

HOUSE No. 3531

The Commonwealth of Massachusetts

PRESENTED BY:

Jay D. Livingstone, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the repeal of the legalization of marijuana laws in the Commonwealth of Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark Thomas</i>		<i>1/16/2019</i>

HOUSE No. 3531

By Mr. Livingstone of Boston (by request), a petition (accompanied by bill, House, No. 3531) of Mark Thomas relative to the repeal of the legalization of marijuana laws in the Commonwealth. Cannabis Policy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to the repeal of the legalization of marijuana laws in the Commonwealth of Massachusetts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 WHEREAS, the citizens of the Commonwealth by Ballot Referendum Law on November
2 8, 2016 purported to legalize the production, regulation, sale and consumption of Marijuana in
3 the Commonwealth of Massachusetts;

4 WHEREAS, on July 20, 2017 the Massachusetts General Court by legislative law also
5 purported to legalize the production, regulation, sale and consumption of Marijuana in the
6 Commonwealth of Massachusetts (H.3818);

7 WHEREAS, on July 28, 2017 the Governor of Massachusetts signed into law the
8 legislative bill, purporting to legalize the production, regulation, sale and consumption of
9 Marijuana in the Commonwealth of Massachusetts (M.G.L. c. 10 & c. 94G);

10 WHEREAS, the production, regulation, sale and consumption of Marijuana in the
11 Commonwealth of Massachusetts violates Federal Laws as a prohibited controlled-substance

12 activity (21 U. S. C. §801, et seq.), upheld by *Gonzales v. Raich*, 545 U.S. 1 (2005), rebutting
13 any legislative presumption of constitutionality of the Massachusetts Marijuana Laws;

14 WHEREAS, the production, regulation, sale and consumption of Marijuana in the
15 Commonwealth of Massachusetts may only be approved by the United States Congress, which
16 has not granted such approval;

17 WHEREAS, the production, regulation, sale and consumption of Marijuana in the
18 Commonwealth of Massachusetts is an act of defiance against the United States of America and
19 its Congress;

20 WHEREAS, the production, regulation, sale and consumption of Marijuana in the
21 Commonwealth of Massachusetts appears to violate both the Massachusetts Constitution and the
22 United States Constitution in various and sundry ways;

23 WHEREAS, the production, regulation, sale and consumption of Marijuana in the
24 Commonwealth of Massachusetts, that encourages its citizens – against Federal law - to grow,
25 smoke or ingest a dangerous mind-altering drug for the sole purpose of escaping reality, appears
26 to be an absurd conception, opposed to medicine, science, cognition, law and all human welfare,
27 and it threatens untold current and future detriment to citizens;

28 WHEREAS, the pretext “recreational marijuana use” masks the harmful and addictive
29 effects;

30 NOW THEREFORE, it appearing that the Citizen Referendum Law and all Legislative
31 laws legalizing Marijuana (Cannabis) in the Commonwealth of Massachusetts, being unlawfully
32 enacted, are not “all manner of wholesome and reasonable Orders, laws, statutes, and ordinances,

33 directions and instructions;” and, as they will place many unsuspecting citizens, including
34 children, in imminent danger with regard to life-safety in medical, health, addiction, financial,
35 criminal, family, education, employment, transportation, mental and social conditions:

36 BE IT ENACTED (with Emergency Preamble) by the Senate and House of
37 Representatives in General Court assembled, that the Citizen Referendum Law approving the use
38 of Marijuana in the Commonwealth on November 8, 2016; together with H.3818; M.G.L. c. 10
39 and c. 94G – not excluding all other supposed laws legalizing the production, regulation, sale and
40 consumption of Marijuana (Cannabis) in the Commonwealth of Massachusetts are HEREBY
41 REPEALED in their entirety; PROVIDED HOWEVER, that the Attorney General and the
42 Massachusetts Cannabis Control Commission shall take immediate steps, in an orderly manner,
43 to terminate and dissolve the Commission’s various contracts, authority, activities and business
44 dealings.