



The Honorable Mike DeWine  
Governor, State of Ohio  
77 N. High Street - 30th Floor  
Columbus, OH 43215

CC: The Honorable Matt Huffman  
CC: The Honorable Jason Stephens

December 12, 2023

Dear Governor DeWine, President Huffman, and Speaker Stephens,

The Montgomery County Alcohol, Drug Addiction, and Mental Health Services Board (ADAMHS) and the Montgomery County Prevention Coalition (MCPC), along with several community members and partners, have the following concerns and recommendations regarding the implementation of Issue 2, which makes adult-use recreational marijuana legal. As community leaders in drug prevention and mental health services, we have seen firsthand the negative impacts that marijuana use can have on our community members. We would like to be partners with the state administration and the Ohio General Assembly in implementing this new initiative safely and in an orderly manner.

We respect the voice of the majority of Ohioans who have voted for this initiative and look forward to working with you and other state agencies to implement this initiative in a fair and balanced manner. Numerous areas related to this initiative may need adjustment to implement the law entirely. Some issues are currently being addressed in Sub. HB86; others may be addressed by rule-making or other legislation. The following are areas that we believe should be examined.

### **Advertising and Social Media Exposure to Children**

Advertising should be limited similarly to tobacco and alcohol products. Social media or billboards in the community are not appropriate means of advertising adult-use recreational marijuana. We believe children should be protected from exposure to products or advertising of products to limit exposure of young children before parents can instill their family values on this issue.

### **Safety for Children**

Marijuana products should have child-proof packaging, and packaging should not use names, images, or other elements that would be enticing to children. Rules should be established to ensure products containing marijuana do not have packaging like non-marijuana products, as this may confuse children and uninformed adults.



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### **Local Community Control**

As supporters proposed, adult-use recreational marijuana should be regulated like alcohol with limits to sale locations, pricing, and advertising. Local communities that can currently totally disallow marijuana sales in a jurisdiction should also be able to establish local zoning conditions related to cultivation and dispensaries. Individual communities should be able to establish local controls addressing distance from other dispensaries, schools, childcare facilities, parks, libraries, places of worship, and other places where children gather, as well as other local standards. Hours of operation, standards for on-site advertising, and other issues require customized solutions that each community should be able to craft, as long as they incorporate any State regulations.

### **Expungement Process**

There needs to be consideration of expungement of past convictions. We support the expungement language in the Senate-passed Sub. HB86. A minor drug conviction's impact on an individual's employment, housing, and other issues can hold them back from fully participating in a workforce that can respond to employers' growing and evolving needs.

### **Marijuana in Public Spaces**

We are concerned about the impact of smoke, odor, and other effects of public use of marijuana. Everyone should be able to enjoy Ohio's cities and villages, parks, entertainment venues, and other places of gathering without being exposed to side effects and odors from marijuana. This concern also extends to tobacco usage, and we believe that both should be re-examined with appropriate limits on public use of marijuana and tobacco. The suggestion of initiative supporters to regulate alcohol provides a good starting point because alcohol consumption in public is tightly regulated. Private property owners should retain the power to control activities on their property, whether a private home, rental property, commercial space, or a business.

### **Excise Tax**

The excise tax proposed should help to cover the expenses related to the new availability of marijuana. In Ohio, 59% of students who've used marijuana have done so before the age of 15<sup>1</sup>, and 7% of 7-12<sup>th</sup> graders said they used marijuana in the last 30 days<sup>2</sup>. Studies show us that cannabis use has impaired cognitive function from basic motor coordination to more complex executive functions such as the ability to plan, organize, solve problems, make decisions, remember and control emotions and behavior<sup>3</sup>. As marijuana becomes more available to adults, youth will no doubt also have more avenues to access cannabis. Because of this, the need for age-appropriate and evidence-based prevention education for K-12 schools and community coalitions will continue to grow.

