

Washington Cannabis
Tax Act petition inside!

Campaign for the Restoration and Regulation of Hemp

Hemp News

Cannabis Tax Act
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Washington's I-229 Launched

Oregon Petition over 15,000 Signatures as of August 18th, Oregon has till July 2000 to get 67,000 Required for Vote

CRRH has received a significant, six figure donation that has allowed us to launch a petition drive in Washington state to put the new Washington Cannabis Tax Act (WCTA) on the ballot. The WCTA needs about 180,000 signatures of Washington state's registered voters by December 31, 1999 to qualify. Since we need a buffer of additional signatures to ensure qualification, we will need to turn in about 250,000 signatures to cover the invalid and illegible signatures. Our Washington state initiative is known as I-229.

A copy of the Washington Cannabis Tax Act petition is printed inside this newspaper. If you are registered to vote in Washington, please turn page 3 of this newspaper, sign the petition and fold that entire sheet, staple it and mail it back to us. We have printed our business reply permit on the page inside, so it's free for you. Please only have other registered Washington voters sign this sheet. Please be sure to mail your signatures back to us.

In Washington, there are two types of initiative processes. One is a direct path to place a petition on the ballot for a vote. The other is a referral to the legislature. The WCTA is a referral to the Washington state legislature. Upon qualification of a legislative referral, the Washington legislature has three options. First, they can vote to enact the bill as written. Next, they can draft their own bill and place both the referral as written and their own version up for a vote. If the Washington legislature chose this second option, there would be two WCTA proposals on the November 7, 1999 ballot, I-229A and I-229B. However, finally, the most likely course for this petition is that the Washington state legislature will just put the single issue itself up for a vote on November 7, 2000.

CRRH has hired a professional petition company to implement and complete the paid petition drive in Washington state. Kimball Petition Management, which has extensive experience placing initiatives on the ballot in many states, including Washington, will conduct the paid petition drive for Washington state.

CRRH kicked off it's petition drive at the largest rally against cannabis prohibition on the West Coast, the Seattle Hempfest on August 22, 1999.

If you would like to help the WCTA qualify for a vote, or to help CRRH's Oregon drive, or if you would like to help start a CRRH petition drive in your area, please contact us.

Actor Woody Harrelson, judge clash in pot trial

By Denny Walsh
Sacramento Bee
May 21, 1999

SACRAMENTO, CA - An angry confrontation between Woody Harrelson and a federal judge erupted Thursday during a marijuana cultivation trial in a Sacramento courtroom, nearly U.S. District Judge Garland E. Burrell Jr. ultimately warned Harrelson, who first gained fame on the "Cheers" sitcom, that he might find himself behind bars if he continued to defy the court. "How do you sleep at night?" Harrelson shot back before stepping down from the witness stand.

Harrelson, known for his eco-activism as well as his roles in movies ranging from "Indecent Proposal" to "Natural Born Killers," appeared as a defense witness Thursday in the trial of Trinity County resident B.E. Smith. Smith's is the first criminal marijuana trial in a California federal court since the passage of Proposition 215, a state law allowing pot to be smoked by those obtaining medical authorization. Eventually, the case could establish a precedent for how the California measure will be handled in federal courts. Harrelson called Smith, an outspoken advocate of medicinal marijuana, "my good friend and mentor" and the "last free man in America." The fireworks ignited when Harrelson disobeyed Burrell's orders, then verbally attacked the judge after he was admonished from the bench. Leading up to the tense exchange, Assistant U.S. Attorney R. Steven Lapham objected to some questions from defense lawyer Thomas Ballanco and Burrell sustained the objections. A couple of times, Harrelson answered anyway.

"Are you surprised to see Mr. Smith on trial here today?" asked Ballanco. Lapham's objection was sustained, but Harrelson said, "Certainly, for a medical marijuana case, I consider it odd." Burrell told Harrelson he must obey rulings on objections. "I'm just wondering why you're keeping the truth from the jury," said Harrelson, referring to a pretrial ruling by Burrell that Smith would not be able to cite medicinal use and Proposition 215. At that point, Burrell excused the jury and quoted case law to Harrelson o a judge's power to control courtroom behavior. "I didn't think you had much respect for the law," the actor fired back. "You have attempted to put issues before the jury I have ruled non-admissible," said Burrell, warning Harrelson that he might be arrested if his defiance continued. "Do you understand?" Burrell demanded. Harrelson gave the judge a hard stare, then looked away. Burrell refused to allow Ballanco to continue questioning Harrelson regarding Smith's reputation as an honest, law-abiding citizen. He ruled such testimony would be cumulative since Harrelson had already said that Smith is "always truthful" and "has a great deal of integrity." "I suspect you've brought this witness here to disrupt this trial," the judge told Ballanco. Burrell directed Harrelson to step down but, as he departed the witness stand, the

(con't on page 8)

What the CTA Petition will do

- **Protect children!** This is the real "Protect Our Children" initiative. The Cannabis Tax Act (CTA) will take the lucrative marijuana market out of the black-market where children and substance abusers often control it today, and place it in state liquor stores, where the age limit of 21 and older is strictly enforced.
- **Help farmers!** We will license farmers to cultivate cannabis for both medicinal and adult private use. Farmers will be able to grow industrial hemp without a license, for paper, fabric, protein and oil.
- **Fix the problems caused by the medical marijuana petitions that passed.** This will allow doctors to prescribe untaxed cannabis through pharmacies, so patients won't have to grow their own or by medicine illegally.
- **Raise millions of dollars in new public revenue,** lowering the tax burden on us all and saving you money. Take the profit out of crime. Save money.
- **Restore industrial hemp,** the most productive agricultural source of fiber protein and oil. Hemp seed oil is diesel fuel. The first cordage, cloth and paper were invented from hemp fiber.
- **Wipe out the black-market.** The CTA allows police and the courts to concentrate on real criminals that hurt others, not arrest, prosecute and jail harmless, productive adult cannabis users. Stop our government from tearing families apart. Let's show real family values and end cannabis prohibition.

Washington and Oregon Cannabis Tax Act
petitions currently in circulation.

Help CRRH launch a CTA petition in your state!

Switzerland Leads the World Toward Regulation of Illegal Drugs

Swiss Allows Sale of Marijuana and Gives Heroin Addicts Prescriptions

BY D. PAUL STANFORD, CRRH DIRECTOR

Switzerland is the most democratic and richest country in the world. The Swiss began forming their confederation of different cantons and cultures with 4 different official languages and several dominant religions about 700 years ago. They have had an initiative process since the 1840s and use it to decide all major government policies, by direct votes of their citizens.

Over the past year and a half, the Swiss have held several votes that have validated their government's progressive policies on drug control policy. In the 1980s, Swiss cities and cantons began giving heroin addicts their opiate and places for them to inject it. Starting in 1995, the Swiss have allowed the semi-legal sale of cannabis in shops that have opened all around their country. The Swiss voted in November 1997 by 71 percent against an initiative to end heroin addiction maintenance and increase other penalties for drugs. On April 24, 1999, a panel of Swiss government officials announced plans to regulate and license the explosion of the legal marijuana market. A vote on marijuana regulation has not yet been scheduled. However, on June 13, 1999, the Swiss voted in favor of expanding the medical provision of heroin to addicts with a doctor's prescription.



