

State reconsiders turbulent medical marijuana biz

(AP) — 4 days ago

HELENA, Mont. (AP) — Some Montanans have had enough of medical marijuana, saying their state's image as a rugged cowboy frontier is being replaced by a fast-growing pot culture.

They point to the spread of medical pot in normally healthy college students, an abundance of pot shops and concerns among police that excess of medical-grade marijuana is being exported illegally out of the state.

Now, some lawmakers are pushing to make Montana the first state to repeal a medical marijuana law.

"It's not good, this situation we are in," said House Speaker Mike Milburn, a former Air Force pilot and rancher. "We're getting known for the wrong reasons."

Medical marijuana advocates and legal pot smokers packed hearings recently, filling Capitol halls with the unmistakable herbal scent of pot and pleading for tighter rules, not repeal.

Gov. Brian Schweitzer has yet to propose his own fix and probably won't, and instead is deferring to lawmakers for now. But he said residents have more pressing concerns, such as getting jobs and earning enough money to support their families.

"They have kids coming home from college that don't have jobs," he said. "They are making \$8 an hour and that is not enough to pay their insurance, pay their rent and make their car payment. They would like to make \$12 an hour.

"If medical marijuana comes up at all, it is because they like to joke about it," he said.

Montanans overwhelmingly voted to allow medical marijuana for the very sick in 2004. There were few regulations in place, and the number of people who got a state card to smoke pot grew slowly at first.

Then came the boom, beginning in 2009 after the Justice Department said it wouldn't prosecute patients who follow state law.

Advocates and distributors then figured out they could sign up thousands of people who claim to suffer from "chronic pain" — a vague term covering everything from creaky knees to sore backs to persistent headaches.

They started caravans, going from town to town to register patients by the thousands.

Leaders in cities across the state began to grow concerned when they saw pot sellers springing up on main streets and near schools. They put moratoriums on the businesses, and many asked lawmakers for a solution.

The advocates stopped the caravans. The state board of medical examiners fined one doctor who saw a new patient every six minutes during one of the traveling clinics — not enough time to provide adequate care.

Just two years after the boom began, there were more than 28,000 registered users in a state of less than a million people. That's about three times as many state-sanctioned marijuana smokers as ranch owners.

Roughly one of out every 19 households now has a card. Nearly a third of cardholders are under 30 years old.

The numbers of registered users continues to grow by as many as 1,000 new users a month.

Even the advocates who backed the initiative in 2004 agreed they never envisioned a multimillion dollar industry and lobbied for lawmakers to put restrictions on who can get a medical marijuana card and how it is sold.

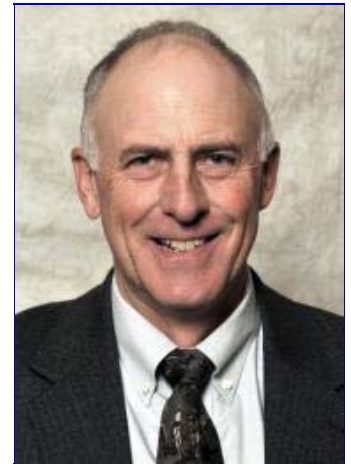
Dozens of marijuana advocates and smokers told lawmakers to tread carefully before messing up an initiative voters approved.

Jim Gingery, a grower and executive director Montana Medical Growers Association, said repeal would put thousands of people out of work just at a time when the mainstream medical community is beginning to embrace the benefits.

The industry is pushing for regulation to solve the perceived problems, which Gingery believes are exaggerated.

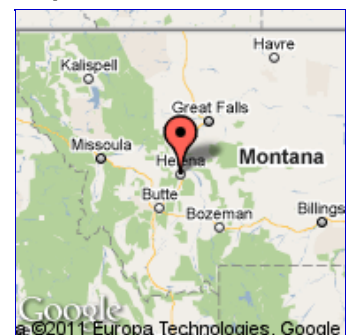
"Part of the problem is that there has been no regulation for over six years. Clearly with appropriate regulation that provides stringent guidelines for caregivers the patients will definitely benefit as well as the public at large," he said.

Gingery said the state is at a crossroads on medical pot.



This undated image provided by the Montana Legislative Information Office shows Montana House Speaker Mike Milburn, R-Cascade, who is the sponsor of the bill to repeal the state's medical marijuana law, which is expected to easily pass the House. (AP Photo/Montana Legislative Information Office)

Map



"We are either going to look at science or we are going to look at fiction," he told The Associated Press in an interview. "We are either going into the dark ages of prohibition and reefer madness or let science move us forward."

None of the 14 states that allow medical marijuana have repealed their laws, although some leaders in Michigan and New Mexico have suggested it may be necessary, according to the National Organization for the Reform of Marijuana Laws.

"Montana is the only state that is actually attempting to do it," said Allen St. Pierre, executive director of the group.

Milburn, the House speaker, hopes Montana will be the first. His repeal plan is on the verge of clearing the House, the fastest-advancing bill among the handful of proposals dealing with medical marijuana this session.

Milburn said lawmakers need to cut it off now before the situation gets "completely out of hand." He believes that organized crime is infiltrating the medical marijuana business, reaping millions that will be used to stop any changes in the future.

He also pointed to police testimony that Montana is growing so much marijuana that an excess is being shipped out of state in the illegal trade, and being sold to so-called marijuana tourists.

His plan may run into a roadblock in the Senate.

Leading Senate Republicans are hashing out a bill that would make it harder to get a card, strictly regulate who grows pot and how they sell it and set up a state system to monitor the industry — paid for by new fees levied against the growers.

And Democrats largely oppose repeal, arguing that lawmakers should not undo a voter-approved initiative.

Several Republicans in the GOP-controlled Senate agree.

"I am not going to support the repeal," said Republican Sen. Chas Vincent, a 33-year-old former logger who holds a key vote in the judiciary committee. "I believe that cannabis has real, beneficial impacts to those who need to use it for medicine."

And then there is the governor, never afraid to use his veto pen. The Democrat won't say which bill he likes.

Milburn said that growing number of people support his plan. "It is undermining the entire fabric of our state," he said. "It is time to take back our state and our culture and do what's best for Montana."

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