
From: jbahr@myfairpoint.net <jbahr@myfairpoint.net>

Sent: Friday, March 11, 2016 9:37 PM

To: Maxine Grad

Subject: Marijuana Legalization bill

Dear Representative Grad:

I am writing to you as the Chairperson for the Judiciary Committee. Your committee is currently reviewing the marijuana legalization bill. This e-mail is about that bill and expresses my concerns about the legal implications of legalizing marijuana in Vermont while it is still a federal crime.

My first concern is the impact upon state employees who handle tax receipts from marijuana or who work for programs that receive money from the tax receipts. These individuals may be violating federal drug laws. While the current administration in Washington D.C. is not vigorously prosecuting marijuana violations, that is no guarantee that a future administration will not change course and decide to zealously prosecute any drug violation – including the sale of marijuana or any profits from the sale of marijuana. I believe that under current federal law, any state employee who handles money from marijuana sales would be liable for prosecution under federal drug or racketeering laws. I do not believe that state employees should be put in the position of violating federal laws and possible prosecution that could entail lengthy prison terms for dealing drugs.

The same consideration applies to the Vermont Legislature. If the Legislature approves marijuana legalization, it too may become liable under federal drug or racketeering laws. This is an area that must be fully explored before any action is taken to legalize marijuana in Vermont.

My second concern is that business owners and employees of the establishments that sell marijuana could also be prosecuted under federal laws on drugs. These individuals would be charged with the sale of drugs, which carries much harsher penalties than simple use of drugs. Many individuals might assume that if an activity is legal under state law, then they would not be risking incarceration under federal law. That assumption is not correct and it does not seem to me to be ethically correct for the State of Vermont to encourage, aid, and abet illegal activities under federal law.

That leads to my third concern. Under our system of governance, neither individuals nor states can decide which laws they wish to obey and which laws they do not wish to obey. A civilized society demands adherence to all laws – federal and state. If Vermont chooses to pursue a course of action that directly contradicts and violates federal laws, then it is pursuing a course of anarchy – not a “conservative and rational course” as proponents of marijuana legalization claim. It does not take an overactive

imagination to realize that, if individuals or states pursue their own courses without regard to the nation's laws, then we are pursuing a course that threatens our claim to be a civilized and law-abiding country. Such a course is not without precedent, but no such precedent has ever had a favorable outcome for the nation.

I urge this committee to take these concerns seriously and to not approve the marijuana legalization bill.

Sincerely,

Joseph Bahr