

The Virgin Islands Consortium

After Years Of blockade, Positive Nelson's Medicinal Marijuana Bill Gets Warm Reception From Senators

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Senator Positive Nelson won't serve in the 33rd Legislature, partly a result of his [failed attempt at the territory's highest office](#). But Mr. Nelson's long sought goal of a legal medicinal marijuana industry in the U.S.V.I. may finally be closer than ever to reality, after the [measure](#) was warmly received by lawmakers during a daylong hearing on St. Croix.

Former staunch opponents of the measure like Senators Sammuel Sanes, to former law enforcement officer Novelle Francis, along with a number of testifiers -- some with background in the medical field -- lent their support to the bill.

"So what does current trends now show us with respect to cannabis? Just a few years ago when I presented testimony before the Legislature in favor of medical marijuana, there were 25 states in approval of medical cannabis usage. Today, there are 29 States plus the District of Columbia," said Ian M. Douglas, chairman of the Board of Pharmacy. (The number of states that have approved medicinal marijuana is actually 32, including Oklahoma, Missouri and Utah.)

"Cannabis is medicine and the U.S. Virgin Islands should cease criminalizing cannabis use. The earliest known use of cannabis for medicinal purposes was more than 5,000 years ago and it is unarguably safer than many drugs readily to the public. For all of the reasons outlined in my testimony, I urge the committee to support the chamber's substitute legislation and begin the process of reforming the US Virgin Island's cannabis laws," said attorney Jordan Wellington, who represented the St. Thomas-St. John District Chamber of Commerce.

The chamber also pointed to economic benefits of not just medicinal marijuana, but the legalization of the drug for adult use as well.

"In our opinion, the taxation and regulation of cannabis for adults 21 and over ("Adult-use"), for both residents and tourists, would be of meaningful economic benefit to the USVI. Adult-use legalization could generate between \$35 million and \$55 million of direct retail revenue and between \$12 and \$20 million of USVI sales tax, excise tax, and licensing fee revenue, per annum, once businesses are operating (numbers are broad estimates because of the numerous variables discussed throughout this paper). Hundreds of new jobs would be created, establishing a comparatively high economic multiplier effect as consumer and tourist dollars enter the local economy to pay for all aspects of labor, supplies and wholesale production. There would be adequate funding to meet regulatory needs with excess for social programs," reads a portion of the chamber's statement.

But while support for medicinal marijuana dominated the hearing, it was not universal, and challenges were highlighted that could impede successful implementation. For instance, \$500,000, according to the bill, would be loaned from the general fund of the Government of the Virgin Islands to commence of the program. However, a number of testifiers concluded that that amount was not adequate.

Also, Mary Beverley Ann Lansiquot, who represented UVI President Dr. David Hall, said researchers at UVI had begun the process of exploring the institution's ability to contribute. However, the university concluded that much of the work would require new funding, as the federal government funds a great part of the university's laboratories; currently federal law precludes the use of federal dollars for marijuana research.

"UVI's ability to participate in this research is dependent on both federal regulation and access to instrumentation," she said. "Currently, UVI's agricultural experimental station (A.E.S.) is funded by federal grants. Based on current regulations at the federal level, which have been described previously, A.E.S. cannot perform any cannabis research activities. In order to be able to do research in the current setting, separate funding as well as possible separate laboratories would need to be obtained so as not to utilize laboratories and equipment funded by federal dollars.

"Additionally, current researchers lack expertise in this area and thus new researchers would need to be recruited, or existing researchers would need to acquire new training in this area," Ms. Lansiquot added.

Attorney General Claude Walker, whose unwavering opposition of medicinal marijuana or marijuana for recreational purposes in the territory has been well documented, again held to his stance in written testimony.

"Today as was in earlier cases, the [Department of Justice] is absolutely opposed to this measure," Mr. Walker maintained. "The Department believes that its implementation will serve to harm local Virgin Islands residents, particularly the young and those who are prone to addiction, while simultaneously enriching a handful of individuals, some of whom may not be residents of this territory."

"As I stated, my previous testimony on the subject was rather comprehensive, however, I would like to take a few moments to highlight some of that testimony," Mr. Walker continued. "On June 24, 2016, the department included official policy statements from some of the leading medical associations that were either opposed to or strongly cautioned against the use of medial marijuana. Among these included the American Glaucoma Society, the American Psychiatric Association, the American Academy of Pediatrics, the American Academy of Child and Adolescence Psychiatry, the American Academy of Neurology, the American Epilepsy Society, the American Society of Addiction Medicine, the American Lung Association, and the American Medical Association.

"All of these academies and societies urged against medicinal marijuana or for further studies to be concluded. This bill will have a far-reaching impact on the youth and others of this territory. The department believes that this issue has been brilliantly marketed by a handful of advocates to make it appear that marijuana is not dangerous and should be a mainstream and socially acceptable practice," the attorney general said.

Yet Mr. Walker, who is expected to resign in December ahead of the incoming Bryan administration's inauguration on January 7, did not command the persuasive authority he held at previous hearings, where his testimony [served in great part to table marijuana-related measures](#).

And senators who once opposed the measure, on Tuesday confirmed their support.

"Studies have been done, research has been concluded, I stand ready to vote," said Mr. Sanes, a reversal from his prior position.

"I am not ready for the legalization of marijuana, but medical marijuana I support," said Mr. DeGraff.

"I'm supportive of medical marijuana legislation. The train has already left the station, 32 states and the District of Columbia have already signed on to this, and I truly believe that it's inevitable and that we will certainly need to fall in line," said Mr. Francis.

The bill's main sponsor, Mr. Nelson, said, "We are at a dawning of a new day," as he positioned himself to be the chief proponent and defender of the implementation of the drug's medical use in the U.S.V.I. "All of the major financial journals, media networks,

economists, medical journals and societies, 33 states, Washington D.C. and 3 territories
-- and 56.7 percent of Virgin Islanders all agree with my position."

No action was taken on the measure.

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