

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

None

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 (Cannabis) Laws in the Commonwealth of Massachusetts.

PETITION OF:

NAME:

Mark A. Thomas

DISTRICT/ADDRESS:

SENATE No.

A petition (accompanied by bill) of Mark A. Thomas for legislation relative to the repeal of the legalization of Marijuana (Cannabis) Laws in the Commonwealth of Massachusetts.

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 (Cannabis) 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 General Court is awaiting an advisory opinion from Supreme Judicial
24 Court on the constitutionality of the production, regulation, sale and consumption of Marijuana
25 in the Commonwealth of Massachusetts;

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

31 WHEREAS, the pretext “recreational marijuana use” masks the harmful and addictive
32 effects;

33 NOW THEREFORE, it appearing that the Citizen Referendum Law and all Legislative
34 laws legalizing Marijuana (Cannabis) in the Commonwealth of Massachusetts, being unlawfully
35 enacted, are not “all manner of wholesome and reasonable Orders, laws, statutes, and ordinances,
36 directions and instructions;” and, as they will place many unsuspecting citizens, including
37 children, in imminent danger with regard to life-safety in medical, health, addiction, financial,
38 criminal, family, education, employment, transportation, mental and social conditions:

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44 REPEALED in their entirety; PROVIDED HOWEVER, that the Attorney General and the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

48 Respectfully submitted to the Massachusetts General Court as a Proposed Law, this
49 _____ day of January 2019, by authority of Arts. 5, 18, 19 and 22 of the Massachusetts
50 Constitution,