

A missed opportunity

Lawmakers let pot legalization bill die in committee

Published: 12:00 a.m., March 10

Sooner or later, Oregon voters once again will decide whether to legalize marijuana for recreational purposes. If that time comes this fall, as is likely, state lawmakers will regret their decision to let die in committee a bill that would have asked voters if they want to legalize pot and leave the regulatory details to lawmakers in the 2015 session.

It's long been evident that several legalization measures could be on the November ballot. Paul Stanford, head of the Oregon branch of the National Organization for the Reform of Marijuana Laws, is collecting signatures for two initiatives — one making possession of pot a constitutional right for adults, and the other laying out a program for producing, selling and possessing marijuana. Another organization, New Approach Oregon, which has national financial backing, also is gathering signatures to qualify legalization initiatives for the ballot.

Legalization advocates already have shown they have the energy and resources to place initiatives on the ballot. Stanford's group put Measure 80 on the ballot in 2012 — a measure that read as if it had been drafted by the light of a lava lamp.

Measure 80 was rejected by voters, but that doesn't necessarily indicate that Oregonians are hostile to the idea of legal pot. The measure received 47 percent of the vote despite glaring flaws. For instance, the initiative would have created a seven-member marijuana commission with a skewed membership that included five members elected by licensed pot growers. The proposal placed no limits on the amount of marijuana a person could grow or possess.

The initiative was drafted by and for pot users, and its successors might be the same. And any marijuana provisions placed in the constitution, as Stanford proposes, would be beyond the Legislature's reach.

Some state lawmakers, including Senate Judiciary Chairman Floyd Prozanski, D-Eugene, wisely suggested that the Legislature put a measure on this November's ballot that would allow state lawmakers, and not marijuana advocates, to write rules governing key details such as the level of taxation, the distribution of revenues and the amount of pot that Oregonians may possess legally.

Prozanski had the right approach, but too many lawmakers balked at the idea of putting a marijuana measure on the ballot. Without enough votes to clear the Senate, Prozanski's Senate Bill 1556, the measure to refer the legalization issue to voters, was doomed to die in committee.

Opponents, including Sen. Jeff Kruse, R-Roseburg, said SB 1556 had too many problems to work out in an off-year session. But that makes no sense — Prozanski's proposal simply asked voters whether they want to legalize marijuana and left the regulatory details to the full 2015 session.

Kruse and other lawmakers said they preferred to wait and see how Washington state and Colorado deal with the legalization initiatives that voters in those states approved in 2012. That would be prudent if Oregon had plenty of time to watch the other states' experiments. But time is not on legislators' side — ready or not, Oregonians are likely to be voting on the issue this fall.

Lawmakers can take some consolation that Stanford has made some positive changes in his latest proposals. For example, members of the state marijuana commission would be appointed by the governor rather than by the marijuana community. Stanford also proposes a limit on possession, albeit a high one — individuals would be allowed to possess up to 24 marijuana plants and 24 ounces of dried pot.

New Approach Oregon's measure would allow people who are 21 and older to possess up to eight ounces of dried marijuana and four plants. It would have the Oregon Liquor Control Commission regulate sales of the drug.

Either approach would be an improvement from the over-the-top Measure 80. But lawmakers are letting slip through their fingers a prime opportunity to let voters decide whether to legalize marijuana and, if so, allow their elected representatives, not marijuana advocates, to decide the all-important details.