Photo of Legal Swiss Hemp Farm

Marijuana sales shops, "hanf" stores, have opened all over Switzerland. When I visited several hanf stores there last year, many of them had cannabis plants growing in their front window, some had dozens of trimmers inside manicuring marijuana flowers, and all of them sold cannabis flowers, hemp fiber products and cannabis growing equipment. Marijuana

plants are in about a third of the many personal gardens one can see all across Switzerland. Hemp drink advertisement posters with cannabis leaves are found in all the railway stations and even shop windows in rural areas. Switzerland has more shops selling cannabis than the Netherlands now, and the Swiss are now proposing to regulate this market. The proposed Swiss cannabis regulations are much like CRRH's Cannabis Tax Act, due to international treaties that govern the way controlled substances can be sold. Switzerland will continue to lead the world toward the integration of the adult cannabis market and industrial hemp, and the medicalization of other drugs.

UK's KENNEDY SPEAKS UP FOR DRUG LAW REVIEW

CHARLES KENNEDY flirted with political controversy yesterday by embracing a wholesale review of Britain's drug laws. The new Liberal Democrat leader said the issue was critical to every family in the land and deserved more serious attention than the other two major parties were prepared to give it. Although the Liberal Democrats are in favour of a royal commission on the decriminalisation of cannabis, it was an issue that Paddy Ashdown, Mr Kennedy's predecessor, shrank from. However, less than a week after inheriting Mr Ashdown's crown, Mr Kennedy indicated that he was prepared to tackle the issue head-on. He said that those who insisted Britain had got it right over drugs were out of touch and that voters would appreciate the party's honesty for saying so. Mr Kennedy said: "One of the vital things about this party is that it can discuss issues of this sort. It needs to remain ahead of the game. I think that there are some newspaper editors who are actually behind the agenda in terms of what people talk about out there." Mr Kennedy's comments will delight the party's grassroots, though they may alarm its more pragmatic members.

His move was seen as the first strong signal that he intends to be a very different leader from Mr Ashdown, who strove for respectability and made it his political life's work to rid it of its woolly hats and sandals image. The comments put the Liberal Democrats squarely at odds with both of the other main parties. A government spokesman said: "Tony Blair is against decriminalisation of cannabis and sees no value in a royal commission." Ann Widdecombe, the Shadow Home Secretary, said: "Charles Kennedy clearly has yet to learn how a responsible party leader should behave. "This is an unbelievable first commitment which will alienate many of the people who put a cross by his name in the recent leadership election and who voted Liberal Democrat two years ago." * Bishop told 'get real' Anti-drugs campaigners have condemned an Anglican bishop after he admitted that he had used cannabis and supported calls for its legalisation. Liz Harrison, the chairwoman of Locals Against Drugs, said the Right Rev Richard Holloway, Bishop of Edinburgh, should stay "in the real world" and see the damage done by drugs to the next generation.

Price of medical need set at \$150.00

By Patrick O'Neill of The Oregonian staff

People who smoke marijuana to ease their pain and nausea will have to pay \$150 a year for an Oregon registration card. The cards exempt medicinal marijuana users and their helpers from state laws against owning and raising marijuana. The fee, approved this week by the Oregon Health Division, is part of the bureaucratic machinery to implement a law passed by voters in November allowing seriously ill people to use marijuana. The Health Division's registration process goes into effect today.

However, Oregonians have been able to use marijuana for medicinal purposes since December without fear of violating state law, even without a card. The fee will generate \$75,000 if 500 marijuana users sign up -- the number that health officials estimate will take advantage of the program at any one time. But that's still short of the amount needed to fully finance the program's \$105,000 annual budget. The budget includes financing for a full-time employee to run the program.

Dr. Grant Higginson, Oregon state health officer, said that in case of a shortfall, the Health Division will have to absorb the additional cost. He said it's hard to estimate the costs and number of people who will participate because no state has ever administered a medical marijuana program before. Medical marijuana is legal under California law, but the state doesn't register participants.

Kelly Paige, coordinator of the Health Division's Medical Marijuana Program, said her office had received 105 requests for registration cards that grant immunity from state laws against using the drug.

Under the law, people who have certain debilitating medical conditions, including cancer, AIDS, glaucoma, seizures, pain and nausea, can use marijuana to ease their discomfort. The law works like this: The patient must fill out an application to participate in the program. The patient's attending physician must complete a separate form specifying that marijuana might mitigate the patient's symptoms. The application must include a copy of the patient's photo identification, such as an Oregon driver's license. If the patient plans to use a helper to cultivate marijuana, the helper also must supply identification and receive a card.

The information is sent to the Health Division along with the \$150 fee.

The Health Division sends registration cards to both the patient and the patient's helper, if the patient needs one.

The cards exempt both the patient and the helper from state laws prohibiting the possession and cultivation of marijuana. Possession and cultivation are still violations of federal drug laws, however.

Under Oregon law, the patient cannot possess more than a total of three mature marijuana plants, four immature plants and 1 ounce of usable marijuana for each plant.

The law doesn't specify how a patient is supposed to obtain marijuana seeds for planting. Sale of marijuana is still illegal under both state and federal law.

But proponents of the measure have said they expect that people who previously used marijuana illegally will give seeds or young plants to new patients free of charge.

Dr. Rick Bayer, a Lake Oswego resident and principal sponsor of the measure, said he thinks the Health Division "has tried to be very fair" in writing the regulations.

"They have to charge a fee to cover the cost of the program," he said.

Bayer said people who know how to grow marijuana have told him that under limitations imposed by the law, a program participant could harvest up to 3 ounces during one three-month growing cycle from plants grown indoors. But he said that quantity might not be enough for some patients, particularly if they use a new vaporizing technique instead of smoking marijuana in a hand-rolled cigarette.

Vaporizers heat marijuana to about 190 centigrade, a point at which the active cannabinoid substances are released into the air. He said the advantages of vaporizers are that they don't cause the marijuana to burn. Inhaling smoke is more irritating to lung and bronchial tissue than the cannabinoid vapors themselves, he said.

"I think it would be more healthy than inhaling the smoke, but I don't have any data to support that," Bayer said.

The drawback is that the technique uses three to four times as much marijuana by weight to have the same therapeutic effect as smoking a marijuana cigarette, he said.

Depending on its success, Bayer said, the new technique might prompt lawmakers to consider increasing the amount of usable marijuana that a patient can keep.

Meanwhile, Oregon legislators are considering a bill that would eliminate the so-called "affirmative defense" aspect of the law. In its present form, the law doesn't specifically require medicinal marijuana users to obtain a state permit to possess the drug. Instead, the law permits marijuana users who are arrested to raise medical necessity as a defense in court, even though they haven't applied for a permit.

Oregon law enforcement officers have argued that the law is virtually impossible to enforce because of that feature.

At the request of the Oregon Association of Chiefs of Police, Rep. Kevin Mannix, R-Salem, has introduced House Bill 3052, which would remove the affirmative defense provision of the law.

Mannix's bill also would eliminate a requirement that law enforcement officers return marijuana seized from people who are authorized to possess it under the act. The measure is in the House Judiciary Committee.

