

HCR 3031

House Judiciary Committee, Representative Lawrence R. Klemin, Chairman

Representative Marvin E. Nelson, District 9, Rolette County

HCR 3031 is a Constitutional Amendment to put to voters the question of should cannabis be legal for those over 21? This of course is aimed towards what is commonly called recreational.

Let's go through the Resolution.

Section 1 defines cannabis. It excludes medical cannabis and hemp. This is the first question whether even mentioning them is necessary. I think not, the resolution doesn't make anything illegal, mentioning medical and hemp was an attempt to make sure that those under 21 aren't for some reason excluded from those. I believe eliminating the last line in section 1 is probably the best.

Section 2. Is the legalization. Some would say this forbids regulation. I don't believe it does. For instance there is a right to farm in the Constitution, but that is certainly regulated. A right to hunt but that doesn't mean people can hunt anything at any time. So regulation is permitted much like legalization of alcohol didn't mean no regulation. If the committee believes this makes regulation impossible, please correct.

Section 3 is to use a percentage of the tax on recreational cannabis for drug education and treatment. It's not limited to cannabis. This is born out of my frustration that it seems to me that both drug education and drug treatment is underfunded. I would admit I question whether such a tax should be written into our Constitution.