

# EDITORIAL: Big Marijuana trashes democratic process

By The Gazette editorial board  
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Those who despise Big Tobacco's notorious electioneering ain't seen nothing yet. Big Tobacco 2.0, aka Big Marijuana, can negate Colorado's grassroots petition process — which helped establish the industry.

When Colorado voters legalized marijuana, they meant well. They wanted a safe trade, regulated like alcohol.

They ended up with a system of, by and for Big Marijuana. It is a racket in which the will of voters gets quashed before votes are cast.

Any doubt about Big Marijuana's disregard for Colorado's desire for good regulation will disappear with a new revelation: the industry bought away the public's chance to vote.

That's right. Big Marijuana bought away a proposed vote on regulations in Colorado, where we vote on fixing potholes.

At issue is proposed ballot initiative 139, written to give voters a few reasonable options to improve regulation of recreational pot sales. The measure proposed no changes for medical marijuana. On recreational sales, it would have:

- Required child-resistant packaging, as we have for aspirin and ibuprofen.
- Put health warnings on marijuana labels.
- Restricted product THC potency to 16 percent, even though THC occurs naturally at only .2 to .5 percent in cannabis.

Initiative 139 was so reasonable, so in line with the intentions of voters who legalized pot, recent polling showed 80 percent support among registered voters.

Big Marijuana opposes 139 because the industry wants to do as it pleases. It views potency restrictions, which would keep Colorado's pot products among the more potent in the world, as a sales barrier. Big Marijuana doesn't want the nuisance of labeling requirements and child-resistant packaging.

Knowing 139 was likely to pass, Big Marijuana sued to keep it off the ballot. The suit stalled efforts to raise money and recruit voluntary signature gatherers. When the Colorado Supreme Court ruled in defense of letting voters decide, Big Marijuana's anti-139 campaign paid Colorado's major signature firms to avoid gathering signatures for the pro-139 campaign.

"They were offering \$75,000 to \$200,000, depending on size of each company, to get contracts that say they will not gather signatures for this ballot measure," said attorney and former

Colorado House Speaker Frank McNulty, passing along information an anti-139 consultant shared with him.

As Big Marijuana paid for anti-petition contracts, the price of collecting signatures rose. Advocates of 139 responded by raising more money. Former lawmaker Patrick Kennedy, son of former Sen. Ted Kennedy, swooped in to help with a last-ditch fundraising effort this week that boosted the 139 war chest to nearly \$800,000.

Just when the campaign planned to hire an Arizona-based firm to gather signatures, Big Marijuana paid the company off.

"The narrative of the marijuana industry has been 'don't meddle with our business, because the voters have spoken and the will of the voters is sacred. This is a democracy.' Then we have a genuine democratic effort to improve recreational marijuana regulation, and the industry shuts down democracy with big money and a bag of dirty tricks," said Ben Cort, a member of the board of directors of Smart Approaches to Marijuana. "It became clear. No matter how much money we raised, and who we tried to hire, they were going to prevent voters from having any say."

It is a sad day when an industry's lawyers can buy away the people's opportunity to petition for a vote, even after the state's highest court defended the process. Big Marijuana stopped 139 by stomping on Colorado voters — the people who legalized their industry — as if their will should no longer count. Big Marijuana is officially corrupt.

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