MERLE HAGGARD STILL CALLS THE TUNE

When Merle Haggard released "Okie from Muskogee" 30 years ago, the song made him a right-wing hero. Issued at the height of the Vietnam War protests, it won him praise from conservatives for the line "We don't smoke marijuana in Muskogee/ We don't take our trips on LSD." Haggard always said the hoopla was overplayed, claiming he intended the song as a kind of jest. And, today, this country legend cum rugged individualist says that conservatives - especially the anti-marijuana forces - have gone too far. "America has sure gone to some sort of a police state in the last 10 years," says Haggard, who is at the Flynn Theatre in Burlington, Vt., tomorrow and Lowell Memorial Auditorium on Sunday. He hasn't played in New England since 1990, mainly because the region used to serve as a connecting stop for his tours of Canada, which he has cut out temporarily. He says he's sick of the US "zero tolerance" laws, which make reentering the States an indignity. "If they find a seed of marijuana in your car or bus, they'll run it all over the news," says Haggard, speaking from his home in northern California. "I've got 30 people working for me. There is liable to be a seed of marijuana, so it makes it very uninviting to go into Canada, knowing that the United States is going to harass you coming back. "They snatched some buses from people I won't name, and buses are not cheap," he adds, referring to the US customs officials. "It costs us seven or eight years of our lives to pay for these buses, and they just take 'em. Like I say, you can't personally shake people down that work for you. I'm not going to do that. You don't know who's doing what and who isn't, but [the police] come on and this 'zero tolerance' thing they've got going is really amazing. They've got private enterprise building prisons now. It's scary. It's overkill." Maybe Haggard could do a solo acoustic "unplugged" tour instead. "That's not a bad idea. Yeah, they won't have nothin' to search," snaps Haggard, a grizzled 61-year-old (alias "The Hag") who is loaded with strong opinions and enjoys being cast as a proverbial outsider.

Marijuana law is proving to be a pain

Friday, May 7 1999
The Oregonian
by Patrick O'Neill, The Oregonian staff

Sufferers who want to try Oregon's new program find it hard to get a doctor's approval on the drug.

Lil Dunham will try just about anything to make the pain go away. During the past few years, the discs that cushion the bones in her spine have collapsed. Now those bones feel as though they're scraping each other. And the pain is excruciating.

Dunham says neither her primary physician nor a pain specialist has been able to bring her much comfort.

"My life is just kind of miserable," she said. Dunham, who loves to garden, hasn't been able to get out of her tidy mobile home much in the past three years.

The 80-year-old Newberg woman said she's even ready to try smoking marijuana if that would help. After all, a new Oregon law allows her to use the drug.

But she's run into two big problems:

- She can't find a doctor who'll approve marijuana as a treatment. The law requires a doctor's permission for a patient to join the program.
- She doesn't have any idea where to get marijuana.

Those two difficulties are proving to be a brick wall for many Oregonians who would like to join the state's medical marijuana program. Dunham is one of more than 250 people who have telephoned the Oregon Health Division's Medical Marijuana Program since it officially opened for business on Monday.

Kelly Paige, who manages the program, is stunned by the volume of calls. "It takes me two hours every day just to collect the voice-mail messages," she said. Paige said Dunham's complaints are common to many.

"Some people are having difficulty finding a physician to work with," she said. "Some ask, 'Where do I get the seeds to start growing marijuana?'"

Paige's hands are tied. Her office doesn't keep a list of doctors who would authorize marijuana for patients. And as for finding the marijuana, patients are on their own.

Under Oregon law, medicinal marijuana users face a kind of Catch-22. On one hand, state law permits people who have debilitating medical conditions to use marijuana. On the other, it bans the sale of marijuana.

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Stop Arresting Adult Marijuana Users! WASHINGTON CANNABIS TAX ACT

INITIATIVE PETITION FOR SUBMISSION TO THE PEOPLE

To: The Honorable Ralph Munro,
Secretary of State of the
State of Washington:

We, the undersigned citizens of the state of Washington, and legal voters of the respective city, town or county set opposite our names, respectfully direct that this petition and the proposed measure known as Initiative No.229 entitled: "Shall the cultivation and use of cannabis (marijuana) be legalized, and shall cannabis be sold, taxed, and regulated by a cannabis and liquor control commission"

A full, true and correct copy of which is printed on the reverse side of this petition, be submitted to the legislature of the State of Washington at its next ensuing regular session be submitted to the legislature, and we respectfully petition the legislature to enact said proposed measure into law; and each of us for himself or herself says:
I have personally signed this petition, I am a legal voter in the State of Washington in the city (or town) and country written after my name, my residence address is correct, and I have knowingly signed this petition only once.

BALOT TITLE
Shall the cultivation and use of cannabis (marijuana) be legalized, and shall cannabis be sold, taxed, and regulated by a cannabis and liquor control commission?

Vote Yes on 229

- **Protect children!** This is the real "Protect Our Children" initiative. The Washington Cannabis Tax Act (WCTA) will take the lucrative marijuana market out of the criminal element where children and substance abusers often control it today, and place it in state liquor stores, where the age limit of 21 and older is strictly enforced.
- **Help farmers!** We will license farmers to cultivate cannabis for both medicinal and adult private use. Farmers will be able to grow industrial hemp without a license, for paper, fabric, protein and oil.
- **Fix the problems cause by the I-695.** This will allow doctors to prescribe untaxed cannabis through pharmacies, so patients won't have to grow their own.
- **Raise millions of dollars in new public revenue,** lowering the tax burden on us all and saving you money. Take the profit out of crime. Save money.
- **Restore industrial hemp,** the most productive agricultural source of fiber protein and oil.
- **Wipe out the black-market.** The WCTA allows police and the courts to concentrate on real criminals that hurt others, not arrest, prosecute and jail harmless, productive adult cannabis users and tear families apart.

INIATIVE 229 OFFICIAL BALLOT SUMMARY

"Ballot Measure Summary: This measure would authorize a cannabis and liquor control commission to license the cultivation and processing of cannabis (marijuana). The commission would regulate production and would sell cannabis for both medical and non-medical purposes. The purchase, cultivation of up to seven plants, and use of cannabis would generally be legal for a person over 21. Driving under the influence of cannabis would remain a crime. Illegal cultivation or sale of cannabis would be a crime."

PETITIONER'S SIGNATURE	PRINT NAME HERE For positive identification	ADDRESS WHERE REGISTERED TO VOTE	CITY OR TOWN	ZIP CODE	COUNTY	PHONE	VOLUNTEER
1)							
2)							
3)							
4)							
5)							
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20)							

Warning: Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of the petitions, or who signs this petition when he or she is not a legal voter, or who makes any false statement on this petition, shall be punished by fine or imprisonment or both.

