

BALLOTWATCH

Important Facts

- Alaska to decide on complete legalization
- Medical marijuana in Montana, Oregon, and several cities
- Medical marijuana currently allowed in 10 states.

FOCUS ON MARIJUANA

Marijuana legalization is big on the ballot again this November. The most far-reaching measure is Alaska's Measure 2 that would legalize the use, possession, and distribution of marijuana. Alaskans have been able to possess small amounts of pot in their homes since 1975, under a state Supreme Court ruling protecting the "right to privacy." Measure 2 would go beyond that ruling and allow buying and selling as well as unlimited possession. If passed, the measure would conflict with federal law, but some supporters believe federal officials would not enforce aggressively.

Proposals to legalize the use of marijuana for medical purposes are on the ballot in Montana, Oregon, and at the local level, in Berkeley CA, Ann Arbor MI, and Columbia MO. Another measure in Arkansas just failed to collect enough signatures to qualify.

Marijuana measures have been stunningly successful for liberal groups over the last decade, challenging the myth that the initiative process is just a tool for conservatives. So far, 11 of 13 state initiatives to permit medical use of marijuana or rejecting legislative attempts to criminalize it have passed, beginning with Prop. 215 in California in 1996. A total of 10 states now allow medical marijuana



(Alaska, Arizona, California, Colorado, DC, Maine, Nevada, Oregon, and Washington).

Outright legalization has been less successful. The first such measure, California's Prop. 19 in 1972, was rejected by 66% of the voters. A second attempt, Oregon's Measure 5 in 1986, was rejected by 74%. A third try, Alaska's Measure 5 in 2000, also lost with 59% opposed. Most recently, in 2002, 61% of Nevada voters rejected a proposal to legalize marijuana for recreational purposes.

The 2000 Alaska measure would have legalized marijuana use for people over the age of 18, making it more

accessible than alcohol. And it would have paroled prisoners convicted of drug crimes. Backers hope the new measure, which raises the age limit to 21 and removes the language releasing prisoners, will find a more receptive audience among voters.

Alaska's measure may be important for national politics as well. U.S. Senator Lisa Murkowski (R), appointed in 2002 by her father Frank, now the governor, to fill the seat he vacated, is locked in a tight race with former governor Tony Knowles (D). The marijuana measure is likely to bring liberal and libertarian voters to the polls who lean toward the Democrat.

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