

Foes of legal pot in Massachusetts say public misled on ballot initiative

Supporters of a November ballot question to legalize recreational marijuana have misled voters about its ramifications and the measure should be blocked, opponents say in a lawsuit filed with Massachusetts' highest court.

The suit, filed with the Supreme Judicial Court, claims the ballot question would allow for the sale of genetically modified forms of marijuana with THC concentrations of 60 percent or higher, the Bellotti Law Group says.

It also alleges voters have not been told that high concentrations of THC could be added to food or beverages, such as candy, cookies or soda.

Bellotti filed the complaint this week on behalf of 59 voters.

“These items bear no resemblance to the leafy substance that nostalgic adults think this law will legalize. Nature’s pot should only have a maximum of 2.5 percent Tetrahydrocannabinol, or THC, which is the ingredient that gets people high,” John Scheft, the plaintiffs’ attorney, said in a statement.

Under the proposal, Massachusetts residents 21 or older could possess up to 1 ounce of marijuana for recreational use. Retail sales of the drug would be subject to a 3.75 percent excise tax imposed on top of the state’s 6.25 percent sales tax.

Campaign to Regulate Marijuana Like Alcohol, the group sponsoring the legalization effort, dismissed the lawsuit as a late ploy by opponents.

“This is simply a last-ditch attempt to block Massachusetts voters from expressing their opinion about regulating and taxing marijuana,” the group said. “We’re confident it will fail and we will continue our work to give voters a voice in November.”

The court scheduled arguments for June 8.

The language of the initiative petition was certified by the state attorney general in September, and Associate Justice Fernande Duffly asked plaintiffs to explain why it took so long to file the lawsuit.

The Campaign for a Safe and Healthy Massachusetts was recently formed to oppose the measure and is led by top elected officials, including Republican Gov. Charlie Baker and Democratic Mayor Marty Walsh of Boston. The group said Thursday the it is not a party to the lawsuit but the legal challenge highlights important issues about high potency products that would be allowed if the ballot question is approved.

By: Bob Pearson