BUDGET NARRATIVE

OLCC - MEDICAL MARIJUANA OMMP TRACKING PROGRAM - 006
2019-21 BUDGET

PROGRAM UNIT EXECUTIVE SUMMARY

A. PRIMARY OUTCOME AREA   Economy and Jobs
B. PROGRAM CONTACT   Will Higlin, Deputy Director, 503-872-5224
C. FUNDS BUDGET AND PERFORMANCE

[Graph showing Medical Marijuana - OMMP Tracking Program Expenditures]

Agency Request   X Governor's Budget   Legislatively Adopted   Medical Marijuana Program   Budget Page
2019-21   107BF02
D. PROGRAM OVERVIEW

OLCC’s Medical Marijuana Tracking Program results from the passage of SB 1057 (2017) which requires the propagation, production, process, transfer of marijuana and marijuana derived products by OHA medical marijuana grow sites, OHA medical marijuana processing sites and OHA medical marijuana dispensaries to be tracked by OLCC’s Cannabis Tracking System (CTS) starting July 1, 2018. OLCC was given the responsibility to administer the tracking and to perform inspections to assure that OMMP marijuana is properly accounted for. The system will track production, sharing with medical cardholders, and the annual sale of up to $20 pounds of marijuana to OLCC licensees. Violations of daily tracking requirements are reported to OHA for enforcement. This program is a vital part of the state of Oregon’s policy to account for all marijuana produced through a state OLCC license or grown by OHA medical marijuana registrants or grow site administrators. Only operations of more than 12 plants are required to participate in daily tracking of marijuana.

Grower, processor, and dispensary registrants in the medical marijuana program had to declare their intent by December 1, 2017, to either continue their registration with OMMP or to apply with OLCC. As of the December 1, 2017 deadline, OHA reported a total of approximately 2,100 medical growers, dispensaries and/or processors in which their current operation would require them to register with OLCC’s CTS. Almost 400 OHA growers, processors and dispensaries indicated their plan to apply for an OLCC recreational license. As of July 15 approximately 729 grow site administrators have initiated their registration in the Cannabis Tracking System and approximately 500 have indicated they are no longer growing or have changed their operations such that they will not be required to report to OLCC. The remaining registrants who have yet to set up the proper accounts as required are receiving follow-up from OHA communicating the intended penalties should they fail to meet the necessary deadlines.

The OMMP Tracking Program is funded through a quarterly distribution of marijuana tax funds administered by the Department of Revenue and fees. In addition, OHA collects the cost of tracking from OMMP growers, processors and dispensaries and remits those funds to OLCC who manages the Cannabis Tracking System vendor. OLCC requires additional limitation in order to expend those funds and pay the vendor.

In the 2017 legislative session, seven positions were funded to create this program, including policy and procedure development, oversight of required Cannabis Tracking System changes to accommodate this new group of users, and constituent outreach. The agency was instructed to return to e-Board or the legislative session in 2018 and request staffing for enforcement. The 2018 legislative session approved 16 medical marijuana regulatory specialists to focus on OMMP tracking and inspections. Regulatory specialists are assigned to field offices throughout the state which has led to a need for larger spaces in some field offices.
2017-19 Program Focus
- Hiring and onboarding staff
- Contributing to the OLCC Marijuana Policy Team
- Securing equipment and office space
- DPSST training
- Coordination with OMMP
- Implementing OMMP tracking
- Coordination with OLCC licensing and regulatory staff
- Revising Cannabis Tracking System Software
- Public and registrant outreach and policy and administrative rule adoption
- Registrant inspections

2019-21 Program Focus
- Continued hiring and onboarding of staff
- DPSST training
- Refinement of policies and procedures
- Continued public and registrant education and outreach
- CTS analysis, refinement and improvement
- Registrant inspections

2017 Legislation
- Senate Bill 1057 (2017) requires marijuana produced and transferred within the OMMP system to be tracked by the OLCC tracking system starting July 1, 2018; OLCC will administer tracking and inspections and share information with OHA for appropriate follow-up and potential enforcement; sets plant limits and immature plant limits for cardholders; and directs OHA to share OMMP registrant information with OLCC and the Department of Revenue.
E. PROGRAM FUNDING REQUEST

The Agency Request Budget is $5,623,748 Other Funds limitation for the 2019-21 biennium for this program, with 23 positions and 23.00 FTEs.

