

UK's KENNEDY SPEAKS UP FOR DRUG LAW REVIEW

CHARLES KENNEDY flirted with political controversy yesterday by embracing a wholesale review of Britain's drug laws. The new Liberal Democrat leader said the issue was critical to every family in the land and deserved more serious attention than the other two major parties were prepared to give it. Although the Liberal Democrats are in favour of a royal commission on the decriminalisation of cannabis, it was an issue that Paddy Ashdown, Mr Kennedy's predecessor, shrank from. However, less than a week after inheriting Mr Ashdown's crown, Mr Kennedy indicated that he was prepared to tackle the issue head-on. He said that those who insisted Britain had got it right over drugs were out of touch and that voters would appreciate the party's honesty for saying so. Mr Kennedy said: "One of the vital things about this party is that it can discuss issues of this sort. It needs to remain ahead of the game. I think that there are some newspaper editors who are actually behind the agenda in terms of what people talk about out there." Mr Kennedy's comments will delight the party's grassroots, though they may alarm its more pragmatic members.

His move was seen as the first strong signal that he intends to be a very different leader from Mr Ashdown, who strove for respectability and made it his political life's work to rid it of its woolly hats and sandals image. The comments put the Liberal Democrats squarely at odds with both of the other main parties. A government spokesman said: "Tony Blair is against decriminalisation of cannabis and sees no value in a royal commission." Ann Widdecombe, the Shadow Home Secretary, said: "Charles Kennedy clearly has yet to learn how a responsible party leader should behave. "This is an unbelievable first commitment which will alienate many of the people who put a cross by his name in the recent leadership election and who voted Liberal Democrat two years ago." * Bishop told 'get real' Anti-drugs campaigners have condemned an Anglican bishop after he admitted that he had used cannabis and supported calls for its legalisation. Liz Harrison, the chairwoman of Locals Against Drugs, said the Right Rev Richard Holloway, Bishop of Edinburgh, should stay "in the real world" and see the damage done by drugs to the next generation.

Price of medical need set at \$150.00

By Patrick O'Neill of The Oregonian staff

People who smoke marijuana to ease their pain and nausea will have to pay \$150 a year for an Oregon registration card. The cards exempt medicinal marijuana users and their helpers from state laws against owning and raising marijuana. The fee, approved this week by the Oregon Health Division, is part of the bureaucratic machinery to implement a law passed by voters in November allowing seriously ill people to use marijuana. The Health Division's registration process goes into effect today.

However, Oregonians have been able to use marijuana for medicinal purposes since December without fear of violating state law, even without a card. The fee will generate \$75,000 if 500 marijuana users sign up -- the number that health officials estimate will take advantage of the program at any one time. But that's still short of the amount needed to fully finance the program's \$105,000 annual budget. The budget includes financing for a full-time employee to run the program.

Dr. Grant Higginson, Oregon state health officer, said that in case of a shortfall, the Health Division will have to absorb the additional cost. He said it's hard to estimate the costs and number of people who will participate because no state has ever administered a medical marijuana program before. Medical marijuana is legal under California law, but the state doesn't register participants.

Kelly Paige, coordinator of the Health Division's Medical Marijuana Program, said her office had received 105 requests for registration cards that grant immunity from state laws against using the drug.

Under the law, people who have certain debilitating medical conditions, including cancer, AIDS, glaucoma, seizures, pain and nausea, can use marijuana to ease their discomfort. The law works like this: The patient must fill out an application to participate in the program. The patient's attending physician must complete a separate form specifying that marijuana might mitigate the patient's symptoms. The application must include a copy of the patient's photo identification, such as an Oregon driver's license. If the patient plans to use a helper to cultivate marijuana, the helper also must supply identification and receive a card.

The information is sent to the Health Division along with the \$150 fee.

The Health Division sends registration cards to both the patient and the patient's helper, if the patient needs one.

The cards exempt both the patient and the helper from state laws prohibiting the possession and cultivation of marijuana. Possession and cultivation are still violations of federal drug laws, however.

Under Oregon law, the patient cannot possess more than a total of three mature marijuana plants, four immature plants and 1 ounce of usable marijuana for each plant.

The law doesn't specify how a patient is supposed to obtain marijuana seeds for planting. Sale of marijuana is still illegal under both state and federal law.

But proponents of the measure have said they expect that people who previously used marijuana illegally will give seeds or young plants to new patients free of charge.

Dr. Rick Bayer, a Lake Oswego resident and principal sponsor of the measure, said he thinks the Health Division "has tried to be very fair" in writing the regulations.

"They have to charge a fee to cover the cost of the program," he said.

Bayer said people who know how to grow marijuana have told him that under limitations imposed by the law, a program participant could harvest up to 3 ounces during one three-month growing cycle from plants grown indoors. But he said that quantity might not be enough for some patients, particularly if they use a new vaporizing technique instead of smoking marijuana in a hand-rolled cigarette.

