

MMA seeks delay of marijuana dispensaries

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Following the Nov. 6 passage of a state initiative legalizing the sale of marijuana for certain medical conditions, the MMA is calling for more time to allow cities and towns to adequately prepare for the new law.

A number of processes and regulations must be established before the law goes into effect. For example, the Department of Public Health must establish what constitutes a 60-day supply of the drug, the maximum that patients will be allowed to purchase at any one time.

The Department of Public Health must also register dispensaries that intend to cultivate marijuana and register each dispensary's agents. Fees for applying for dispensary licenses must be set, and patients will need registration cards to procure marijuana. The DPH must also issue hardship cultivation registrations to individual patients.

The law calls for state regulations to be in place by April 1, but the MMA is advocating for an effective date of July 1.

The law allows for up to 35 cultivation dispensaries authorized by the state in the first year. There must be at least one dispensary in each county, but no more than five. Registration fees for dispensaries will be set to make the law cost-neutral to the state.

Following voter approval of the ballot initiative, several cities and towns have taken, or plan to take, steps to prohibit or restrict the location of marijuana dispensaries in their communities.

On Nov. 15, town meetings in Wakefield and Reading approved zoning bylaws prohibiting marijuana dispensaries. In Reading, nearly three-quarters of town meeting members supported the ban. Support was even higher in Wakefield, which has an open town meeting.

The city of Melrose held a public hearing on banning dispensaries on Nov. 19.

Neighboring Malden, by contrast, has scheduled a Dec. 12 hearing on the possibility of establishing a medical marijuana dispensary in the city. The hearing will focus on a proposal by two city councilors to establish use regulations and parking requirements, among other conditions for a dispensary.

Since marijuana was decriminalized in Massachusetts four years ago, more than 80 cities and towns have strengthened penalties for smoking marijuana in public, according to Ruth Clay, the health director for Melrose, Wakefield and Reading.

While marijuana remains a Schedule 1 drug under the Federal Controlled Substances Act, the U.S. Department of Justice has issued an informal directive not to pursue federal prosecutions when state laws allow medical usage.

Massachusetts is the 18th state to legalize medical marijuana.

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<http://www.mma.org/municipal-government/7154-mma-seeks-delay-of-marijuana-dispensaries>

PS. Additional towns seeking local action, include:

Quincy, Braintree, Sandwich, Barnstable, Wayland, Stoughton, Wayland, Westborough, Walpole, Dover, Sherborne

There is broad consensus among these towns that they need more time to prepare and plan for potential local impact of this law.