The Oregon Cannabis Tax Act

Call us to get our Oregon petition!
503-235-4606

Whereas the people of the State of Oregon find that Cannabis hemp is an environmentally beneficial crop that:

- (a) Yields several times more fiber, for paper and textiles, and healthier protein and oil than any other plant;
- (b) Yields cloth and paper of superior strength and durability without the application of pesticides during cultivation and without producing cancer-causing pollutants during processing;
- (c) Yields more biomass than any other plant outside the tropics, though it grows well in the tropics too, and grows faster than any other plant on earth in the temperate and cooler climates;
- (d) Yields a substance that relieves the suffering of many ill people without life-threatening side effects; and,

Whereas the people find that federal and corporate misinformation campaigns that economically benefit small groups of people have suppressed the information above and the fact that:

- (a) George Washington grew cannabis for more than 30 years and, while he was President, said, "the artificial preparation of hemp is really a curiosity" and told his Secretary of the Treasury, Alexander Hamilton, that he was, "suggesting the policy of encouraging the growth of Hemp";
- (b) Thomas Jefferson invented a device to process cannabis, and cannabis fiber was used for most clothing and paper production until the invention of the cotton gin;
- (c) Gouverneur Morris of Pennsylvania, who spoke at the U.S. Constitutional Convention in 1787 more than any other delegate and of whom James Madison said, "the style and finish of the Constitution properly belongs to the pen of Gouverneur Morris," wrote a paper he sent to Thomas Jefferson called, "Notes Respecting Tobacco" that compared cannabis and tobacco and concluded that cannabis "is to be preferred"; and,

Whereas the people find that cannabis is Oregon's largest cash crop, indicating that cannabis prohibition has failed; and

Whereas the people find that, despite misinformation concocted to justify cannabis prohibition, the courts of Alaska, Hawaii and Michigan have noted presidential commission findings, scientific studies, and learned treatises which:

- (a) Characterize cannabis as a relatively nonaddictive and comparatively harmless euphoriant used and cultivated for more than 10,000 years without a single lethal overdose;
- (b) Demonstrate that moderate cannabis intoxication causes very little impairment of psychomotor functions; reveal no significant physical, biochemical, or mental abnormalities attributable solely to cannabis use; and that long-term, heavy cannabis users do not deviate significantly from their social peers in terms of mental function;
- (c) Disprove the "stepping stone" or "gateway drug" argument that cannabis use leads to other drugs; rather, that lies taught about cannabis, once discovered, destroy the credibility of valid educational messages about moderate and responsible use and valid warnings against other truly dangerous drugs;
- (d) Indicate that cannabis users are less likely to commit violent acts than alcohol users, refute the argument that cannabis causes criminal behavior, and suggest that most users avoid aggressive behavior, even in the face of provocation; and
- (e) Declare that cannabis use does not constitute a public health problem of any significant dimension; finds no rational basis for treating cannabis as more dangerous than alcohol; and

Whereas the people of the State of Oregon find that cannabis does not cause the social ills that its prohibition was intended to guard against; rather, that most of the social ills attributed to cannabis result from its unreasonable prohibition which:

- (a) Provides incentives to traffic in marijuana instead of limiting its prevalence, since almost all cannabis users evade the prohibition, even though drastically expanding public safety budgets have reduced funding for their vital services such as education;
- (b) Fosters a black market that exploits children, provides an economic subsidy for gangs, and sells cannabis of questionable purity and uncertain potency;
- (c) Generates enormous, untaxed, illicit profits that debase our economy and corrupt our justice system; and,
- (d) Wastes police resources, clogs our courts, and drains the public budget to no good effect; and, Whereas, the people recall that alcohol prohibition had caused many of the same social ills before being replaced by regulatory laws which, ever since, have granted alcohol users the privilege of buying alcohol from state licensees, imposed strict penalties protecting children, delivered alcohol of sure potency, and generated substantial public revenues; and, Whereas the people hold that cannabis prohibition is a summary law of a nature repugnant to our constitution's framers and which is so unreasonable and ilberticidal as to:

- (a) Arbitrarily violate the rights of cannabis users to be secure against unreasonable search and seizure as guaranteed to them by Article 1, Section 9 of the Oregon Constitution;
- (b) Unreasonably impose felony burdens on the cannabis users while the state grants special privileges to alcohol users, which violates Article 1, Section 20 of the Oregon Constitution;
- (c) Unnecessarily proscribe consumption of an "herb bearing seed" given to humanity in Genesis 1:29, thereby violating their unqualified religious rights under Article 1, Section 3 and their Natural Rights under Article 1, Section 33 of the Oregon Constitution;
- (d) Violates the individual's right to privacy and numerous other Natural and Constitutional Rights reserved to the people under Article 1, Section 33 of the Oregon Constitution;

Ballot title written by Oregon Attorney General

PERMITS SALE OF MARIJUANA TO ADULTS THROUGH STATE LIQUOR STORES

RESULTS OF "YES" VOTE: "Yes" vote permits state-licensed cultivation, sale of marijuana for medical purposes and to adults.
RESULTS OF "NO" VOTE: "No" vote remains present prohibition on adult possession, cultivation and sale of marijuana.

SUMMARY:

Replaces state and local laws on marijuana. Directs OLCC to license marijuana cultivation by qualified persons, purchase entire crop, sell marijuana at cost for medical purposes and to qualified adults for profit through liquor stores. Ninety percent of proceeds after listed expenses go to state general fund; eight percent to drug treatment; one percent to drug education; one percent to promote allowed Oregon hemp fiber, protein and oil agriculture and industries., ban consumption by minors and public consumption. Provides criminal for violations. Other changes

- (e) Violates the state's right to regulate and tax an intoxicant market as reserved to states under the 10th Amendment of the U.S. Constitution, thereby abdicating control to illicit markets; and,
 - (f) Irrationally subvert the ends to which, in its Preamble, the Oregon Constitution was ordained and the purposes, in Article 1, Section 1, for which our government was instituted; now,
- Therefore, the people find that the constitutional ends of justice, order, and the perpetuation of liberty; the governmental purposes of preserving the peace, safety, and happiness of the people; and the vitality of the other constitutional provisions cited above, demand the replacement of a costly, self-defeating prohibition with regulatory laws controlling cannabis cultivation, potency, sale, and use; defining and prohibiting cannabis abuse; protecting children with a comprehensive drug education program and strict penalties for the sale or provision of cannabis to minors; funding a state drug abuse treatment program; and raising substantial revenue for public use.
- Wherefore, be it enacted by the people of the state of Oregon, the laws relating to cannabis are revised as follows:

Section 1. This Act shall operate uniformly throughout Oregon and fully replace and supersede all statutes, municipal charter enactments, and local ordinances relating to cannabis, except those relating to operating a motor vehicle while intoxicated. The name of the Oregon Liquor Control Commission is hereby changed to the Oregon Cannabis & Liquor Control Commission. This Act is a scientific experiment by the people of the state of Oregon to lower the misuse of, illicit traffic in and harm associated with cannabis and will set up voluntary studies of cannabis users under ORS 474.045 (b) and other studies.

Section 2. Section 3 of this Act creates an ORS chapter 474 titled the "Oregon Cannabis Tax Act." Legislative Counsel shall move and renumber existing provisions of chapter 474.

