

# Lawmakers make another bid to allow medical marijuana use

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The Associated Press

**MONTPELIER** — Lawmakers introduced a bill Wednesday that would make marijuana available to seriously ill people who could be helped by it.

The measure, which is similar to one introduced in the Vermont House last year, would allow patients with certain disorders to grow marijuana for their own use if they had a statement from their physician saying its potential benefits would likely outweigh its risks.

The bill would make such users exempt from prosecution, and is similar to measures that have passed in Alaska, California, Colorado, Hawaii, Maine, Nevada, Oregon and Washington, said Rep. David Zuckerman, P-Burlington, the lead sponsor of the bill.

The guidelines in the bill would be similar to the guidelines for prescription drug use, he said.

"You can't smoke it in public; you can't share it with anybody,"

he said. "It's similar to a prescription drug where you take it on the recommendation of your doctor."

Last year, Rep. Fred Maslack, R-Poultney, was the lead sponsor of a similar measure that was referred to the House Health and Welfare Committee but never had a hearing.

Gov. Howard Dean has been on record for years as a firm opponent of legalizing marijuana in any form, but Zuckerman said he didn't take that into account when he introduced his bill.

"Just because the governor says something isn't good doesn't mean it doesn't have merit," he said. "It should be a decision between a doctor and a patient."

Zuckerman's bill has strong support from the Marijuana Policy Project in Washington, which says 12 states are reviewing similar legislation this year.

"We are pegging Vermont as the state most likely to pass a medical marijuana bill this year," said spokesman Bruce Mirken in a prepared statement.

In 1996, California became the first state to approve a medical marijuana law. Last May, the U.S. Supreme Court said an Oakland, Calif., group that was distributing marijuana was violating federal drug laws.

The high court ruled that the so-called "medical necessity defense" was at odds with a 1970 federal law that marijuana, heroin and LSD have no medical benefits and cannot be dispensed or prescribed by doctors.

But Justice Clarence Thomas noted that important constitutional questions remained, such as Congress' ability to interfere with intrastate commerce, the right of states to experiment with their own laws and whether Americans have a fundamental right to marijuana as a way to be free of pain.

Despite the Supreme Court's decision, many marijuana clubs distribute marijuana to the sick in California, and thousands of people grow and smoke marijuana for medical reasons.