalized cannabis allow their citizens to use it in public establishments that are only accessible by adults.
- This is similar to how alcohol can be consumed in a bar or lounge.
- Other jurisdictions limit consumption to places where only cannabis can be consumed, and alcohol is not sold.
- These jurisdictions are trying to reduce the use of cannabis and alcohol together, because of the significant risks of co-use to public health and safety, especially with respect to driving.

What is your organization's level of agreement with the following two statements?

People should be allowed to use cannabis in some spaces outside the home

- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

Limitations on public consumption should be the same for any form of cannabis (e.g., smoked, vaped, eaten, mixed in drinks, blended into lotions)

- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

Where should public smoking (inhalation) of cannabis be allowed?

- In cannabis retail locations
- In specially licensed bars or lounges (similar to alcohol)
- In cannabis cafes
- In any publicly-designated smoking areas where smoking tobacco is currently allowed
- Other (specify)

Where should public use other than smoking (e.g., eating, drinking, lotions, tinctures/drops) of cannabis be allowed?

- In cannabis retail locations
- In specially licensed bars or lounges (similar to alcohol)
- In cannabis cafes
- In any publicly-designated smoking areas where smoking tobacco is currently allowed
- Other (specify)

If smoking (inhalation) of cannabis is allowed in retail outlets, cafes, or lounges, what factors should be considered to ensure public safety?

- Appropriate ventilation
- Who is allowed to be in the location (e.g. no minors)
- Where these establishments can be located
- Other (specify) – Measures to reduce impaired driving (e.g., staff training, impairment test similar to breathalyzer, if available.)

Thinking about rules for cannabis use in buildings that may contain a mixture of private and shared or semi-public spaces, such as multi-family dwellings (e.g., rental properties, apartments, condos, and seniors' facilities), which of the following best describes your organization's opinion?

- Definitely need special restrictions for where cannabis can be used in multi-family dwellings
- Probably need special restrictions for where cannabis can be used in multi-family dwellings
- Do not need special restrictions for where cannabis can be used in multi-family dwellings
- Don't know/not sure/no opinion

Second-Hand Smoke

It is possible for the substances in cannabis responsible for the “high” to be found in the urine and blood of individuals who are exposed to second-hand smoke.

These non-smokers could potentially experience psychoactive effects when exposed to a high volume of second-hand smoke in enclosed, poorly-ventilated spaces.

The government has strict rules in place to protect Albertans from secondary smoke from tobacco. These include prohibiting smoking in public places, workplaces, and within five metres of a doorway, window, or air intake of a public place or workplace.

These rules could be applied to secondary smoke from cannabis to limit exposure to the negative impacts of cannabis.

Thinking about the restrictions for public smoking or vaping of cannabis, which of the following best describes your organization's opinion? Alberta needs ...

- More restrictions on public smoking or vaping of cannabis than we have on tobacco
- The same restrictions on public smoking or vaping of cannabis than we have on tobacco
- Fewer restrictions on public smoking or vaping of cannabis than we have on tobacco
- Don't know/not sure/no opinion

What are the additional restrictions that your organization would place on public smoking or vaping of cannabis? The framework for cannabis consumption should mirror that of alcohol consumption.

Growing Cannabis at Home

The federal legislation:

- States that up to four cannabis plants can be grown in a house or on a private property.
- Limits the height of plants.
- Does not have specific rules for how cannabis plants can be grown in rental properties or in condos.

Should Alberta consider additional limitations to provide clarity around home-grown cannabis in other residential situations, such as rental properties, apartments, condos, and seniors' facilities?

- Definitely need special restrictions for where cannabis can be grown in multi-family dwellings
- Probably need special restrictions for where cannabis can be grown in multi-family dwellings
- Do not need special restrictions for where cannabis can be grown in multi-family Dwellings (same restrictions for single-family and multi-family dwellings)
- Don't know/not sure/no opinion

What should the additional rules be for growing cannabis plants in rental properties and condos?

Insurance companies should be required to provide insurance at affordable rates to cover any damages resulting from tenants/condo owners legally growing cannabis at home. Many insurance companies do not currently provide this insurance, or do not charge affordable rates (see <http://www.cbc.ca/news/canada/british-columbia/go-public-medical-marijuana-landlord-tenant-insurance-pulled-1.3985875>).

Should Alberta consider defining where cannabis can be grown on private property (e.g., in a secured structure versus anywhere on the property, including in the garden or yard)?

- Yes, definitely need to define where it can be grown
- Yes, would be helpful to define where it can be grown
- No, the owner of the private property should be able to decide if it needs to be secured or not
- Don't know/not sure/no opinion

Setting the Legal Age

The federal government has set the minimum age for possession and consumption of cannabis at 18. The federal government also indicates that the provinces can choose to set a higher legal age.

Research suggests that cannabis use by those under the age of 25 results in:

- Higher risk of addiction; and
- Higher risk of health impacts.