F. PROGRAM DESCRIPTION

The passage of SB 1057 modified the recreational and medical marijuana programs administered by the Oregon Liquor Control Commission and the Oregon Health Authority, including requiring the OLCC to track OMMP medical marijuana growers, processors, wholesalers and retailers.

In 2019-21 the program’s focus is similar to the agency’s work in its recreational marijuana program. The program will continue to work on agency integration, interagency integration, rulemaking, OMMP registrant education, inspection activities and analysis of data from the Cannabis Tracking System to aid OMMP in their enforcement activities.

The OMMP Tracking Program is funded solely from marijuana tax dollars and fees, paying for OMMP tracking program expenses and personnel including its proportional share of agency-wide shared management, support staff, and expenses.

The OLCC works closely with its partner agencies to administer this program:
- Oregon Health Authority (testing standards, ORELAP certification, label requirements, dosage levels)
- Oregon Department of Revenue (taxation, audit)
- Oregon Department of Agriculture (certification of kitchen and weight scales, pesticide use)

G. PROGRAM JUSTIFICATION AND LINK TO LONG TERM OUTCOMES

The budget environment related to the regulation of OMMP registrants is best described as “uncertain”. Resources budgeted are predicated on an estimated number of registrants, the actual number of which may vary widely from estimates. Better certainty of the resources needed to track and inspect OMMP registrants will be found at the end of the 2017-19 biennium, when the agency has actual experience of the requirements for inspections, coordination with OMMP, and a better indication of how many registrants will be tracked. Compliance is likely to be a continuing issue for both agencies as the body of registrants required to be tracked fluctuates. Many registrants are located in remote places or homes which makes inspections particularly difficult. In addition, ongoing outreach and education is likely to be required as registrants become aware of the tracking requirements. Many questions
BUDGET NARRATIVE

are expected as registrants are typically unfamiliar with utilizing a robust tracking system. The agency will make every effort to make the transition as easy as possible; however, as with any new program modifications in process, procedures and policies will need to be made as the agency and registrants gain more experience.

H. PROGRAM PERFORMANCE

The Legislative Fiscal Office will work with the OLCC to determine whether a new key performance measures might be merited for work related to medical marijuana tracking.

A separate budgeting structure has been set up to track revenues and expenses related to monitoring OMMP medical marijuana producers, processors and retailers.

I. ENABLING LEGISLATION/PROGRAM AUTHORIZATION

The OLCC’s authority to regulate medical marijuana is derived from SB 1057.

J. FUNDING STREAMS

Start-up costs for hiring staff and for adding additional fields to the existing OLCC cannabis tracking system to accommodate medical marijuana growers was funded by a transfer of $1.8 million in marijuana tax revenue from the Department of Revenue to the OLCC in 2017. Ongoing operating costs related to marijuana tracking and inspections will be funded by a marijuana tax transfer of up to $875,000 million per quarter or $7 million per biennium, pursuant to SB 1544 passed in 2018. The precise amount will be determined in consultation with LFO based on agency need as dictated by the number of medical growers, processors and dispensaries that enroll in the cannabis tracking system. The agency has set up a separate budgeting structure to track revenues and expenses related to costs associated with monitoring medical marijuana producers, processors and retailers.

OHA will collect cannabis tracking fees from OMMP registrants and remit those funds to OLCC who administers the contract for the Cannabis Tracking System. OLCC will need spending limitation in order to pay the vendor. These are estimated at $2.3 million for the 2019-21 biennium.
K. SIGNIFICANT PROPOSED PROGRAM CHANGES FROM 2017-19

There are no significant proposed program changes for this Program in the 2019-21 biennium.