Section 3. 474.005 Definitions. As used in this chapter:

- (1) "Abuse" means repetitive or excessive drug use such that the individual fails to fulfill a statutory or common law duty, including but not limited to the duties owed by parents to children, by motorists to pedestrians and other motorists, and by employees to employers, fellow employees, and the public.
- (2) "Cannabis" means the flowering tops and all parts, derivatives, or preparations of the cannabis plant, also known as "marijuana," containing cannabinoids in concentrations established by the commission to be psychoactive, but does not include "hemp" as defined by ORS 474.005(5).
- (3) "Commission" means the Oregon Cannabis & Liquor Control Commission, or OCLCC, formerly the Oregon Liquor Control Commission.
- (4) "Cultivation" means growing the cannabis plant.
- (5) "Hemp" means the seeds, stems, and stalks of the cannabis plant, and all other parts, products, and byproducts of the cannabis plant not containing cannabinoids in concentrations established by the commission to be psychoactive. Seeds and stalks of all cannabis strains shall be considered hemp.
- (6) "Person" means a natural individual or corporate entity of any kind whatsoever.

474.015 Short Title. This chapter may be cited as the "Oregon Cannabis Tax Act."

474.025 Purpose of the Oregon Cannabis Tax Act. This chapter shall be liberally construed so as to minimize the misuse and abuse of cannabis; to prevent the illicit sale or provision of cannabis to minors; and to protect the peace, safety, and happiness of Oregonians while preserving the largest measure of liberty consistent with the above purposes.

474.035 Powers and duties of the commission, licensees for cultivation and processing. Hemp fiber, protein, oil not regulated. (1) The commission shall have the powers necessary to carry out the provisions of this chapter. It shall make such rules and regulations as will discourage and minimize the diversion of cannabis to illicit sale or use within the state, the illicit importation and sale of cannabis cultivated or processed outside the state, and the illicit export or removal of cannabis from the state. The commission's jurisdiction shall extend to any person licensed under this chapter to cultivate or process cannabis, but shall not extend to any person who manufactures products from hemp. Hemp production for fiber, protein and oil shall be allowed without regulation, license or fee. No federal license shall be required to cultivate hemp in Oregon.

- (2) The commission shall issue to any qualified applicant a license to cultivate cannabis for sale to the commission. The license shall specify the areas, plots, and extent of lands to be cultivated. The commission shall equitably apportion the purchase of cannabis among all licensees. The commission shall purchase and sell cannabis products of the quality and grade set by market demand.
- (3) The commission shall issue licenses to process cannabis to qualified applicants who submit successful bids. Licensed processors shall, as specified by the commission, contract, cure, extract, refine, mix, and package the entire cannabis crop and deliver it to the commission's physical possession as soon as possible, but not later than four months after harvest.
- 474.045 Commission to sell cannabis at cost for medical purposes. The Commission shall sell cannabis at cost, including OCLCC expenses: (a) To Oregon and other states' pharmacies for use under a physician's order for glaucoma, nausea related to chemotherapy, AIDS, or any other condition for which a physician finds cannabis to be an effective treatment; and,
- (b) To recognized Oregon medical research facilities for use in research directed toward expanding medical and sociological knowledge of the composition, effects, uses, and abuse of cannabis, to include studies of cannabis purchasers voluntarily participating through OCLCC stores under ORS 474.055.

- 474.055 Commission to set price and sell through OCLCC stores. The commission shall sell cannabis through OCLCC stores and shall set the retail price of cannabis to generate profits for revenue to be applied to the purposes noted in ORS chapter 474 and to minimize incentives to purchase cannabis elsewhere, to purchase cannabis for resale or for removal to other states.
- 474.065 Qualifications of purchasers and licensees, effect of conviction. To be qualified to purchase, cultivate, or process cannabis, a person must be over 21 years of age and not have been convicted of sale of cannabis to minors or convicted under this chapter of unlicensed cultivation or sale of cannabis.
- (2) Conviction for cultivation or sale of cannabis to other than minors, when committed prior to the effective date of this chapter, shall not be grounds for denial of an application for a license under this chapter.

- 474.075 Disposition of license fees and profits from sale of cannabis by state. (1) The commission shall collect license fees which shall be calculated and continually appropriated to defray the commission's administrative costs of issuing licenses under this chapter and the Attorney General's costs of litigation in defense of the validity of this chapter's provisions and in defense of persons subjected to criminal or civil liability for actions licensed or required under this chapter.
- (2) All money from the sale of cannabis shall be remitted to the State Treasurer for credit to a cannabis account, from which sufficient money shall be continually appropriated:

- (a) To reimburse the commission for the costs of purchasing, processing, testing, grading, shipping, and selling cannabis; of regulating, inspecting, and auditing licensees; and of research studies required by this chapter; and,
- (b) To reimburse the Attorney General's office for costs of enforcing this chapter's criminal provisions.
- (c) To reimburse OCLCC contractors for their expenses and labor with 15 percent of gross sales.
- (3) All money remaining in the cannabis account after reimbursement of the related commission and Attorney General costs shall be profits which the State Treasurer shall distribute quarterly as follows:

- (a) Ninety percent shall be credited to the state's general fund to finance state programs.
- (b) Eight percent shall be credited to the Department of Human Resources and shall be continually appropriated to fund various drug abuse treatment programs on demand.
- (c) One percent shall be credited to create and fund an agricultural state committee for the promotion of Oregon hemp fiber, protein and oil crops and associated industries.
- (d) One percent shall be distributed to the state's school districts, appropriated by enrollment, and shall be continually appropriated to fund a drug education program which shall:
- (1) Emphasize a citizen's rights and duties under our social compact and to explain to students how drug abusers might injure the rights of others by failing to fulfill such duties;

(1) Persuade students to decline to consume intoxicants by providing them with accurate information about the threat intoxicants pose to their mental and physical development; and,

(11) Persuade students that if, as adults, they choose to consume intoxicants, they must nevertheless responsibly fulfill all duties they owe others. 474.085 Commission to establish psychoactive concentrations of cannabinoids. The commission, based on findings made in consultation with the Board of Pharmacy and cannabis and hemp farmers to cannabinoid and cannabidiol concentrations which produce intoxication, the economics of residual cannabis extraction, and strains of hemp that produce better quality and quantity of fiber, protein and oil, shall establish reasonable concentrations of cannabinoids deemed psychoactive under this chapter.

474.095 Commission to set standards, test purity, grade potency of cannabis, label contents.

(1) The commission, in consultation with the State Board of Pharmacy, shall set standards which the commission shall apply:

- (a) To test and reject cannabis containing adulterants in concentrations known to harm people; and,
- (b) To grade cannabis potency by measuring the concentrations of psychoactive cannabinoids it contains.

(2) The commission shall affix to cannabis packages a label which shall bear the state seal, a certification of purity, a grade of potency, the date of harvest, a warning as to the potential for abuse, and notice of laws prohibiting resale, removal from the state, public consumption, and provision and sale to minors.

474.105 Commission may limit purchases. The commission may limit the quantity of cannabis purchased by a person at one time or over any length of time and may refuse to sell cannabis to any person who violates this chapter's provisions or abuses cannabis within the meaning of ORS 474.005(1). The commission will require persons convicted of violating this act, any criminal statute while under the influence of cannabis, or neglecting any statutory or common-law duty by reason of cannabis intoxication or abuse, to complete a program prior to reinstating their privilege to purchase cannabis.

474.115 Unlicensed cultivation for sale, removal from the state, penalties. Cultivation for sale, removal from the state for sale, and sale of cannabis, without commission authority, shall be Class C felonies, and removal from the state of cannabis for other than sale shall be a Class A misdemeanor.