However, in Alberta, young adults under 24 are the most likely age group to have used cannabis in the last 12 months. So if the age is set higher than 18, it may reduce some health risks, but it would likely reduce Alberta's ability to limit illegal black market activity. Young people may simply continue to access cannabis illegally, as they can today.

When considering the most appropriate minimum age for possession and consumption of cannabis, how would your organization rank the four objectives?

1. Protecting Public Health
2. Promoting Safety on Roads, in Workplaces, and in Public Spaces
3. Keeping Cannabis Out of the Hands of Children and Youth
4. Limiting the Illegal Market for Cannabis

From the list below, which option is the most appropriate model for setting the minimum age for access to cannabis in Alberta?

- A national cannabis age would be best
- Alberta's cannabis age should match our drinking and smoking age (18 years old)
- Alberta's cannabis age should be higher than our drinking and smoking age
- Don't know/not sure/no opinion

Which of the following approaches should be considered to ensure that adult users have the information they need to make responsible and healthy choices?

- Information in medical offices
- Public education in stores that sell cannabis
- Advertising campaigns
- Cannabis addiction supports
- Curriculum in schools
- Other (specify) Education on the potential risks and harms of cannabis should begin at an early age.

Promoting Safety on Roads and in Workplaces

Drug-Impaired Driving

Driving while drug-impaired is a serious crime and a risk to you and to others.

Cannabis impairment can impact your ability to react while driving, similar to the impacts of alcohol.

However, there are limitations with the current tests available for cannabis impairment:

- With alcohol, the blood level and the impairment level go hand-in-hand (the more you drink, the more you're impaired).
- But cannabis can stay in the system for days and weeks, potentially even after impairment and the risks of impairment have gone away.
- Inhaling second-hand smoke could lead to testing positive for cannabis.

The legislation proposed by the federal government establishes a limit for how much THC (the chemical in cannabis that gives you the "high") you can have in your system.

- This legislation is similar to how the legal limit is established for alcohol.
- These new laws also maintain the police's ability to conduct a roadside test if they have reason to believe you are impaired.
- Like with alcohol, the federal government also allows for the provinces to make additional rules related to drug-impaired driving.

Keeping in mind the limitations with current tests available for cannabis impairment, should the province consider additional rules to discourage drug impaired driving, in addition to what the federal government has proposed?

- Vehicles should be taken away for a period of time if drivers are under the influence of cannabis
- There should be zero tolerance for any drugs for new drivers and drivers under 18, just like there is now for alcohol
- The province should give out tickets and fines for anyone who drives under the influence of cannabis, even if it isn't over the federal legal limit
- If people drive when they are under the influence of cannabis, they should have their driver's licence suspended
- Other (specify) – Additional rules should not be put in place until there is a robust body of evidence and reliable testing mechanism (i.e. will stand up in court to support the measurement of impairment due to THC (and other cannabinoids) at the time a person is driving.
- Additional education programs should be established, but no additional rules
- No additional rules are required

Occupational Health and Safety

All Albertans should have safe and healthy workplaces, which includes workplaces that are free from impairment.

The Government of Alberta requires employers to ensure the health and safety of their workers.

These laws include ensuring that workers are competent to perform their tasks and do not endanger themselves or other workers.

Does the introduction of legal cannabis require more to be done to keep workers and workplaces safe?

- Yes, definitely
- Yes, probably
- No, current protections are adequate
- Don't know/not sure/no opinion

What changes should be made to address cannabis use in the workplace?

Employers should already have policies in place to address drug use in the workplace, including drugs that have been medically prescribed. Some public education/sample policies may be needed to support employers that do not currently have such policies.

Economic and Fiscal Implications and Opportunities

The legalization of cannabis:

- Will generate new economic activity across the country from both primary production and value-added opportunities; and
- Could create new employment, particularly in rural communities.

However, the potential for additional provincial tax revenue is relatively low. The federal government will likely levy its own taxes on cannabis products, and overall levels of taxation must be kept reasonable and similar to other provinces in order to drive consumers away from the illegal black market.

At the same time, Alberta will face additional costs associated with setting up and regulating a distribution and retail system, carrying out public education, and managing the other effects of legalization, including impacts on our health system.

What areas, if any, of the cannabis market should Alberta actively pursue in support of economic development and job creation?

Based on Colorado's experience legalizing cannabis, job creation occurred in the primary industry sectors of cultivation, sales, manufacturing, and testing. Secondary cannabis industry activities included warehousing, cash-management, security, testing, legal services, and climate engineering for indoor cultivations. Alberta may also wish to consider pursuing medical and health-related research on treatment for disease and long-term effects of use.

The tax revenue to the provincial government from cannabis sales will go up and down. Keeping this in mind, please rank the top three areas that your organization thinks the Alberta government should invest in related to cannabis.

1. Impaired driving enforcement
2. Enforcement to prevent sales to minors
3. Addiction prevention and treatment
4. Mental health supports
5. Public education to prevent problematic use