



Bill To Legalize Recreational Marijuana In Louisiana Advances To House Floor

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The effort to legalize recreational marijuana in Louisiana took a historic step forward as a bill to end the prohibition of the drug cleared a Louisiana House committee Tuesday with bipartisan support.

HB524 by Rep. Richard Nelson would allow people over the age of 21 to purchase and possess marijuana for recreational use and would set up the framework for growing and selling cannabis outside of the state's tightly regulated medical marijuana program.

Nelson, a first-term Republican from Mandeville, is an unlikely sponsor for such a sweeping marijuana legalization bill. He testified that he has never smoked marijuana in his life and joked that his high school classmates would have voted him "least likely to legalize marijuana."

Nelson said despite Louisiana's nearly century-old policy of prohibition, marijuana use is widespread throughout the state. With public opinion shifting in favor of legalizing the drug for recreational use, Nelson said it's time to do just that.

"No matter how long you've gone down the wrong road, turn back," Nelson said. "I think that's pretty applicable to Louisiana's marijuana policy now."

If legalized, the industry could generate more than \$100 million per year in tax revenue, Nelson said.

The committee voted 7-5 to approve the legislation, with Republicans Nicholas Muscarello of Hammond and Scott McKnight of Baton Rouge joining Nelson, Independent Rep. Joe Marino of Gretna and three committee Democrats voting in favor of the proposal.

It now heads to the House floor, where it would need significant support from Republican state lawmakers to continue its unlikely march through the state legislature.

According to Pew Research Center, 17 states and the District of Columbia have legalized recreational marijuana in some form and 43 percent of the U.S. population lives in a jurisdiction

that has legalized cannabis for recreational use. Thirty-six states have legalized medical marijuana, including Louisiana.

This legislative session, state lawmakers on both sides of the aisle have voted to expand the state's medical marijuana program to include smokable forms of the plant, which are cheaper and more popular than the oil-based products that are currently available.

The push to legalize the recreational use of the drug is much more controversial. The stiffest opposition to the legalization effort comes from the state's law enforcement community.

Executive Director of the Louisiana Sheriffs' Association Michael Ranatza, selectively citing a 2018 report by the Colorado Division of Criminal Justice, said recreational marijuana would increase traffic fatalities, organized crime and teen suicide.

"Is \$100 million worth the death of my child, my grandchild?" Ranatza said during his impassioned testimony.

A recent multi-state statistical analysis by the Cato Institute, a conservative think tank, found the legalization of recreational marijuana had no significant positive or negative effect on crime, traffic fatalities or suicide rates.

Loren Lampert, head of the Louisiana District Attorneys Association, took a different approach in opposing the bill. He conceded that the legalization of recreational marijuana is coming, but said the state should take two to three years to study the topic before taking action.

Lampert argued that legalizing marijuana would spur an increase in cartel-related crime by allowing traffickers to divert legally grown marijuana to states where it is still prohibited.

Nelson questioned the validity of that argument.

"I would say there is no better way to hurt the cartels than to take away the hundreds of millions of dollars they get every year from selling marijuana," Nelson said. "We'll take the money from them and we'll give it to our police and we'll give it to our schools and we'll give it to our roads."

Nelson revised his bill in committee to remove language that would have allowed voters to legalize marijuana by a popular vote parish-by-parish. State lawmakers used this patchwork approach to legalize sports betting last year and daily fantasy sports contests in 2018.

"These are tough decisions, that's why people send us here — to make tough decisions," Nelson said. "If we can just punt to the people, why are we here?"

But Nelson also had a practical reason for removing that provision. To call for a statewide referendum, Nelson would have had to propose an amendment to the state's constitution, which

requires the approval of two-thirds of both chambers of the legislature. In its current form, the legislation would only need the approval of a simple majority of the House and Senate.

HB440, the partner legislation that outlines the licensing and tax structure for the would-be industry, still needs two-thirds approval of the legislature.

Rep. Scott McKnight was one of the Republicans who crossed party lines to vote for the bill, though he did so with reservations.

McKnight said he recognized the concerns of the law enforcement community, but he also recognized the overwhelming popularity of the legalization effort. He cited a recent poll by JMC Analytics, which found that 67 percent of Louisianans — and an even larger percentage of Baton Rouge-area residents — favor legalizing marijuana for medical and recreational use.

He said the bill was an unfinished product, but worthy of further discussion and debate.

When asked Tuesday afternoon if he would sign the bill, Gov. John Bel Edwards said he “had great interest in the bill” but he would reserve judgment until it cleared the legislature.

Edwards has previously said he would oppose legalizing recreational marijuana in Louisiana. The second-term Democrat comes from a law enforcement family and secured the endorsement of the Louisiana Sheriffs’ Association in both of his gubernatorial campaigns.