

Nebraska Committee Fails to Move Forward on Medical Cannabis Regs

Nebraska Legislative Committee Fails to Advance Medical Cannabis Bill, Leaving Advocates Searching for New Path

A Nebraska legislative committee voted 5-3 on Thursday against advancing a bill designed to regulate medical cannabis, dealing a significant blow to advocates and leaving the sponsor, State Sen. Ben Hansen, seeking new avenues to push the bill forward.

General Affairs Committee Stalls Medical Cannabis Bill Amid Ongoing Negotiations

The General Affairs Committee, which was tasked with reviewing Legislative Bill 677, failed to reach a consensus on advancing the bill, stalling its progress in the state legislature. With no amendments made to the bill during continued negotiations, the committee decided against moving it forward, putting the future of Nebraska's medical cannabis program in limbo.

Sen. Ben Hansen Urges Immediate Action to Prevent “Wild West” Situation in Cannabis Regulation

After the vote, Sen. Ben Hansen emphasized the urgent need for legislative action, calling the bill a “must” to prevent a chaotic, unregulated cannabis industry in Nebraska. He warned that without legislative oversight, the regulatory commission established by voters would lack the necessary power or funding to enforce cannabis regulations, leaving the state vulnerable to confusion and disarray.

Nebraska Medical Cannabis Commission Faces Financial and Regulatory Hurdles

Hansen's bill aimed to establish a regulatory framework for the Nebraska Medical Cannabis Commission, which is struggling to meet its regulatory obligations due to a lack of state funding. Without financial resources, officials have stated it will be nearly impossible to craft regulations by the July 1 deadline. Hansen's bill sought to extend that deadline, allowing more time for the commission to implement the necessary regulations and licensing procedures.

Opposition Within the Committee and Proposed Amendments to the Bill

During discussions, some members of the General Affairs Committee expressed concerns about certain aspects of the bill, particularly the inclusion of vaping and the list of qualifying medical conditions. State Sen. Bob Andersen, representing north-central Sarpy County, opposed the idea of permitting vaping due to concerns about its impact on youth drug use. Meanwhile, State Sen. John Cavanaugh voiced concerns about the proposed list of qualifying medical conditions, particularly the exclusion of post-traumatic stress disorder

(PTSD).

Senators Debate the Role of Physicians and Medical Practitioners in Cannabis Regulation

The committee also discussed the role of healthcare practitioners in recommending medical cannabis. Under the proposed bill, only licensed physicians, osteopathic physicians, physician assistants, or nurse practitioners would be authorized to recommend cannabis, and they would need to have treated the patient for at least six months before making such recommendations.

Debate Over the Need for Additional Medical Cannabis Commission Members

The bill also proposed changes to the structure of the Nebraska Medical Cannabis Commission, including allowing the governor to appoint two additional members to the commission, one of whom would need to be a healthcare practitioner. Some committee members, including Sen. Stan Clouse, argued that the governor should be allowed to appoint up to two more members, such as law enforcement or supply chain representatives, to ensure a well-rounded commission.

Sen. Hansen Faces Legal and Political Obstacles to Advancing the Bill

While Hansen's bill faces significant political hurdles, including opposition from Speaker John Arch, who has historically opposed medical cannabis, the legislative rules do offer a potential path forward. Hansen could file a motion to pull the bill out of committee, which would require at least 25 votes and the scheduling of a debate by Speaker Arch. If the bill were to be debated, it would need to pass three rounds of discussion and secure at least 33 votes to become law.

State Sen. Jared Storm Presents Alternative Bill Limiting Cannabis Use

State Sen. Jared Storm of David City presented an alternative proposal, LB 483, which would severely limit the allowable use of medical cannabis. Under his bill, cannabis use would be restricted to oils and tinctures, and patients would be allowed to possess only 300 milligrams of cannabis. Storm argued that the state should wait for the Nebraska Supreme Court to resolve ongoing legal challenges before taking further action on medical cannabis legislation.

Ongoing Legal Challenges to Nebraska's Medical Cannabis Laws

In addition to legislative challenges, the state's medical cannabis program is facing legal battles. Former state senator John Kuehn has filed two lawsuits seeking to invalidate the provisions of the medical cannabis law. The first lawsuit, which the Nebraska Attorney General's Office joined, was unsuccessful in district court, and the case is now being appealed to the Nebraska Supreme Court. The second lawsuit is ongoing in Lancaster County District Court.

Advocates Remain Determined to Move Forward Despite Setbacks

Despite the setback in the General Affairs Committee, Crista Eggers, executive director of Nebraskans for Medical Marijuana, remained hopeful. She expressed confidence that advocates would continue to fight for a well-regulated medical cannabis program in Nebraska. Eggers emphasized that giving up has never been an option, and she vowed to continue pushing for a comprehensive medical cannabis program that would meet the needs of Nebraska's patients.

What Lies Ahead for Nebraska's Medical Cannabis Program

While the future of LB 677 remains uncertain, the debate surrounding medical cannabis in Nebraska is far from over. With strong support from advocates and the backing of a majority of voters who approved the medical cannabis ballot measure, Sen. Hansen and other supporters are determined to push for a solution that ensures patients in Nebraska have access to safe and regulated medical cannabis. As the legislative session progresses, all eyes will remain on the Nebraska Legislature to see if lawmakers can overcome their differences and pass meaningful cannabis reform in the state.

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