

## **MEMORANDUM Urging Legislature to Consider Marijuana Outside of Budget**

**The Schuyler Center for Analysis and Advocacy urges the Legislature to remove the discussion about marijuana legalization from budget negotiations and engage in a thoughtful process to benefit all New Yorkers, with a particular focus on those at highest risk of adverse effects and those most affected by the State's disparately applied laws.**

The Schuyler Center for Analysis and Advocacy (Schuyler Center) is a 145-year-old statewide, nonprofit, policy analysis and advocacy organization working to shape policies to strengthen families and improve health, welfare and human services for all New Yorkers.

Governor Cuomo often uses the budget process to make significant policy changes, even when there is not a budgetary impact. It is an effective way to minimize or avoid policy and political discourse about issues and minimize the role of the Legislature. This year, the Executive Budget includes a proposal to legalize marijuana, with the expectation of out-year revenue. It does not appear that the Executive expects marijuana revenue in the budget year, which makes sense, since it would be highly unlikely that legalized marijuana would be up and running and generating significant taxable revenue within 12 months. Thus, there is no need to include this proposal in the budget.

Steps toward expansion of cannabis policies should be taken only after careful study of scientific evidence, public health experience, and justice experience from other states. When Colorado became one of the first two states in the nation to legalize retail marijuana, the Colorado Legislature mandated that the Colorado Department of Public Health and Environment (CDPHE) study the potential public health effects of marijuana use.<sup>1</sup>

Science informs us that the adolescent brain is still developing through the early twenties and cannabis research specific to adolescents and young adults is limited. Data suggests that an early age of initiation of cannabis use tends to be connected to bigger differences in brain function during adulthood. Additionally, the brain does not complete development until approximately age 25, and data regarding alcohol use reflect that substance use exposure during this period when the brain undergoes rapid transformation could have a lasting impact on cognitive performance.<sup>2</sup>

The National Academies of Sciences report that smoking cannabis during pregnancy is linked to lower birth weight in the offspring, while the relationship between smoking cannabis during pregnancy and other pregnancy and childhood outcomes is unclear.<sup>3</sup> Effects of cannabis use by pregnant women, particularly in the critical first trimester, have not been studied enough to understand the impact on the neurodevelopment of the child.<sup>4</sup>

The National Academies of Sciences conclude that substantial evidence suggests a statistical association between cannabis use and the development of schizophrenia or other psychoses, with the highest risk among the most frequent users.<sup>5</sup>

Any move to legalize recreational cannabis must include sufficient funding for local public health departments to conduct appropriate surveillance activities to monitor health impacts on the population. There should be funding for educational activities to inform the public of the risks involved and the laws regarding cannabis use. Particular attention should be paid to keeping adolescents from accessing the drug and informing pregnant women of risks. Lessons from tobacco control might be useful.

March 8, 2019

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<sup>1</sup> <https://www.colorado.gov/pacific/marijuanahealthinfo/summary>

<sup>2</sup> National Academies of Sciences, Engineering, and Medicine, 2017. *The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/24625>

<sup>3</sup> National Academies of Sciences, Engineering, and Medicine, 2017. *The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/24625>

<sup>4</sup> Committee Opinion: Marijuana Use During Pregnancy and Lactation (2017) American College of Obstetricians and Gynecologists. <https://www.acog.org/Clinical-Guidance-and-Publications/Committee-Opinions/Committee-on-Obstetric-Practice/Marijuana-Use-During-Pregnancy-and-Lactation>

<sup>5</sup> National Academies of Sciences, Engineering, and Medicine, 2017. *The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/24625>