

University of Montana

ScholarWorks at University of Montana

Senate Resolutions, 2007-Present

ASUM Student Government

4-16-2014

SB84-13/14: Legalization of Cannabis

Eamon Ormseth

Follow this and additional works at: https://scholarworks.umt.edu/asum_resolutions

Let us know how access to this document benefits you.

Recommended Citation

Ormseth, Eamon, "SB84-13/14: Legalization of Cannabis" (2014). *Senate Resolutions, 2007-Present*. 362.
https://scholarworks.umt.edu/asum_resolutions/362

This Institutional Document is brought to you for free and open access by the ASUM Student Government at ScholarWorks at University of Montana. It has been accepted for inclusion in Senate Resolutions, 2007-Present by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.

1 **The Associated Students of the University of Montana**
2 **Resolution Regarding Legalization of Cannabis**

3 **April 16, 2014**

4 **SB84-13/14**

5 **Authored by: Eamon Ormseth, ASUM Senator**

6 **Sponsored by: Erik Lillquist, ASUM Senator; Jacob Foster, ASUM Senator; and**
7 **Anita Green, ASUM Senator**

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

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

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

15
16 Whereas, MCA § 45-9-102 reads:

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

22
23 Whereas, MCA § 45-9-110 reads:

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

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

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

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

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

42
43 Whereas, studies have shown that criminalization of marijuana does not reduce 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 recently legalized cannabis via
54 statewide 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 Montana Legislature
69 either (1) enact said proposal into law or (2) send it to the voters of the state of Montana
70 for a referendum in November of 2016;

71
72 Therefore, Let it Be Further Resolved, that a copy of this resolution be sent to Steve
73 Bullock, Governor of Montana; Mark Blasdel, Speaker of the Montana House of
74 Representatives; Jeff Essmann, President of Montana State Senate; Chuck Hunter,
75 Minority Leader of the Montana House of Representatives, Jon Sesso, Montana Senate
76 Minority Leader; Michael Hyde, Cannabis Activist; and the Montana Chapter of the
77 National Organization for the Reform of Marijuana Laws.

78
79 Passed by Committee: April 14, 2014

80
81 Passed by ASUM Senate: April 16, 2014
82 Final Vote: 11Y-8N-1A

83

84

85

86 _____
87 Sean McQuillan,
Relations and Affairs Chair

Mariah Williams,
Chair of the Senate