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<sup>1</sup> [OHYES! Entire State Report for 2020-2021 \(ohio.gov\)](https://www.ohio.gov/ohyes-report)

<sup>2</sup> [2022 Student Survey One page summary.pdf \(prevention-first.org\)](https://www.prevention-first.org/2022-student-survey-one-page-summary.pdf)

<sup>3</sup> Crean, R. D., Crane, N. A., & Mason, B. J. (2011). An evidence based review of acute and long-term effects of cannabis use on executive cognitive functions. *Journal of addiction medicine*, 5(1), 1–8.

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County and regional education partners must be eligible for direct funding for education and prevention programs. Ohio has worked hard to create a system of education and prevention programs generally managed at the county or regional level. Providing prevention and education money to a central organization, such as the Ohio Department of Mental Health and Addiction Services, is an efficient way to provide funding for these services. Already needed now, the need for education and prevention services will only increase as adult-use recreational marijuana is implemented.

### **Dosage and Information Requirements**

Labeling, dosage measurements, and clear information should be required/posted on all products. As a new product to the legal market, there is a need for an informed and understandable dosage of products. The most useful dosage information may vary from product to product. It is critical for consumers who will be purchasing new kinds of marijuana-infused items that relevant information is provided. Different products, including those for smoking/vaping, edibles for consumption, and items for topical application, each have different units of measurement. Careful consideration of each product's labeling and unique dosing method should be made. As other states have experienced, new consumers may not have enough personal experience to choose an appropriate dosage, and differences in how quickly forms release their active ingredients may make it difficult to know when to re-dose. Improper dosage has resulted in adverse physical and medical reactions. Relevant, clear information can help reduce these adverse outcomes.

Adult-use recreational marijuana is a new frontier for Ohio and will bring with it new issues and opportunities. We appreciate the Ohio General Assembly's quick action to introduce some new controls after the initiated statute took effect on December 7<sup>th</sup>. We again offer to work with you, legislators, and appropriate State of Ohio staff to research issues and develop sound rules and policies as adult-use recreational marijuana rolls out. Working together, we believe that we can develop a safe and reasonable process to implement Ohioans' decision to permit adult-use recreational marijuana. We are eager to provide testimony through the legislative process, to work with rule makers to establish relevant practices, and most importantly, to continue to be the educators and preventionists in the community helping Ohio families make safe and informed choices based on solid information to facilitate their growth and progress. Please call upon us to participate in this process.

Sincerely,

The Montgomery County Prevention Coalition  
409 E. Monument Ave. Suite 102  
Dayton, OH 45402  
937-443-0416  
[coakes@mcadamhs.org](mailto:coakes@mcadamhs.org)



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### **About the Montgomery County Prevention Coalition**

The Montgomery County Prevention Coalition (MCPC) is comprised of over 200 community leaders with a passion for preventing substance use and promoting positive mental health. These individuals are prevention professionals, business owners, community leaders, parents, teachers and concerned citizens from all across Montgomery County. The coalition's mission is to mobilize Montgomery County to prevent youth substance use and promote positive mental health by implementing evidence-based prevention strategies and community collaboration. The coalition's vision is a community where every individual lives a substance-free life with optimal mental health.

### **About Montgomery County Alcohol, Drug Addiction, and Mental Health Services (ADAMHS)**

Montgomery County Alcohol, Drug Addiction, and Mental Health Services (ADAMHS) is responsible for the planning, funding, and monitoring of public mental health and addiction treatment services for individuals and families of Montgomery County, Ohio. Under Ohio law, the ADAMHS Board is one of 50 Boards coordinating the public behavioral health and addiction treatment and recovery system in Ohio.

cc: The Honorable Niraj Antani  
The Honorable Stephen Huffman  
The Honorable Willis Blackshear Jr.  
The Honorable Rodney Creech  
The Honorable Phil Plummer  
The Honorable Andrea White  
The Honorable Tom Young



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