L. ORGANIZATION CHART

Medical Marijuana - OMMP Tracking Program

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BUDGET NARRATIVE

Public Safety Statewide Dispatch Services
OLCC 2019-21 Budget Policy Option Package No. 205, Agency Priority No 5, As Modified

A. PACKAGE PURPOSE

During the current biennium OLCC entered into an intergovernmental agreement with the Oregon State Police to provide dispatch services and the Oregon Department of Transportation to provide radio maintenance services. In contracting with OSP, OLCC was able to establish a statewide radio and communication plan that allowed our inspectors in the field to communicate in times of need and increased the safety of field inspectors of bars, restaurants and marijuana growers and retailers. OLCC inspectors have limited law enforcement authority and it is an industry standard to have constant communication capabilities. By using OSP dispatch the OLCC knows the exact locations of inspectors and can communicate in times of need with not only OSP, but other local law enforcement partners on a statewide basis.

Historically OLCC had a rudimentary internal dispatch process for the Portland area out of the Portland Regional Office. The dispatch center was not staffed all the time and often inspectors were in the field with no ability to call for radio help. The system was not robust and often inspectors were texting dispatch to be able to notify them of their updated locations. In the other Regional Offices OLCC relied on other law enforcement agencies to agree to let OLCC use their local system in cases of emergency. It was not a standardized, systematic approach to communication across the state and coverage was spotty at best. In some locations there was no communication systems available.

B. HOW ACHIEVED

This request is funding the continued cost of maintaining the Oregon State Police Dispatch Services for OLCC’s inspectors in the field. The cost of each inspector using the State Police Dispatch Services per month is $508 per month per the current agreement.
### BUDGET NARRATIVE

**Public Safety Statewide Dispatch Services**  
OLCC 2019-21 Agency Request Budget Policy Option Package No 205, As Modified

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<th>Division</th>
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| Public Safety     | Oregon State Police Dispatch Services for Distilled Spirits  
OSP dispatch services for 46 liquor regulatory specialists, managers,  
and compliance specialists.                                          | 0.00 | $0       | $560,832  | $560,832 |
| Recreational Marijuana | Oregon State Police Dispatch Services for Recreational Marijuana  
OSP dispatch services for 23 marijuana inspectors and 1 compliance specialist. | 0.00 | $0       | $280,416  | $280,416 |
| Medical Marijuana | Oregon State Police Dispatch Services for Recreational Marijuana  
OSP dispatch services for 16 liquor regulatory specialists, managers,  
and compliance specialists.                                           | 0.00 | $0       | $195,072  | $195,072 |

**Subtotal - Statewide Dispatch Services - Package 205**

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</table>
BUDGET NARRATIVE

a. Benefits to stakeholders

OLCC inspectors for alcohol, recreational marijuana and medical marijuana will have constant communication to a statewide system that ensures employee safety in all areas of the state including licensed premises in large metropolitan regions and remote marijuana production operations in rural areas. Oregon State Police will receive funding assistance to provide dispatch services for law enforcement throughout the state. Local law enforcement can coordinate with OLCC inspectors.

b. Benefits to OLCC

OLCC inspectors are better protected and will have better coordination with other state law enforcement agencies.

C. STAFFING IMPACT

The package adds no new staff to OLCC.

D. QUANTIFYING RESULTS

OLCC expects to have 77 inspectors covering over 17,000 licensed alcohol, recreational marijuana and medical marijuana locations in the state.