474.125 Sale or provision to minors, penalties, exception. The sale of cannabis to minors shall be a Class B felony, and gratuitous provision of cannabis to minors shall be a Class A misdemeanor, except when to a minor over 18 years of age under the same conditions provided by ORS 471.030(1) for alcohol.

474.135 Fine as additional penalty. In addition to other penalties and in lieu of any civil remedy, conviction of sale or unlicensed cultivation for sale under ORS 474.115 or 474.125 shall be punishable by a fine which the court shall determine will deprive an offender of any profits from the criminal activity.

474.145 Acquisition by minors, penalty. Except as provided by ORS 474.125, the purchase, attempt to purchase, possession, or acquisition of cannabis by a person under 21 years of age shall be a violation punishable by a fine of not more than \$250.

474.155 Public consumption prohibited, penalty, exception. Except where prominent signs permit and minors are neither admitted nor employed, public consumption of cannabis shall be a violation punishable by a fine of not more than \$250.

474.205 Commission to study methods of use, potential for abuse, establish cannabis levels for presumption of intoxication. The commission, in consultation with the Board of Pharmacy and by grants to accredited research facilities, shall:

- (a) Study methods of use and the potential for, and ill effects of, abuse of cannabis, the possible damage of throat and lungs from inhaling cannabis smoke, less harmful methods of administration, including but not limited to filtration of smoke and non-combustive vaporization of the psychoactive agents in cannabis, and shall report its findings in pamphlets distributed at OCLCC stores; and,
- (b) Study cannabis intoxication and, if practicable, shall establish by rule levels of impairment above which a person shall be presumed intoxicated.

474.215 Presumption of negligence. In civil cases, a rebuttable presumption of negligence shall arise upon clear and convincing evidence that a person is found to be intoxicated at the time of an accident and if the person's actions materially contributed to the cause of injury.

474.305 Disclosure of names and addresses prohibited. Information on applicants, licensees, and purchasers under this chapter shall not be disclosed except upon the person's request.

474.315 Attorney General's duties. The Attorney General shall vigorously defend this Act and any person prosecuted for acts licensed under this chapter, propose a federal and/or international act to remove impediments to this chapter, deliver the proposed federal and/or international act to each member of Congress and/or international organization, and urge adoption of the proposed federal and/or international act through all legal and appropriate means.

474.325 Effect. This Act shall take effect on January 1, 2001. Any section of this Act being held invalid as to any person or circumstance shall not affect the application of any other section of this Act that can be given full or partial effect without the invalid section or application. If any law or entity of any type whatsoever is held to impede this chapter's full effect, unimpeded provisions shall remain in effect and the impeded provisions shall regain effect upon the impediments removal.

Hemp for Health

Hemp seed oil may not be a miracle cure, but it sure is good for you.

by Gretchen Van-Monette
6/30/99

Over the centuries, hemp seeds and their oil have been recognized by various cultures as an effective herbal treatment for a variety of ailments, from constipation to PMS.

Today, research shows that hemp seed oil can have therapeutic benefits, including possibly reducing heart disease and cholesterol. "Hemp seed oil is starting to take its place as the most beneficial of all natural oils available today," says Tim Neal of Ferndale-based Great Lakes Hemp. Whether or not that's true, hemp seeds do offer some extremely important "good" fats: They contain essential fatty acids (EFAs), which is another term for the "good" polyunsaturated fats, says John Staines, vice president of Hempola, a hemp company near Toronto.

The three main EFAs are Omega 6 (linolenic acid), Omega 3 (alpha linolenic acid) and GLA (gamma linolenic acid). One hemp seed contains as much as 60 percent Omega 6, 25 percent Omega 3 and 4 percent GLA.

These "good" fats have reported therapeutic effects in treatments for acne, arthritis, some cancers, cholesterol, PMS and some heart conditions.

While there are other sources of EFAs, such as flax and canola oil, hemp seed oil provides the body with a broad spectrum of EFAs, says Dr. Joel Casman, a naturopathic doctor based in Southfield. "Hemp has a nice equal division of the Omegas, which is one advantage that hemp seed oil has over the other oils," he says.

Hemp seed oil also has high amounts of vitamin E, calcium, magnesium and potassium. Staines suggests taking a tablespoon of the oil every day to ward off osteoporosis and to help clean out the arteries.

"Hemp seeds and their oils are going to be the vitamins of the 21st century."

"Think of hemp seed oil as the anti-cholesterol oil," Staines says. David Klurfeld, chair of the nutrition and food science department at Wayne State University, agrees.

"Hemp seed oil has a very good ratio of Omega 3s and 6s, and these offer some of the better fats for reducing cholesterol," even if science doesn't quite understand how, he says.

One problem with hemp seed oil, Klurfeld notes, is that "hemp seed oil is like poppy seeds on a bagel — consuming it can get a false-positive drug test."

Essential fatty acids are sorely missing from most American diets, says John Roulac, co-author of *Hemp Foods and Oils for Health* (Hemptech, \$6.95, 62 pp.). Since human bodies can't make EFAs, we need to eat them. Hemp seed oil and seeds can be combined into many foods and supplements, Roulac says.

One of his projects is Nutiva, a hemp food line of his California-based company, Hemptech. The company has had a good response to its first food venture, a candy bar

made with hemp, flax, pumpkin and sunflower seeds held together with honey. In the first 90 days, they sold more than 30,000 bars. A new Nutiva organic hemp chocolate bar will be coming out soon. "Hemp seeds and their oils are going to be the vitamins of the 21st century," predicts Roulac. According to Morton Genser, co-director for the Great Lakes region of the Institute for Plant-Based Nutrition, hemp will be a major food product in the next millennium. "I have no doubt that hemp is the tree of life," he says. Hemp seed oil can be found at Good Food Company, Troy, Nutri-Foods in Royal Oak and various Merchants of Vino-Whole Foods locations. Great Lakes Hemp, Ferndale, 248-546-6117, carries hemp seeds, oils and hemp snacks.



CRRH Director, D. Paul Stanford, inspects the 1998 Swiss Marijuana Harvest

SILVER BULLET OR POISON CHALICE: THE BIOWAR AGAINST DRUGS

June, 1999
Scientific American

"Note: This short article appeared as a side bar on a longer article, "Biological Warfare Against Crops," by Paul Rogers, Simon Whitby, & Malcolm Dundo, all biological warfare experts from Bradford University in England." Last year the U.S. Congress approved a \$23-million antidrug program that includes research on plant pathogens. Among the target plants are those that produce narcotics such as cocaine, heroin and marijuana. Advocates of the program hail it as a potential breakthrough. Representative Bill McCollum of Florida, one of the co-sponsors of the legislation, said, "All of the indications are that this has the potential for making a big difference in the drug war.... This could be the silver bullet." Article I of the 1972 Biological and Toxin Weapons Convention (BTWC) bans the development, production and stockpiling of biological agents intended "for hostile purposes or in armed conflict." Also outlawed are biological weapons "that have no justification for prophylactic, protective or other peaceful purposes." Proponents of the use of plant pathogens against drug crops therefore point out that they would be used in cooperative programs with states in which the drugs are produced. Opponents of the plans have three concerns. One is that induced epidemics might, in some circumstances, spread to other plants.

