

Measure 91 Frequently Asked Questions

FAQ

Overview

Q: What does Measure 91 do?

A: Starting July 1, 2015, Measure 91 allows the personal use and possession of recreational marijuana under Oregon law. It also gives OLCC authority to tax, license and regulate recreational marijuana.

Q. When will Measure 91 go into effect?

A. Starting July 1, 2015, Measure 91 allows the personal use and possession of recreational marijuana under Oregon law. Measure 91 requires OLCC to begin accepting license applications by January 4, 2016.

Q. Who will implement the initiative?

A. The initiative designates the Oregon Liquor Control Commission as the state agency that will implement the terms of the initiative. Measure 91 gives the OLCC authority to tax, license and regulate recreational marijuana.

Q: Where can I get more information?

A: As updates occur and information is available, we will share that information with you on this website. To keep up to date, [click here](#)

Q: How can I get a job with OLCC in the new marijuana program?

A: OLCC posts job opportunities on the www.Oregonjobs.org website. Interested applicants can fill out a [Job Interest Card](#) to receive email alerts about job openings at OLCC. You can also sign up for email alerts about OLCC job opportunities through our [website](#).

Medical Marijuana

Q. What impact does Measure 91 have on the current Medical Marijuana Program?

A. None.

Q. Should I get a new OMMP card or renew my existing Card?

A. Only you as an individual can determine that question. The OLCC cannot advise you about if or how to make that determination.

Q: What is the difference between recreational marijuana and medical marijuana?

A: Medical marijuana is for patients with qualifying medical conditions. Recreational marijuana is for personal use for adults 21 years of age or older. For more information on medical marijuana see www.mmj.oregon.gov

Measure 91 Frequently Asked Questions

Personal Use

Q: When can I smoke/use recreational marijuana?

A: Starting July 1, 2015, Measure 91 allows the personal use and possession of recreational marijuana under Oregon law. Until then, current marijuana laws in Oregon remain in place. Measure 91 requires OLCC to begin accepting license applications by January 4, 2016.

Q: Where can I buy marijuana?

A: Marijuana will be available for purchase through retail stores. Measure 91 requires OLCC to begin accepting license applications by January 4, 2016.

Q: When can I buy marijuana?

A: Currently there are no recreational stores that have been licensed to open for recreational marijuana sales in Oregon. Measure 91 requires OLCC to begin accepting license applications by January 4, 2016. To keep up to date, [click here](#)

Q: When can I buy edibles and extracts?

A: Until retail outlets are open, there is no place to purchase edibles or extracts. To keep up to date, [click here](#)

Q: How much marijuana can I have?

A: Beginning July 1, 2015; recreational marijuana users can possess up to eight (8) oz. of marijuana and four (4) plants per residence in Oregon. An individual can carry up to one (1) oz. in public (cannot consume in public).

Q: Can I grow marijuana at home?

A: Yes, with limits. The act allows home grow of up to four (4) plants and eight (8) oz. per residence beginning July 1, 2015. Homegrow plants and product must be kept out of public view.

Q: When can I start growing my own at home?

A: Measure 91 takes effect July 1, 2015, at that time you can begin growing at home.

Q. Can a landlord tell you not to homegrow recreational marijuana in residence you are renting/leasing?

A. Measure 91 does not affect existing landlord/tenant laws.

Q: Who can smoke recreational marijuana? What is the minimum age?

A: As of July 1, 2015, the minimum age for consuming recreational marijuana in Oregon will be 21 years old.

Q: Can my teenage son/daughter consume in our private residence?

A: No. As of July 1, 2015, the minimum age for consuming recreational marijuana in Oregon will be 21 years old, regardless of where it is consumed.

Q: How much will recreational marijuana cost?

A: The retail price of recreational marijuana will be determined through a competitive marketplace.

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Q: Where can I smoke marijuana?

A: Measure 91 does not allow marijuana to be smoked/consumed in public.

Q: Can I smoke marijuana in a bar/restaurant?

A: No. Marijuana cannot be smoked or used in a public place.

Q: Can I smoke marijuana in public?

A: No. Marijuana cannot be smoked or used in a public place.

Q: Can I take marijuana into Washington where they also allow recreational marijuana?

A: No. You can not take marijuana across state lines.

Public Safety

Q: How will OLCC protect children?

A: One of OLCC's main priorities is to prevent sales to minors. The measure prohibits recreational marijuana sales to people under the age of 21. The act gives OLCC authority to regulate or prohibit advertising. OLCC may regulate packages and labels to ensure public safety and prevent appeal to minors.

Q: Can I get a DUII while under the influence of marijuana?

A: Yes. Current laws for DUII have not changed. Driving under the influence of intoxicants (DUII) refers to operating a motor vehicle while intoxicated or drugged, including impairment from the use of marijuana.

Q: What is OLCC's role to prevent drugged driving?

A: The act requires OLCC to examine research and present a report to the Legislature. Staff intend to partner with the Department of Justice Criminal Investigation Division and Oregon State Police to facilitate research on this issue. Current Driving Under the Influence of Intoxicants (DUII) standards will continue to be enforced.

Q: Can I lose my job for using marijuana?

A: Passage of measure 91 does not impact employment law in Oregon.

Q: Where will marijuana stores be located?

A: The act does not set forth siting requirements. These types of policy questions will require an extensive public rulemaking process including legislative and public input. To keep up to date, [click here](#)

Q: Where will the tax money go?

