

The Ongoing Marijuana Discussion is Starting to Sound Like a Bad Cheech and Chong Routine

Despite the growing legalization of marijuana, at least for medicinal purposes, state and city governments in America are still trying to "tweak" the laws.

Part of the problem is [marijuana is still illegal at the Federal level](#). Since a clear ruling has not been provided on how regional and local governments are to deal with medical marijuana, politicians continue to debate — even if it means going around in circles.

For example, an attempt in Washington State to clarify the issue has put city council members in the position of attempting to regulate [medical marijuana dispensaries](#) in the same fashion as the corner vegetable stand, hairdressers and auto repair shops. It hasn't worked.

Even in Nevada, which made medical marijuana legal in 2000, supporters flip-flop. The venerable Las Vegas Review-Journal, a former supporter legal marijuana, [changed their editorial position](#) when Las Vegas Sands' owner, Sheldon Adelson, bought the paper.

What the Review-Journal once saw as the answer to many problems became anathema simply because someone with money came along and upset the apple cart.

In Nevada — Should Pot Be Legalized and Regulated Like Alcohol?

In November the marijuana legalization debate in the Silver State continues with [Question 2](#) on the Nevada ballot. The initiative wants to legalize possession of up to one ounce of marijuana for anybody 21 and older and permits growing of six plants to anyone who doesn't reside within 25 miles of a retail marijuana store. There's a quirk in the proposal. Depending on specific circumstances a grower with ten acres of land could be limited to growing six plants. Probably not a good use of farmland.

In November 2000, Nevada passed Question 9 which amended the state's constitution to allow medical marijuana. The vote was 65 percent yes and 35 percent no. The debate — and fine-tuning of — regulations still has not stopped in Nevada.

Nevada isn't alone, says notable [Las Vegas drug lawyer](#) Nick Wooldridge. Council members in Washington State have been trying to figure out a way to work within the scope of legislation gutted by a previous governor.

Trying to Patch the Holes in Washington State

It doesn't matter if you are for them or not; pot dispensaries will be around a long time, at least in Washington State.

That's what Ballard District's Council members Sally Clark and Nick Licata are betting on. The two went to work in 2012 on legislation which would implement statutes based on zoning regulations to regulate cannabis dispensaries.

"We have a population with needs as well as persons who want to begin a legitimate business," Clark said.

The new zoning regulations were in response to a bill that Washington State Legislators passed in 2011 — [ESSSB 5073](#). The bill, filled with enough legalese to scare off squadrons of attorneys, altered State regulations to allow for the growing, and distribution, of medical marijuana. Under Federal law, medical marijuana is considered an "illegal substance."

Although the council members would not discuss it at the meeting, former--Governor Christine Gregoire punched holes in the legislation with her veto rights. Almost unique to Washington State, the governor can veto a portion of a bill, leaving other sections intact. This often results in legislation with more holes than the Titanic.

One of the holes created includes a murky definition of how, or where, medical marijuana dispensaries can gather. As there are no rules, dispensaries can gather under one roof and share resources and staff.

Another hole is the lack of clarity for where dispensaries can locate. The only regulation — a loose one — is a federal law stating dispensaries within 1,000 feet of a school are “apt to receive harsher penalties”.

As the city council can't change state law, they have decided to go a different direction: apply zoning laws.

The zoning laws place size constraints, location limitations and neighborhood commercial stipulations.

Council member Licata believes the council's decision is trying to put some arms around the problem and still avoid the legal debate in whether the city decides marijuana is legal — or not.

Medical marijuana dispensaries have been the center of controversy ever since dispensaries started showing up.

Proponents are sure that medical marijuana can aid in many ailments where other pharmaceuticals have failed.

Brad Palma, the owner of the dispensary Conscious Care Cooperative, tells the story of one individual who weighed over 290 pounds. The person would stumble and stammer and was taking a virtual cocktail of pills to try and relieve his symptoms. With medical marijuana, his speech got better and was able to work out and lose 50 pounds.

"The whole discussion about medical marijuana being legal or not is based on ignorance," Palma said. "How can anyone say that a natural herb is worse than pharmaceuticals?"

Palma admits that not all dispensaries are trying to help people. When he was in San Diego, he would often see dispensaries open and close quickly — just to obtain cash.

"You see people open up dispensaries for a few months and make a few thousand bucks — then they close down and leave their patients without any help," Palma said.

Licata and Clark believe their zoning regulations will prevent the Whack-a-Mole challenges of dispensaries.