Another is that plant pathogens could be used in drug-producing regions without the consent of the state in question. Whereas such use might be popular with antidrug agencies, it would almost certainly breach the BTWC and also set a dangerous precedent. The greatest concern, however, is that the development of a capability to destroy drug crops with plant pathogens will inevitably provide a wealth of knowledge and practical experience that could readily be applied in much more aggressive, offensive biological warfare targeting food crops.

Hemp laws are proving to be a pain too

The federal government is investigating ending the ban on industrial hemp. "This review is based on the premise that public and commercial interest may be better served if the cultivation of Cannabis sativa L., hemp is authorized by the appropriate Federal and State entities."

Discussions, which have included DEA drug czar Barry McCaffrey, are apparently at a delicate stage. "We're making good progress," Scholtz said. "We had talks with General McCaffrey recently, but I don't want to make a comment on that right now." The review is still in progress, DEA spokeswoman Rogene Wade confirmed yesterday. "The DEA is reviewing the security issue that would be associated with the manufacture (of hemp)," she said. The agency is looking at the types of data that would be required for licensure, she said. It is not actually illegal to grow hemp (or marijuana, for that matter); you just need a federal license to do it. But, say hemp activists, you can't get a license.

That's what states ready to grow hemp hope will change soon. The fight in other states has not been easy. In Hawaii, Thielen said, the police lobby tried to kill the bill. "Practically all of the legislators were not aware of the distinction between the plants," she said.

In Oregon, pro-hemp legislation was killed out of "ignorance," said state Rep. Floyd Prozanski. In Oregon, hemp could become a renewable source of paper pulp. "In some states, they know it's rope, not dope. Other states are pigeonholed. The DEA's going to have to come around." There are further signs that may be happening. The DEA stopped arguing that hemp cannot be distinguished in the field from marijuana. "That's been pretty much shot down," Scholtz said. It's grown in 33 countries, including Canada, largely without law enforcement difficulties, he said.

Manufacturers have found plenty of uses for hemp — the Kentucky Hemp Museum displays dozens of modern products ranging from feed to clothing to fiberboard to lip balm. "You can eat it, wear it and live in it," said Jake Graves, the Fayette County farmer and chairman of the Kentucky Hemp Museum board. Whether there would be any money in it is something economists do not agree on. One University of Kentucky study found there would be little market for a Kentucky-grown product in a market flooded with cheap, foreign hemp. But another UK study last year estimated Kentucky farmers could make up to \$600 an acre. Canadian farmers are clearing \$300 an acre in profit, said North Dakota Rep. David Monson, who sponsored that state's bill. Monson pointed out that until the federal government lets them, North Dakota farmers can't grow hemp either. "I'd say there's a fairly decent possibility that it could happen next year," Monson said. "North Dakota is behind that all the way from the grass-roots to our governor." Now, he said, other states need to get involved. "If every state would do it, the federal government couldn't ignore it," he said. "Every time a state introduces legislation, it goes a step farther."

WHAT'S THE DIFFERENCE?

Is there a difference between hemp and marijuana or is it all cannabis sativa? "Yes, there's a difference," said Scott Smith, UK agriculture associate dean, "in terms of the active ingredient, THC. "Botanically, they're the same species of plant ... but very different varieties." Industrial hemp contains less than 1 percent THC, while marijuana varieties typically have 5 to 20 percent. There are also differences in how hemp is grown and harvested. So, no matter how much you eat or smoke hemp products, you can't get high.

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Deja Vu: Washington State Liquor Control Board 65th Anniversary

The following is the foreword inscription from the Washington State Liquor Act written in January of 1934 by then governor Clarence D. Martin to the newly appointed Washington State Liquor Control Board members. This was his interpretation of the purpose and spirit of the state liquor plan. His inspiring words and lofty ideals makes one reflect on how far we have come and yet how similar things are today. "The importance of the Washington State Liquor Act is in that it is supposed to be conducive to temperance. It is not the purpose of this law to encourage anything other than temperance. Unlike many other businesses, you are not expected to promote sales. Instead of promoting the sale of liquor, you want to discourage the sale and use of liquor. Your function is only to make good liquor available to the people under proper conditions. You will, however, have opposition and obstruction. But this opposition will not come from the general run of the people, who seemingly are disposed to give this system a fair trial. The opposition and obstruction will come from those who want to profit from this law or from the liquor traffic. In other words, no matter how it may look on the surface, investigation will trace the objections to profiteers, bootleggers and racketeers. I mention this because I know what is behind and in the minds of those who would undermine us and destroy the public faith in state control. We must remember that the liquor traffic lends itself to racketeering and corruption. So it is up to us to be on guard and to keep ourselves clean. Let it not be said that any of us lended himself to any questionable act or purpose. Let us take the people into our confidence and the people will sustain and uphold the system of state control. Let us remember, too, that the Washington State Liquor Act is an experiment. This law is not perfect and no one offers it as such. It will be up to you to administer it capably and practically, and undoubtedly, as time goes on, experience itself will dictate some changes as necessary. Not only should you administer the law as you find it, but also you should be watchful for betterments and improvements in accordance with the wishes of the people that the legislature may give from time to time. Finally, gentlemen, your problems are great --- no commission of Washington has been given greater responsibility. You have no pattern to follow. You must chart a new course. It is your duty to sense what the people want, and give it to them in so far as it is permitted under this law. If you give the people that sort of an administration, the people will be satisfied. I feel we are entering on one of the most momentous problems this state has ever undertaken. Success or failure will depend on you and me. We will be held accountable if we fail. We cannot ignore the responsibility, we cannot shirk the responsibility, and I know you are willing to join me in shouldering the responsibility. Yet it is heartening to know that the people trust us and expect us to do a good job. Let us not fail that trust." Even after all these years we still face the same oppositions and still manage to maintain the spirit of governor Martin's original hopes for the liquor board. On March 31st, 1934 the first four stores opened, two in Seattle, one in Spokane and one in Tacoma. By the end of that year 46 stores were open for business showing a net profit of \$922,037.22. In addition to the 46 stores, 105 agencies also opened. By 1960 there were 86 stores and 160 agencies, with a net profit of \$31,427,201.78. At the end of fiscal year 1997 there were 155 stores and 159 agencies, with a net profit of \$173,449,717.92. For the past 65 years the Liquor Control Board has been responsible for the sale and distribution of alcohol beverages. This is accomplished through a controlled distribution system, merchandising, education, enforcement, and licensing. To further assist enforcement efforts, the Alcohol Awareness Program was developed in 1992. The first of its kind, this program has taken great strides in working with communities and organizations to promote awareness of the issues [that] surround alcohol. The Liquor Control Board also enforces the tobacco laws covering retail and wholesale licensing, sales to minors, vending machine sales, sampling, and illegal cigarette sales and possession. The Liquor Control Board is an organization committed to customer service and dedicated to diversity and partnership that encourages active participation from the public, its employees and stakeholders. The Board's mission is to serve the public by preventing misuse of tobacco through education, enforcement, and controlled distribution.

Medical Marijuana

con't from page 2

Supporters of the medicinal marijuana law have said they expect that people who previously used marijuana illegally will give plants to patients free of charge.

