

California's cannabis businesses prepare for 'Repeal Day'

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Oakland's Harborside dispensary is expanding its retail space and has added a remodeled reception foyer, custom cabinetry and a special counter for online order pickup.

To keep up with orders, the father-son team behind Santa Cruz's Big Pete's Treats — cannabis-infused chocolate chip, peanut butter, cinnamon sugar and lemon cookies — recently invested in a 60-quart dough mixer and a "cookie depositor" machine that's much faster than hand scooping.

"We have geared up production, as the industry races to get orders in," said son Pete Feurtado Jr., 30, a surfer and graduate of Oklahoma City's Mid-America Christian University. "We're at maximum capacity."

Stores are expanding their offerings to please a different consumer, adding more low-dose edibles and "wellness products" such as topicals and "pre-rolls," which don't require pesky paraphernalia or rolling skills.

Prices are climbing because of taxes. Expect to pay anywhere from \$9 for a generic joint to \$250 (plus \$20 for custom engraving) for a Bluetooth-enabled Pax 3 vaporizer, which connects to a smartphone app so you can customize its LED colors, adjust the temperature, dim the lights and lock it up.

Monday won't feel like "Repeal Night" on Dec. 5, 1933, when the 21st Amendment was ratified, liquor flowed and crowds gathered to sing "Happy Days Are Here Again." That's because the ban on marijuana did not begin as neatly as the ban on alcohol — and isn't ending as cleanly, industry experts say.

Cannabis was criminalized in California in the early 1900s under the Poison and Pharmacy Act, with simple possession punishable by up to six years in prison. But pot laws in California and most other states have gradually become less strict in recent decades. In 1996, California voters passed Proposition 215, which created the state's medical cannabis program. Illicit marijuana has been readily available in the Golden State — and may continue to be if growers and distributors decide they can't afford to comply with the law and continue to operate illegally.

Legal weed won't be everywhere. There will be shops in cities such as San Jose, Oakland and Berkeley. One 25-mile swath of the left-leaning East Bay — from Hayward to El Cerrito — will allow sales. The artsy agricultural coast, from Pacifica to Santa Cruz, is also pot-friendly.

But in other parts of the state, such as the rural counties of Fresno, Modoc, Glenn and Tulare, nothing's changed. Local leaders have made themselves clear: not now, not ever.

Some Californians are worried that the grand experiment will fail — and be virtually impossible to undo. Rural areas fear more car crashes and don't trust the state to cover the high cost of law enforcement and regulation, said Paul Smith of Rural County Representatives of California, which represents 35 counties.

"It's very complex," he said. "Who will monitor the amount of acreage on a plot? The amount of energy used? Did they pay taxes in this manner or that manner? Did they grow on Maple Street and not Elm Avenue? Did they turn off their grow lights at 10 p.m. or leave them on all night? That's where the rubber hits the road."

Marijuana remains illegal under federal law, although the feds have largely respected states' autonomy. While it's not a complete cease-fire in the feds' war on drugs, it's beginning to look more like a negotiated surrender.

California's newly legal industry is expected to generate \$4 billion in revenue and \$1 billion in taxes annually. An estimated 1,200 jobs could be created.

The environment will be better protected, as authorities crack down on pesticide use, the clearing of forests and native vegetation and dumping of trash. Workers will have more protection from on-the-job injuries.

And lives are getting a second act. Since Californians passed Proposition 64, Bay Area residents have filed more than 800 cases to clear their names, petitioning for re-sentencing, reduction in charges or expungement of marijuana-related felonies, according to data compiled by the Judicial Council of California.

"My first time in handcuffs was at the age of 11 — for growing a plant in a pine tree in a backyard in Fremont," said grower, manufacturer, distributor and marketer Patrick King of Soil King Productions in Cloverdale. "I've spent many years behind bars because of this plant."

“The worst part — the greatest sacrifice — was being ashamed,” said King, who has served on the board of the local Boys and Girls Club, coached Little League and volunteered for the Lions Club. “Always thinking that people thought of me as bad, even though I knew that wasn’t true in my heart. I carried that through life.”

His felonies now expunged, King is awaiting licensing and will be honored this week by Cloverdale’s City Council for his donations after recent fires. “It’s the greatest gift. For once, our family feels it can be proud,” he said.

“The minute you put it in your mouth, you crossed the line. You became one of ‘them,’” said Tommy Chong, 79, of Cheech and Chong fame, sentenced to nine months in jail in 2003 after agents raided his glass pipe business. “You got stopped, you got hassled, you got thrown in jail, you got stopped at the border. People who weren’t there, they’ll never know what we went through. And thank God for that.

“I always wondered: ‘What if we are right? What if what we are doing is the right thing to do?’” said Chong, who’s now mass producing his own brand of marijuana products, called Chong’s Choice. “We were right. We won.”

But legalization — into a tightly regulated, hyper-consumer and profit-driven market — may not look like the dreams of ’60s stoners. It smells more like big business. Some people are going to get rich. Other people, including many old-time growers, could be left behind.

One thing is clear: On New Year’s morning, California will be waking up to a new world. Years ago, when Big Pete’s Treats’ called its medical marijuana clients, “we were afraid the police were listening,” Feurtado said. “We’re not anymore.”

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