The Whole Plant Act

Model Implementation Path

How to read this

The Whole Plant Act is the destination, not a demand that the whole framework pass in a single session. The first reaction to a comprehensive bill is often to freeze: it looks like too big a bite, so nothing moves. This document is the answer to that reaction. It is the template a state fills in with its own legislative calendar, its own near-term vehicles, and its own agency map, to show that the framework is achievable in stages rather than all at once. The near-term pieces are not separate from the framework; they are its first sections, landing early.

The three-part shape

Every state's path has the same shape. There are near-term wins that can move now, discrete fixes that stand on their own and that stakeholders already want. There is an interim period in which the coordinating body works out how the full framework phases in. And there is the vote-ready package that follows. A state maps that shape onto its own sessions.

The forcing function

The timing is not arbitrary. A state times its framework to whatever federal or market event is reshaping its cannabis market: a federal change to the hemp definition, a rescheduling, or a consolidation move that displaces the market a state wants to capture into a licensed lane classified by intoxicating potential. A state does not control those events, but it can decide whether it meets them with a rational framework already standing or scrambles after them. [A state names its own forcing event and sets its clock to arrive ahead of it.]

Track one: near-term wins

These are the pieces that can move now, as ordinary sections in the near-term session, the "fix this, change that" a cannabis omnibus is expected to carry. Each stands on its own, each is something stakeholders across the process have already asked for, and each is a section of the Act landing early:

- authorization of medical use by a provider's clinical assessment, with no static qualifying-condition list;
- fee-free patient registration, so no patient is priced out of the program;
- the civil protections, employment, housing, healthcare, custody, licensing, and public benefits, several of which will have existing anchors in a state's own code to build on;
- the criminal-justice fixes, ending the charging of one act as two crimes, impairment-first driving in place of per se or metabolite thresholds, an end to metabolite-based sanctions in community supervision, and automatic no-fee expungement of now-lawful conduct; and
- the retail-staff and provider education requirements.

None of these require the coordinating structure to be standing first. They deliver real relief immediately and lower the height of the remaining climb. [A state maps these to its own near-term vehicles and adds the discrete pieces its own stakeholders are already seeking.]

Track two: the framework phased

The larger structural moves, one coordinating authority, classification by intoxicating potential across the whole market, the public-domain moat, the two-tier tax, and the industrial track, land as the framework, on a two-session clock.

In the first session, the state establishes the framework and reconstitutes or designates its coordinating body, whose first charge is to convene an interim work group and deliver the implementation plan. That interim work answers the questions that must be settled before enactment: who phases in where, and how fast. The clearest example is cultivation, where moving oversight to the agriculture department is the right end state but needs a phase-in period.

In the second session, the state enacts the vote-ready package: the standards, the licensing portal, the agency roles, and the conforming amendments, presented together rather than piecemeal. By then the near-term wins from Track one are already law and folded in, so the enacting vote is on a worked, sequenced package rather than a leap. [A state sets the two sessions to its own calendar; the interval may be one long-and-short cycle or two regular sessions.]

The omnibus structure, for counsel

Presented as an omnibus bill, the framework reads as a flowchart, which is how legislators and legislative counsel expect an omnibus to be built. At the top sit the coordinating body and the anchor amendment: the state's principal cannabis chapter is amended to read. Everything else filters down. The coordinating authority shall, then it directs the health authority, the licensing agency, and the agriculture department, each in its lane. There is a part for each administering agency, a part for public-domain protection, and so on, all hanging off the one coordinating instruction at the top. Legislative counsel writes the operative statutory language from that structure; the bill supplies the intent and the blueprint, and counsel enumerates it into the form the state's code uses.

The point of doing it this way

Phasing is not retreat. The near-term wins deliver real relief immediately and build the credibility that carries the framework. The interim period turns the hardest questions, sequencing, cultivation transition, agency roles, into worked answers instead of open fears. And the two-session clock lines the whole thing up with the forcing event, so the state builds the net before the ball lands rather than reacting after it. A stakeholder who worries the Act is too much at once can see exactly how it arrives in stages, and that every stage is worth having on its own.

Companion to the model bill. This is the template; a worked instance is the Oregon Implementation Path, which fills this shape in against Oregon's 2027-to-establish, 2028-to-enact calendar and its own near-term vehicles.