But Dunham, who's smoked cigarettes, says she's never used marijuana before and doesn't know anybody who does -- either legally or illegally.

New guidelines may help Dr. Rick Bayer, a physician who was a principal sponsor of the medicinal marijuana act, said he thinks doctors will become more willing to participate when they learn about the guidelines issued by the Oregon Medical Association.

The association published guidelines in late April outlining ways that doctors can help patients participate in the law without running afoul of federal drug regulations. Bayer also expects that it will become easier in the future for patients to obtain marijuana by joining support groups for cancer and pain.

Jim Kronenberg, associate executive director of the OMA, said even doctors who think marijuana might be beneficial will be cautious in recommending its use. While using medicinal marijuana is legal under Oregon law, it's still illegal under federal law. And the federal government, through the Drug Enforcement Administration, regulates doctors' prescription privileges. Doctors can't prescribe it Under the new law, doctors don't prescribe marijuana. They only note on a patient's chart that marijuana might help the symptoms.

Patients like Dunham are left to fend for themselves. And while Paige is sympathetic, she can't help.

"Your heart goes out to them," Paige said. "They've been on every painkiller there is, and none of them work."

Callers who leave their names and addresses on Paige's answering machine will receive an application packet with a copy of the medicinal marijuana act, the Health Division's rules, application forms and the guidelines for filling them out.

Callers are from all walks of life, Paige said. "Some people are still able to work, some are disabled completely. Some are people who thought they'd never get involved with this (marijuana) -- law enforcement and corrections officers and people who have been in the military."

Patients at the Portland Veterans Affairs Medical Center face a special barrier. Because the federal government views marijuana as an illegal drug, doctors there can't approve its use.

Meanwhile, Dunham questions the hurdles put up by the law.

"It's not fair," Dunham said. "I want it for pain. I don't want it for enjoyment like the young people do. Doctors are so fussy about your getting addicted. And so what if I did, at 80 years old?"

Doubling of Prison Population has U.S. on Track to be Leading Jailer

WASHINGTON (AP)-- The number of American adults imprisoned has more than doubled over the past 12 years, reaching its highest level ever last year, the Justice Department said Sunday. The United States soon may surpass Russia as the country with the highest rate of incarceration.

At mid-1998, jails and prisons held an estimated 1.8 million people, according to a Bureau of Justice Statistics report. At the end of 1985, the figure was 744,208.

Viewed another way, there were 668 inmates for every 100,000 U.S. residents as of June 1998, compared with 313 inmates per 100,000 people in 1985.

In Russia, 685 people out of every 100,000 are behind bars, according to The Sentencing Project, a U.S. group critical of the general trend toward tougher sentencing of American criminals.

A planned amnesty of 100,000 prisoners in Russia and the expectation of continued increases in the U.S. inmate population means the United States probably will become the world's leading jailer "in a year or two," said Jenni Gainsborough, a Sentencing Project spokeswoman.

The number of people imprisoned in the United States has grown for more than a quarter-century, helped by increased drug prosecutions and a general get-tough policy on all classes of offenders. More criminals serving longer sentences led the inmate population to top 1 million in 1990; it has continued to rise.

About two-thirds of the nation's inmates are in state and federal prisons; the remaining one-third are in local jails. Prisons generally hold convicted criminals sentenced to terms longer than 1 year, while jails typically keep those awaiting trial and those sentenced to 12 months or less.

In the June 1998 Justice Department survey, 1.2 million people were held in prisons, while local jails held about 600,000 men and women. Local jails also supervised more than 72,000 people under various outside work, treatment or home detention programs.

The survey showed the total number of people behind bars grew by 4.4 percent from June 1997.

Between the end of 1990 and mid-1998, the incarcerated population grew an average 6.2 percent annually, said the report's author, statistician Darrel Gilliard.

Although the total growth rate was slower last year, Gilliard said the difference is not statistically significant.

"The numbers have been pretty steady throughout the 1990's, with a pretty steady increase every year," he said.

Gilliard's report showed the number of inmates in state prisons grew 4.1 percent last year; the number in federal prisons grew 8.3 percent; and the number in local jails grew 4.5 percent.

The figures closely track numbers released last summer that showed a 5.2 percent growth rate in federal and state prison inmates by the end of 1997.

THE STRAIGHT DOPE

Science News: May 22, 1999

Long-term marijuana use does not seem to adversely affect mental function, according to a study of 1,318 Baltimore residents. Twelve years after they were first given a standard test of mental ability, volunteers' average scores had declined only slightly. Those who admitted to having smoked marijuana, even heavily, were no more likely to show signs of impaired mental function than people who had never tried the drug, researchers report in the May 1 "American Journal of Epidemiology".

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Harrelson (con't from page 1)

actor hurled his parting shot regarding Burrell's sleeping habits, suggesting he lacked conscience. Harrelson is no stranger to controversy. He and others were arrested in November 1996 after causing a massive traffic jam by scaling the Golden Gate Bridge to demand that the government protect the 60,000-acre Headwaters redwood grove. Harrelson also has posted a \$500,000 bond for a cancer patient facing criminal pot charges and he is an outspoken advocate for industrial uses of hemp. He came to federal court Thursday already angry at Burrell's handling of the case. In a recent letter to The Bee, Harrelson said the judge had shown "blatant disregard for the precepts of our forefathers."

"Apparently in Judge Burrell's courtroom, he is not content for lady justice to be blind; she must also be deaf, dumb, bound, gagged, raped and dismembered," he wrote. The courtroom drama was reminiscent of some maverick roles taken on by the 37-year-old Harrelson, who parlayed his Emmy-winning success on "Cheers" into major movie stardom.

He recently enjoyed critical acclaim for his portrayal of Big Boy, an untamed and doomed New Mexico cowboy home from World War II, in "Hi-Lo Country."

Earlier Thursday, Smith testified that smoking marijuana has successfully curbed his abuse of alcohol. He did not make a secret of growing it for himself and others after passage of Proposition 215, he said. Smith, 52, said he served as an infantryman in Vietnam and is a "political activist" who worked in the campaign for the pro-marijuana initiative. Harrelson testified that he met Smith when both were involved in the 1996 Headwaters protest.

The following year, Smith planted an 87-plant marijuana garden on land in Denny that he leased from a friend, Martin Lederer.

In September 1997 the government seized the plants and, two months later, Smith and Lederer were charged in a federal grand jury indictment.

The case has been marked by open friction between Burrell and defense counsel. The judge found that California's 3-year-old measure does not constitute a viable defense in a court governed by federal law, which does not make an exception for using marijuana under a doctor's care.

After Burrell ruled that Smith's prescription for the drug and its medicinal value generally were not to be presented, Lederer pleaded guilty to misdemeanor possession and is awaiting sentencing.

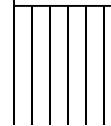
Smith's attorneys moved last week to disqualify Burrell, saying the judge took the case out of the jury's hands by stripping Smith of his defense.

Burrell has addressed the defense "with such an extreme degree of anger and disdain that it would be impossible for the jury" not to be influenced and prejudiced, the attorneys claimed.

The judge denied their motion and trial commenced Tuesday. Harrelson was the final witness.

B.E. Smith was found guilty and sentenced to 27 months in federal prison.

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