



NEW YORK STATE SENATOR

Shelley B. Mayer

Senator Shelley Mayer's Statement in Response to Passage of the Marijuana Regulation & Taxation Act

SHELLEY B. MAYER March 30, 2021

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"Thank you to Majority Leader Andrea Stewart-Cousins and Senator Liz Krueger and all of the staff who have worked so hard to patiently address members' and more importantly New Yorkers' concerns about equity and safety as we move towards making more comprehensive and just law surrounding marijuana.

This is a complex issue that strikes at the core of our commitments as elected leaders. There is no secret I have had great ambivalence about this issue, in large part due to my concern about the impact on young people. I am mindful that many parents in my district and elsewhere, as well as many in law enforcement, have deep worries about the impact on our school age children. How do we protect them from dangers while ensuring our criminal justice system treats people equitably and fairly, especially our young people, regardless of their skin color or where they live?

Our existing policies surrounding marijuana have failed to live up to commitments. They have not protected our young people or curtailed youth marijuana usage. Rather, they have generated a readily available illicit market that places young people at increased risk—both from dangerous, uncontrolled substances and from disparate law enforcement efforts—that have left too many, particularly young people of color, with criminal records that exclude them from student loans, employment, and other opportunities.

These glaring disparities and problems with our existing system do not negate or invalidate persistent concerns that regulating, controlling and taxing cannabis will have unintended consequences for young people. There are deep, legitimate concerns that legalization—and all legalization efforts across the country—reduces young people's sense of risk surrounding use of marijuana and destigmatizes use of this dangerous substance. There are sincere concerns about how we will ensure New York roads are safe from impaired drivers. I hear these concerns and I appreciate all the work that was done on this legislation to address these concerns and learn from the mistakes and successes across the nation. I know the legislation we have is still not perfect, and I am committed to continuing to listen to those

who have concerns and working for improvements.

In discussions of legalization, as Chair of the Senate Education Committee, I sought provisions to address the concerns of the school community. I was particularly concerned with ensuring there were protections for younger students who might be most at risk. I am pleased that this legislation provides significant protections for children, including prohibiting any possession of cannabis on school grounds, prohibiting retail or consumption locations within 500 feet of schools, prohibiting advertising, both actual and observable, within 500 ft of schools, as well as prohibiting advertising or packaging that appeals to minors. Beyond these important protections for children, this bill ensures the balance of the revenue from cannabis sales is dedicated to drug treatment, community investment, education, and child care & after school programming, including grant programs for school based drug prevention programs. To ensure community input and control, the bill allows municipalities to pass local laws to opt-out of retail dispensaries or on-site consumption licenses. Additionally, this legislation provides for additional drug recognition experts and law enforcement to ensure safe roadways, and for the Department of Health to identify and certify a test to detect cannabis in drivers that can be used upon certification.

The question of legalization is a complex one, involving a host of competing and deeply important issues. Safety and justice are values we grapple with constantly, and which have been central to many of the major changes in criminal justice over the past few years: from bail reform, to policing reform, to today's legalization of cannabis. In all of these situations, we have worked hard to consider all relevant issues and to implement a vision of society that recognizes the value of all perspectives, but that ultimately puts us in a better place tomorrow than we are today.

I have no delusions about the difficulties in making sure that happens. I know this is not perfect, and we have more work to do. These changes in law entail additional challenges that we must address, and the results will not be perfect. I am committed to hearing from my constituents, the entire school community, our friends in law enforcement, and others with strong views about legalization. Nonetheless, I support this legislation because, on balance, I believe it will lead to a safer and more just New York for all. I will continue to work to listen to concerns and work to improve protections for children and all New Yorkers."

[Click here](#) to read more about the Marijuana Regulation & Taxation Act, S.854A.