A: Measure 91 provides distribution of revenue after costs to the following:

- 40% to Common School Fund
- 20% to Mental Health Alcoholism and Drug Services
- 15% to State Police
- 10% to Cities for enforcement of the measure
- 10% to Counties for enforcement of the measure
- 5% to Oregon Health Authority For Alcohol and Drug Abuse Prevention

Measure 91 Frequently Asked Questions

Q: How will the OLCC go about making policy decisions?

A: The OLCC will take a measured approach to implementing Measure 91 with a great amount of accountability through a transparent and inclusive public process.

Q: How is Washington different than Oregon?

A: See [Oregon/Washington/Colorado Comparison](#) in Measure 91 Overview

Q: Can I take marijuana into Washington where they also allow recreational marijuana?

A: No. You can not take marijuana across state lines.

Licensing

Q: What licenses will be available?

A: The measure lists four types of recreational marijuana licenses: Producer, Processor, Wholesaler, and Retail

Q: What is a Producer license?

A: A Producer is also known as the grower. Rules that will define the privileges of the Producer license will be completed after a public rulemaking process. To keep up to date, [click here](#)

Q: What is a Processor license?

A: A Processor is a business that will transform the raw marijuana into another product or extract. Processors are also responsible for packaging and labeling of recreational marijuana. Rules that will define the privileges of the Processor license will be completed after a public rulemaking process. To keep up to date, [click here](#)

Q: What is a Wholesaler license?

A: A Wholesaler is a business that buys in bulk and sells to resellers rather than to consumers. Rules that will define the privileges of the Wholesaler license will be completed after a public rulemaking process. To keep up to date, [click here](#)

Q: What is a Retailer license?

A: A Retailer is a business that sells directly to consumers. Rules that will define the privileges of the Retailer license will be completed after a public rulemaking process.

To keep up to date, [click here](#)

Q. Has OLCC started to accept license applications?

A. No. The measure requires OLCC to begin accepting license applications for recreational marijuana by January 4, 2016. We have not accepted any license applications at this time.

Q. When will OLCC accept license applications?

A. The measure requires OLCC to begin accepting license applications by January 4, 2016. We are not accepting any license applications for recreational marijuana at this time.

Q. How will OLCC decide who gets a license application?

A. The process for recreational marijuana license approval will be developed by the OLCC. We will gather the public's input through an open and transparent process. To keep up to date on opportunities to provide public input, [click here](#)

Measure 91 Frequently Asked Questions

Q: If I want to apply for a recreational marijuana license, what should I do now?

A: We are not accepting any applications for recreational marijuana licenses at this time. To keep up to date on when the OLCC will begin accepting applications for the different license types, [click here](#)

Q: How much are the licensing fees?

A: Measure 91 establishes an annual license fee of \$1,000 plus a non-refundable application fee of \$250 per license application.

Q: How many licenses can I have?

A: There are four license types: Producer, Processor, Wholesale and Retail. A licensee may hold multiple licenses and multiple license types.

Q: Can an out-of-state resident hold an Oregon recreational marijuana license?

A: Measure 91 does not specifically address this question.

Q: When can I submit my application?

A: The measure requires that OLCC begin accepting license applications no later than January 4, 2016. To keep up to date, [click here](#)

Q: Who will be eligible for a marijuana license?

A: Anyone over 21 years old is eligible for a recreational marijuana license if they meet certain conditions outlined in section 29 of the measure.

Q: What if my city/county wants to go “dry?”

A: Measure 91 states that local governments may not prohibit licenses in their jurisdiction except via general election. Measure 91 allows local governments to adopt time, place and manner restrictions to regulate public nuisance.

Q: What kinds of testing will OLCC require?

A: OLCC has the authority to set testing requirements. These types of policy questions will require an extensive public rulemaking process including legislative and public input.

Retail Stores

Q: When will marijuana stores be open?

A: Measure 91 requires OLCC to begin accepting license applications by January 4, 2016.

Q: Will the OLCC distribute marijuana out of a central warehouse?

A: No. Under the measure the OLCC does not have the responsibility for the storage and distribution of marijuana. The OLCC’s primary responsibility is to collect taxes and to license and regulate producers, processors, wholesalers, and retailers.

Q: Will there be a quota for how many retail outlets will be allowed?

A: The measure does not specifically address the number of retail outlets allowed. Specifics for licensing retail outlets will be determined by the Commission after the completion of a public rulemaking process.

Measure 91 Frequently Asked Questions

Q: What will OLCC be doing to get ready for marijuana stores?

A: With the public's help, OLCC will create a process for licensing, regulating, and collecting taxes. We will be exploring many policy questions through an extensive public rulemaking process including legislative and public input. To keep up to date, [click here](#)

Taxes

Q: How much are the taxes?

A: Measure 91 provides for an excise tax that is paid by the Producer (grower) \$35/oz. for flower, \$10/oz. for leaves, \$5 per immature plant.

Q: How much money will marijuana bring in taxes?

A: According to the voters' pamphlet, the revenue estimate from taxes when fully implemented ranges from \$17 million to \$40 million annually.

Q: Where will the tax money go?

A: Measure 91 provides distribution of revenue after costs to the following:

- 40% to Common School Fund
- 20% to Mental Health Alcoholism and Drug Services
- 15% to State Police
- 10% to Cities for enforcement of the measure
- 10% to Counties for enforcement of the measure
- 5% to Oregon Health Authority For Alcohol and Drug Abuse Prevention