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## Medical marijuana study called off by lawmakers

By TONY LEYS • tleys@dmreg.com • June 15, 2010

State legislative leaders have dropped plans to have a committee study legalization of medical marijuana.

The decision could lessen the chances of a full debate on the controversial issue next year.

House Majority Leader Kevin McCarthy said in February that legislators would appoint a committee to study the idea over the summer and fall. If that committee could agree on a recommendation, he said, legislators would consider the idea after they returned to the Statehouse in January.

However, the Des Moines Democrat said Monday that those plans changed after he realized an old piece of Iowa Code says the Iowa Board of Pharmacy may set rules allowing medical uses of marijuana.

"There's no need for an interim committee, because it's already law," he said.

McCarthy said the ball is in the board's court now.

The pharmacy board voted unanimously in February to recommend that legislators change the classification of marijuana in a way that would make it easier to use for legitimate medical purposes. Board members noted at the time that a decades-old piece of Iowa law already appeared to allow that, but they said the intent of that law was unclear.

Lloyd Jessen, the pharmacy board's executive director, said Monday that board members don't want the responsibility McCarthy is suggesting they have.

"Even though that code section is still in the code, it's not the Board of Pharmacy's role to implement a medical marijuana program," he said.

Board members, who are appointed by the governor, want direction from elected leaders on the issue, he said.

But McCarthy said legislative leaders decided it wasn't worth spending thousands of taxpayer dollars to set up an interim committee on the matter. Money is tight, he said, and economic issues are more pressing.

He also noted that numerous lawmakers are retiring, so it didn't make sense to have the current Legislature push the issue forward.

Carl Olsen, a Des Moines activist who has helped lead the medical-marijuana efforts, said he now will formally ask the pharmacy board to write rules allowing use of the drug. If the board refuses, he said, he might go to court and quote McCarthy as saying the board has the power to let Iowans use marijuana as medicine.

Fourteen states have legalized medical marijuana, though some of them have reported problems with loosely regulated sales.

Supporters of medical marijuana say it can provide relief for pain, nausea and other symptoms of diseases such as cancer and AIDS.

Detractors see the campaign as a back-door way to make marijuana easier to obtain for recreational use.

An Iowa Poll published in The Des Moines Register in February showed that 64 percent of Iowans supported allowing patients to use marijuana if their doctors approved.

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