

HOUSE JOINT RESOLUTION NO. 35

INTRODUCED BY M. DUNWELL, J. BACHMEIER, A. CURTIS, J. ELLIS, D. FERN, E. MCCLAFFERTY,  
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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING A STUDY OF THE LEGALIZATION AND CONTROL OF MARIJUANA; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 66TH LEGISLATURE.

WHEREAS, jails and prisons are overcrowded with minor drug offenders, and public safety and law enforcement personnel are stretched to capacity; and

WHEREAS, alcohol and tobacco sales are regulated and controlled to protect the public health and safety of Montana residents; and

WHEREAS, a similar system of regulation for marijuana could protect Montanans, particularly youth, from a public health, safety, and substance abuse prevention perspective; and

WHEREAS, a study of the control of recreational marijuana would allow the Legislature to review the state's criminal laws and evaluate the nature of crimes for which people are incarcerated; and

WHEREAS, Montana could join the number of states that are benefiting financially from taxation of well-regulated, controlled recreational marijuana and avoid the costs associated with an unregulated, uncontrolled black market distribution of marijuana and the negative social implications of that black market.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, to examine the legalization, regulation, taxation, and public health and safety aspects of recreational marijuana in Montana.

BE IT FURTHER RESOLVED, that the study:

(1) consider whether the existing liquor control system could be used as a model for control of recreational marijuana use;

(2) evaluate how the state's current medical marijuana program would be affected by legalization of recreational marijuana;



- 1 (3) review the effects that legalization of recreational marijuana has had in other states, including but not  
2 limited to the effects on:
- 3 (a) state and local government tax collections;
  - 4 (b) state and local government spending on public health and safety programs, including law  
5 enforcement agencies and drug treatment programs;
  - 6 (c) existing medical marijuana programs; and
  - 7 (d) youth drug use;
- 8 (4) monitor changes in federal policy that could affect recreational marijuana laws in the states; and  
9 (5) evaluate the potential benefits and drawbacks of legalizing marijuana for recreational use in Montana.
- 10 BE IT FURTHER RESOLVED, that the study include representatives of the Department of Public Health  
11 and Human Services, the Department of Justice, the Department of Revenue, the Department of Agriculture,  
12 FEDERAL AND local law enforcement agencies, INDIAN TRIBES, the district court system, schools, and state or local  
13 groups that work on topics related to drug use and to legalization of marijuana.
- 14 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review  
15 requirements, be concluded prior to September 15, 2018.
- 16 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
17 comments, or recommendations of the appropriate committee, be reported to the 66th Legislature.  
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