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SB91-14/15: Resolution Regarding Legalization of Cannabis

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Recommended Citation

Ormseth, Eamon and Ellinger, Chase, "SB91-14/15: Resolution Regarding Legalization of Cannabis" (2015). *Senate Resolutions, 2007-Present*. 456.
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1 **The Associated Students of the University of Montana**
2 **Resolution Regarding Legalization of Cannabis**

3 **May 6, 2015**

4 **SB91-14/15**

5 **Authored by: Eamon Ormseth, Student-at-Large; Chase Ellinger, ASUM Senator**

6 **Sponsored by:**

7
8 Whereas, the terms marijuana and cannabis are synonymous;

9
10 Whereas, Montana Code Annotated (MCA) § 50-32-101, § 50-32-222(4)(t) designates
11 marijuana as a Schedule I hallucinogenic substance and dangerous drug;

12
13 Whereas, cannabis is widely available for illicit purchase in the state of Montana;

14
15 Whereas, MCA § 45-9-102 reads:

16 *“possession of less than 60grams (g) (first offense) is a misdemeanor*
17 *punishable by up to 6 months in prison and a fine not to exceed \$500;*
18 *possession of less than 60g (second offense) is a misdemeanor punishable*
19 *by up to 3 years in prison and a \$1,000 fine and more than 60g is a felony*
20 *punishable by up to 5 years in prison and a \$50,000 fine”;*

21
22 Whereas, MCA § 45-9-110 reads:

23 *“cultivation of up to 1 pound or 30 plants of marijuana is a felony*
24 *punishable by up to 10 years imprisonment and/or a fine up to \$50,000.*
25 *Cultivation of more than 1 pound or 30 plants is a felony punishable by a*
26 *minimum of 2 years to a maximum of life imprisonment and a fine up to*
27 *\$50,000. A second or subsequent offense for cultivation of marijuana is*
28 *punishable by twice the term of imprisonment and twice the authorized fine*
29 *for the first offense”;*

30
31 Whereas, MCA § 45-9-101(4) reads:

32 *“distribution of any amount of marijuana, with or without compensation,*
33 *is punishable by a mandatory minimum of 1 year and a maximum sentence*
34 *of life imprisonment and/or a fine up to \$50,000”;*

35
36 Whereas, MCA § 45-9-103(3), § 45-9-101(5), and § 45-9-109, among other statutes,
37 provide further penalties relating to cannabis;

38
39 Whereas, peer reviewed scientific journals have established that marijuana use is
40 generally less harmful than alcohol consumption;

41
42 Whereas, studies have shown that criminalization of marijuana does not reduce marijuana
43 usage;

44

45 Whereas, prosecuting individuals for marijuana use is costly and wastes taxpayer dollars;

46

47 Whereas, cannabis has many scientifically documented medical uses, including treatment
48 of epilepsy, lack of appetite, glaucoma, and complications arising from chemotherapy;

49

50 Whereas, criminalization of cannabis cultivation increases demand for cannabis grown by
51 violent drug cartels; .

52

53 Whereas, the states of Colorado and Washington legalized cannabis via statewide
54 referendum in November of 2012;

55

56 Whereas, said states imposed significant taxes on cannabis and regulations requiring
57 oversight and sale in state-owned stores;

58

59 Whereas, the US Justice Department has elected to not prosecute individuals for cannabis
60 cultivation in said states;

61

62 Whereas, Montana would stand to gain from taxing the sale of cannabis;

63

64 Therefore, Let it Be Resolved, that the Associated Students of the University of Montana
65 (ASUM) requests the Montana Legislature explore ways to tax and regulate the sale of
66 cannabis in Montana;

67

68 Therefore, Let it Be Further Resolved, that ASUM encourages the 2017 Montana
69 Legislature either (1) enact said proposal into law or (2) send it to the voters of the state
70 of Montana for a referendum in November of 2018;

71

72 Therefore, Let it Be Further Resolved, that a copy of this resolution be sent to Steve
73 Bullock, Governor of Montana; Austin Knudsen, Speaker of the Montana House of
74 Representatives; Debby Barrett, President of Montana State Senate; Chuck Hunter,
75 Minority Leader of the Montana House of Representatives, Jon Sesso, Montana Senate
76 Minority Leader; and the Montana Chapter of the National Organization for the Reform
77 of Marijuana Laws.

78

79

80

81

82 _____
83 Sarah Smith,
Relations and Affairs Chair

Sean McQuillan,
Chair of the Senate