

Latest legal pot bill comes under assault

By Kevin Landrigan Union Leader Staff Mar 26, 2024

CONCORD — Advocates for the free-market legalization of marijuana and those who sell to medically eligible patients attacked a proposal offered by House and Senate Republicans as “legally dangerous” and “unworkable,” though its backers said it could win the support of Gov. Chris Sununu.

Tuesday’s hearing before the House Finance Committee underscored that while the prospects for reform on the long-debated topic have improved in recent weeks, plenty of contentious details remain to be worked out.

“This bill I’m presenting you today won’t be passed. We are going to make further changes,” said state Rep. Dan McGuire, R-Epsom, chief architect of the plan to put the state Liquor Commission squarely in charge of sales offered by 15 franchisees, who would be granted exclusive licenses.

McGuire said he incorporated the “top 10” changes that Sununu’s office proposed for an alternative legalization bill (HB 1633) that initially cleared the House of Representatives last March.

As with the end of Prohibition a century ago, McGuire said it’s logical for the state to control the sale of cannabis to adults over 21 for recreational use.

Rep. Erica Layon, R-Derry, said the franchise plan would not accomplish Sununu’s stated goal of “harm reduction” and warned that instead it would lead to aggressive state marketing to get more adults to transition from alcohol to cannabis.

Layon wrote the House-passed bill, which allows 15 agency stores licensed by the liquor agency, though they would be given more latitude in the pricing and sale of their products than the franchise model.

“I don’t think converting people that don’t use cannabis today into becoming cannabis users is a strong model,” Layon said.

She said she’s working on a change for the state to issue franchises to sell while giving these businesses more free market freedom than they would have under McGuire’s plan.

Sen. Daryl Abbas, R-Salem, who helped produce McGuire’s plan, said it could pass the state Senate, which has never approved a marijuana legalization bill. Layon’s alternative, he said, is doomed to failure.

“This is a compromise on my end. Do I love it? No, but at the same time it is a fair compromise,” Abbas said.

Critics: Non-profits would suffer

“We believe this is a workable model and most importantly one that can become law,” said Alicia Preston, a Hampton consultant representing Brett Scott Enterprises, a Laconia-based firm that owns retail cannabis stores in Maine.

Representatives of two of the alternative treatment centers that sell cannabis to the state’s 14,000 medical patients said McGuire’s plan would put those seven locations out of business.

“They are asking us to sell to the competition and help put us out of business,” said Matt McLaughlin, a lobbyist with Sanctuary ATC, which operates stores in Plymouth and Conway.

“It is just nonsensical ... They are now being asked to stay out of the business that they know best.”

“It definitely needs more work and I don’t believe it would go all the way if it doesn’t have it,” said Matt Simon, an executive and lobbyist with Granite Leaf Cannabis, which has ATCs in Chichester and Merrimack.

Both representatives said it also would unfairly make medical patients pay the same, 12.5% franchise fee being passed on to recreational users. The House-passed bill exempted medical patients from its 10% “agency fee.”

Michele Merritt, executive director of the public health advocacy group New Futures, urged House budget writers to at least double — from 10% to 20% or more — the percentage of marijuana profits in McGuire’s plan that would go to a new substance abuse treatment and recovery fund.

Daryl Eames, the founder of the New Hampshire Cannabis Association, said a franchise model would put the state at even greater risk of federal intervention since all marijuana sales violate U.S. law.

“The vision of this amendment strikes me as something for the wealthy and the connected,” said Eames, who also criticized it for allowing the state to engage in price fixing.

Celeste Clark, executive director with the Raymond Coalition For Youth, said her group finds this legalization plan just as objectionable as the House-passed bill.

“When we increase access to anything we increase its use. Think of a bowl of candy on a desk, even if you don’t want a piece you are inclined to take one; that is what we will see happen with legalizing marijuana,” Clark said.

“More homes will have marijuana products in them, it will normalize the idea of using it,

and we will see an increase in use by all ages, including children and senior citizens.”

Manchester Police Chief Allen Aldenberg said legalizing marijuana would lead to increased crime and more sales of lower-priced products on the black market.

“We are seeing more violent crime associated with large marijuana sales than sales of meth or fentanyl. Why? It’s a cash crop and ultimately those larger volume sales of marijuana became a target for armed robbery while so many sales of meth and fentanyl are small amounts either to get people hooked or to keep them coming back for more,” Aldenberg said during an interview.

“We see legalization if anything making this situation even worse at the street level.”

A House subcommittee meets Wednesday afternoon to continue working on this bill. The House faces an April 6 deadline to take a final vote on the legislation.

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