E. REVENUE SOURCE

The Oregon Liquor Control Commission is 100 percent other funded and generates revenues from the sale of distilled spirits, license fees from alcohol and marijuana, taxes paid on sales of beer and wine and other miscellaneous revenue sources. The OLCC collects this in accordance with ORS Chapter 471, 473, and 475B. Funding for Recreational Marijuana comes exclusively from marijuana related license fees collected under OAR 845-625-1060 as authorized under ORS 475B. Funding for OMMP Medical Marijuana Tracking comes from marijuana tax money as distributed to OLCC under ORS 475B.895 (7).
BUDGET NARRATIVE

THIS VERSION OF THE PACKAGE WAS NOT APPROVED IN THE GOVERNOR'S BUDGET

Public Safety Statewide Dispatch Services
OLCC 2019-21 Budget Policy Option Package No. 205, Agency Priority No 5

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# BUDGET NARRATIVE

## Public Safety Statewide Dispatch Services

**OLCC 2019-21 Agency Request Budget Policy Option Package No 205**

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_x_ Agency Request    Governor's Budget    Legislatively Adopted    Medical Marijuana Program  Budget Page

2019-21  11  107BF02
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## Essential and Policy Package Fiscal Impact Summary

**Oregon Liquor Control Comm**  
Pkg: 022 - Phase-out Pgm & One-time Costs  

Cross Reference Name: Medical Marijuana Program  
Cross Reference Number: 84500-006-00-00-00000

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Agency Request  
Governor's Budget  
Legislatively Adopted  

2019-21 Biennium  
Page 14  
Essential and Policy Package Fiscal Impact Summary - BPR013
## ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Oregon Liquor Control Comm  
Pkg: 022 - Phase-out Pgm & One-time Costs

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Essential and Policy Package Fiscal Impact Summary - BPR013
### ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

**Oregon Liquor Control Comm**  
Pkg: 031 - Standard Inflation  
Cross Reference Name: Medical Marijuana Program  
Cross Reference Number: 84500-005-00-00-00000

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**Agency Request**  
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Page 6
ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Oregon Liquor Control Comm
Pkg: 031 - Standard Inflation

Cross Reference Name: Medical Marijuana Program
Cross Reference Number: 84500-006-00-00-00000

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## ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

**Oregon Liquor Control Comm**  
Pkg: 032 - Above Standard Inflation  

### Cross Reference Name: Medical Marijuana Program  
Cross Reference Number: 84500-006-00-00-0000

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2019-21 Biennium  

[Signature]  
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Essential and Policy Package Fiscal Impact Summary - BPR013
# ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Oregon Liquor Control Comm  
Pkg: 033 - Exceptional Inflation  
Cross Reference Name: Medical Marijuana Program  
Cross Reference Number: 84500-006-00-00-00000

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# ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

**Oregon Liquor Control Comm**  
Pkg: 090 - Analyst Adjustments  

Cross Reference Name: Medical Marijuana Program  
Cross Reference Number: 84500-006-00-00-00000

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Essential and Policy Package Fiscal Impact Summary - BPR013
## Essential and Policy Package Fiscal Impact Summary

**Oregon Liquor Control Comm**  
**Pkg: 091 - Statewide Adjustment DAS Chgs**

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## ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Oregon Liquor Control Comm  
Pkg: 205 - Statewide Dispatch Services  
Cross Reference Name: Medical Marijuana Program  
Cross Reference Number: 84500-006-00-00-00000

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</tr>
<tr>
<td>Transfer In - Intrafund</td>
<td></td>
<td></td>
<td></td>
<td>125,836</td>
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<tr>
<td>Tsfr From Revenue, Dept of</td>
<td></td>
<td>9,300,000</td>
<td>9,300,000</td>
<td>7,000,000</td>
<td>7,000,000</td>
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</tr>
<tr>
<td>Transfer Out - Indirect Cost</td>
<td></td>
<td></td>
<td></td>
<td>(1,800,418)</td>
<td>(1,800,418)</td>
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<tr>
<td>Total Other Funds</td>
<td></td>
<td>$9,300,000</td>
<td>$9,300,000</td>
<td>$6,981,500</td>
<td>$5,967,582</td>
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