Vaporizers heat marijuana to about 190 centigrade, a point at which the active cannabinoid substances are released into the air. He said the advantages of vaporizers are that they don't cause the marijuana to burn. Inhaling smoke is more irritating to lung and bronchial tissue than the cannabinoid vapors themselves, he said.

"I think it would be more healthy than inhaling the smoke, but I don't have any data to support that," Bayer said.

The drawback is that the technique uses three to four times as much marijuana by weight to have the same therapeutic effect as smoking a marijuana cigarette, he said.

Depending on its success, Bayer said, the new technique might prompt lawmakers to consider increasing the amount of usable marijuana that a patient can keep.

Meanwhile, Oregon legislators are considering a bill that would eliminate the so-called "affirmative defense" aspect of the law. In its present form, the law doesn't specifically require medicinal marijuana users to obtain a state permit to possess the drug. Instead, the law permits marijuana users who are arrested to raise medical necessity as a defense in court, even though they haven't applied for a permit.

Oregon law enforcement officers have argued that the law is virtually impossible to enforce because of that feature.

At the request of the Oregon Association of Chiefs of Police, Rep. Kevin Mannix, R-Salem, has introduced House Bill 3052, which would remove the affirmative defense provision of the law.

Mannix's bill also would eliminate a requirement that law enforcement officers return marijuana seized from people who are authorized to possess it under the act. The measure is in the House Judiciary Committee.

MERLE HAGGARD STILL CALLS THE TUNE

When Merle Haggard released "Okie from Muskogee" 30 years ago, the song made him a right-wing hero. Issued at the height of the Vietnam War protests, it won him praise from conservatives for the line "We don't smoke marijuana in Muskogee/ We don't take our trips on LSD." Haggard always said the hoopla was overplayed, claiming he intended the song as a kind of jest. And, today, this country legend cum rugged individualist says that conservatives - especially the anti-marijuana forces - have gone too far. "America has sure gone to some sort of a police state in the last 10 years," says Haggard, who is at the Flynn Theatre in Burlington, Vt., tomorrow and Lowell Memorial Auditorium on Sunday. He hasn't played in New England since 1990, mainly because the region used to serve as a connecting stop for his tours of Canada, which he has cut out temporarily. He says he's sick of the US "zero tolerance" laws, which make reentering the States an indignity. "If they find a seed of marijuana in your car or bus, they'll run it all over the news," says Haggard, speaking from his home in northern California. "I've got 30 people working for me. There is liable to be a seed of marijuana, so it makes it very uninviting to go into Canada, knowing that the United States is going to harass you coming back. "They snatched some buses from people I won't name, and buses are not cheap," he adds, referring to the US customs officials. "It costs us seven or eight years of our lives to pay for these buses, and they just take 'em. Like I say, you can't personally shake people down that work for you. I'm not going to do that. You don't know who's doing what and who isn't, but [the police] come on and this 'zero tolerance' thing they've got going is really amazing. They've got private enterprise building prisons now. It's scary. It's overkill." Maybe Haggard could do a solo acoustic "unplugged" tour instead. "That's not a bad idea. Yeah, they won't have nothin' to search," snaps Haggard, a grizzled 61-year-old (alias "The Hag") who is loaded with strong opinions and enjoys being cast as a proverbial outsider.

Marijuana law is proving to be a pain

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by Patrick O'Neill, The Oregonian staff

Sufferers who want to try Oregon's new program find it hard to get a doctor's approval on the drug.

Lil Dunham will try just about anything to make the pain go away. During the past few years, the discs that cushion the bones in her spine have collapsed. Now those bones feel as though they're scraping each other. And the pain is excruciating.

Dunham says neither her primary physician nor a pain specialist has been able to bring her much comfort.

"My life is just kind of miserable," she said. Dunham, who loves to garden, hasn't been able to get out of her tidy mobile home much in the past three years.

The 80-year-old Newberg woman said she's even ready to try smoking marijuana if that would help. After all, a new Oregon law allows her to use the drug.

But she's run into two big problems:

- She can't find a doctor who'll approve marijuana as a treatment. The law requires a doctor's permission for a patient to join the program.
- She doesn't have any idea where to get marijuana.

Those two difficulties are proving to be a brick wall for many Oregonians who would like to join the state's medical marijuana program. Dunham is one of more than 250 people who have telephoned the Oregon Health Division's Medical Marijuana Program since it officially opened for business on Monday.

Kelly Paige, who manages the program, is stunned by the volume of calls. "It takes me two hours every day just to collect the voice-mail messages," she said. Paige said Dunham's complaints are common to many.

"Some people are having difficulty finding a physician to work with," she said. "Some ask, 'Where do I get the seeds to start growing marijuana?'"

Paige's hands are tied. Her office doesn't keep a list of doctors who would authorize marijuana for patients. And as for finding the marijuana, patients are on their own.

Under Oregon law, medicinal marijuana users face a kind of Catch-22. On one hand, state law permits people who have debilitating medical conditions to use marijuana. On the other, it bans the sale of marijuana.

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