

SB 5073: Medical Marijuana and the Federal Government

- **The federal government has never prosecuted anyone—whether or not a state employee—who complies with state laws that license and regulate medical marijuana.**
 - Although medical marijuana is legal in fifteen states, only six states, plus Washington, D.C., have clear dispensary laws. **The federal government has never gone after a state employee engaged in the implementation of such a law.**
 - In October 2009, the US Department of Justice produced the “Ogden Memo” stating the federal government’s intent not to prosecute individuals in compliance with state medical marijuana laws. But this memo came out when two states already had dispensary laws on the books, and at least one had already licensed medical marijuana producers. **Why should Washington be any different from the states already doing this?**
 - New Mexico’s Department of Health licensed the first medical marijuana producer in March 2009, with state employee involvement. **Despite early fears, the feds have not gone after any state employee there, and New Mexico continues to benefit from an orderly and safe medical marijuana system.**
 - **In fact, the federal government has never gone after anyone involved in, and abiding by the rules regarding, state-licensed production or dispensing of medical marijuana.** Federal enforcement has happened only in those states that remain in the “wild west,” without the kind of robust regulation that SB 5073 would bring, or in cases of flagrant disregard for regulations.
- **The Legislature and our Governor must give local governments the ability to zone and regulate dispensaries for the safety of patients and communities.**
 - Senate Bill 5073 gives cities, towns, and counties the explicit authority to adopt tax, zoning, licensing, and health and safety requirements for medical marijuana producers and dispensers. Without these tools, Washington could see a rapid spread of uncontrolled dispensaries, like California. **The Legislature and Governor must act to give local governments these critical tools now.**
 - **The federal government has adopted a “dog in the manger” attitude that fails to provide a real solution.** The feds have promised no action to control the chaos of semi-legal businesses, yet balk at a law that regulates them sensibly. The Legislature and our Governor must step in where the feds will not, so that patients can have access to medicine and communities are safe.
- **The Governor should stand by the will of Washington’s people, who overwhelmingly favor making medical marijuana available to seriously ill people, on our own terms.**
 - **84% of Washington voters favor “allowing patients with terminal or debilitating conditions to possess and consume marijuana if their doctors recommend it.”**
Greenberg Quinlan Rosner Research, statewide survey of 800 likely voters in the 2012 elections, conducted December 13-19, 2010, margin of error of +/- 3.40 at a 95 percent confidence level.
 - **83% of Washington voters agree that “Washington State—not the federal government—should be able to make its own laws regarding medical marijuana, that is marijuana recommended by doctors to relieve pain and suffering.”**
Belden Russonello & Stewart Research and Communications, statewide survey of 1,200 registered voters conducted January 4-8, 2006, margin of error of +/-2.8%.