



An Act to Prevent Adolescent Substance Use HD 2612 & SD 1404

Rep. Liz Malia & Sen. Jennifer Flanagan

Why is it important?

- Prior to legalization, adolescent marijuana use in Massachusetts is already higher than national averages.
 - 41% of teens in Massachusetts have tried marijuana which is 3% higher than the national average.
 - 25% are current users compared to a 22% national average.
- People who begin using any addictive substance before age 15 are six and a half times as likely to develop a substance use disorder as those who delay use until age 21 or older.²
- Legalization of marijuana will likely make it easier to access in various forms, including edibles.

Focusing on prevention

By making smart investments in prevention, we can stem the tide of addiction in the Commonwealth. Learning from states with legalized marijuana and strategies for tobacco-use prevention tell us that,

- Screening identifies at-risk youth
- Constraints on advertising, such as prohibiting celebrity endorsements targeted at youth impacts perception
- Educational mass media campaigns impacts behavior
- Higher prices reduces consumption
- Child-proof packaging prevents accidental use

What should we do?

Massachusetts currently has the lowest marijuana tax in the nation. The first states to legalize have the highest current rates: WA at 37%, CO at 29% and OR at 25%³. More recent states are mostly 15% or higher. This legislation establishes an Adolescent Substance Use Prevention and Early Intervention Trust Fund, and allocates 3% of excise taxes from the sale of recreational marijuana to the fund on an annual basis. The fund would support evidence based and evidence informed adolescent substance use prevention and education programs and services.

SECTION 1. Chapter 64N of the General Laws is hereby amended by adding the following section:-

¹ YRBS:

<https://nccd.cdc.gov/youthonline/App/Results.aspx?TT=G&OUT=0&SID=HS&QID=QQ&LID=MA&YID=2015&LID2=XX&YID2=2015&COL=&ROW1=&ROW2=&HT=QQ&LCT=&FS=S1&FR=R1&FG=G1&FSL=&FRL=&FGL=&PV=&C1=MA2015&C2=XX2015&QP=G&DP=1&VA=CI&CS=N&SYID=&EYID=&SC=DEFAULT&SO=ASC&pf=1&TST=True>

² <http://www.drugwarfacts.org/cms/Adolescents#sthash.MLZ4c5L0.dpuf>

³ <http://taxfoundation.org/sites/taxfoundation.org/files/docs/Marijuana-Map.png>

For more information on this bill or on the Children's Mental Health Campaign

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Bill text

Section 2XX. (a) The Department of Public Health shall establish an Adolescent Substance Use Prevention and Early Intervention Trust Fund. On an annual basis, not less than three percent of all sums released pursuant to the excise tax imposed on marijuana products by Section 2 of Chapter 64N shall be credited to the fund, held in trust and used solely for the purposes of preventing and reducing adolescent substance use and shall be available for expenditure by the Commissioner of the Department of Public Health. These funds shall not be used to replace existing funding allocated to state substance use prevention efforts but solely to increase the total amount of expenditures to prevent and reduce adolescent substance use and its harms.

(b) The funds directed to the trust fund pursuant to paragraph (a) shall be allocated by the Commissioner, consistent with substance use prevention programmatic recommendations of the Substance Abuse and Mental Health Service Administration and in consultation with the oversight committee created pursuant to paragraph (c), to ensure the use of best practices in the prevention and reduction of adolescent substance use and the identification and elimination of disparities related to substance use among diverse population group.

(c) Within 90 days after this section goes into effect, an oversight committee of nine members shall be established to assist the Commissioner in developing, implementing, and maintaining a strategic plan for allocating the funds directed to the trust fund, pursuant to paragraph (a), in monitoring and evaluating the use of the funds and all other state expenditures to prevent and reduce adolescent substance use and its harms, and in assessing the efficacy of all such expenditures to prevent and reduce adolescent substance use and its harms. Three members of the oversight committee shall be appointed by the Governor, two by the majority leader of the Senate, two by the majority leader of the House of Representatives, one by the minority leader of the Senate, and one by the minority leader of the House of Representatives. The members of the oversight committee shall have experience and expertise in public health, adolescent and adult substance use prevention policies and programs, public education and counter-marketing, and program oversight and evaluation. No member of the oversight committee shall, during the member's tenure on the committee and for three years before joining the committee, receive any salary, grants, or other payments or support from any business that manufactures, distributes, markets, or sells marijuana or marijuana products or serve as a director, employee, or consultant of any organization that receives grants or contributions from any such business or that provides legal, lobbying, public relations, marketing, or advertising services to any such business. Each member of the oversight committee shall also agree not to enter into any such financial or business relationships with the marijuana industry for a period of two years after that member's tenure on the oversight committee ends. The oversight committee shall annually provide a publicly available report to the Governor, the Speaker of the House, the Senate President, the Joint Committee on Mental Health and Substance Abuse, the Joint Committee on Children, Families and Persons with Disabilities, the Joint Committee on Public Health, and the House and Senate Clerks on marijuana use and its related harms the programming funded through the trust fund established in paragraph (a), and related evaluation findings.

(d) The Department of Public Health shall have the authority to promulgate reasonable rules to implement this section.

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