

Medicinal marijuana issue arises

Proponents try to tack measure on to drug bill

By Nancy Remsen
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MONTPELIER — A handful of legislators will try to convince the House today that Vermont can get tough on illegal drugs and

still allow medicinal use of marijuana.

A coalition of Progressives, conservative Republicans and Democrats will propose that a measure legalizing marijuana as a medicine for patients with cancer, glaucoma and other serious conditions should be added to a crime bill that would strengthen the state's drug laws and ban ecstasy and date-rape drugs.

"The issue is important enough that it certainly mer-



its a hearing," said Rep. Fred Maslack, R-Poultney. He put the medical marijuana bill in the legislative hopper this year, but it has been ignored by the House Health and Welfare Committee. That's why he is backing the effort

to tack his plan to a pending bill. "This is the only avenue we have."

Rep. David Zuckerman, P-Burlington, is leading the last-minute charge to marry Maslack's marijuana measure to a tough crime proposal initiated by lawmakers from the Rutland area in the wake of heroin problems.

Medicinal marijuana "is something that has been proposed for years," Zuckerman said, "and regardless of

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What's next?

The House will debate a bill today that would strengthen the state's laws on drugs. Some lawmakers want to add a provision that would allow marijuana to be used for medicinal purposes. Here are key features of the drug bill:

- **ECSTASY:** Would become illegal in Vermont.
- **DATE-RAPE DRUGS:**

Would also be banned.

- **NEW DRUG CRIME:** Would allow police to charge dealers if they find evidence of intent to sell, even if they don't witness a sale.
- **SCHOOL ZONES:** Would boost penalties for anyone convicted of selling illegal drugs within 1,000 feet of school property.

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which party is in power, it sits.”

Zuckerman noted that lawmakers approved the therapeutic use of marijuana in 1981, but the Health Department has never issued rules to launch the program.

Legal counsel to the Health Department advised as recently as 1999 that federal law prevents the state from allowing marijuana to be prescribed.

Rep. Michael Vinton, D-Colchester, serves on the House Judiciary Committee, which unanimously endorsed the drug crime bill after rewriting it. He urged fellow Democrats on Tuesday to reject the marijuana amendment — for now. “We have taken no testimony on this.”

Vinton doesn't want the controversial marijuana issue to erode support for a critically needed bill that targets loopholes in the state's drug laws.

For example, no one can be arrested for possessing or using the

drug known as ecstasy or a class of substances used solely to knock out victims in a sexual assault. The bill would add those to the list of illegal drugs.

The bill would also create a new crime of “intent to sell,” which would help police nab dealers even when they haven't witnessed the sales.

To protect schoolchildren, the bill would boost the penalty against anyone caught carrying or selling drugs within 1,000 feet of school property.

Despite growing concern about heroin use in the state, lawmakers worried Tuesday that the crime bill went too far.

Rep. Steve Hingtgen, P-Burlington, said the drug-free zone around schools would be too large. He said few areas of Burlington would fall outside the 1,000-foot rings around the city's many schools. As a result, he said, people who were arrested for drug crimes in Burlington and

other urban areas would face higher penalties than those caught in rural sections of the state.

Rep. Avis Gervais, D-Enosburg, helped write the bill and defended the 1,000-foot provision. “It is very important that we keep these dealers away from our children.”

Rep. William Lippert, D-Hinesburg, another member of the Judiciary Committee, cautioned critics in the Democratic caucus about watering down the bill. He said the committee stripped out provisions that would have doubled all the fines and jail terms for drug crimes.

“This bill was a ‘war on drugs’ bill,” Lippert said. “We as a committee didn't want to go there.”

He told fellow Democrats that “I'm as much of a civil libertarian as anyone else in this room ... but there are issues here that are very serious. These drugs are oppressive to whole communities.”