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GOLDEN: Marijuana legalization: Realists involvement would be beneficial

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It was supposed to be a win-win for all involved. With public support exceeding 60 percent, the legislature and the administration were to join hands and drag New Jersey into the 21st century enlightenment by permitting adults to possess small amounts of marijuana for personal use without fear of the law clamping down.

The future promised creation of a new industry, of entrepreneurs eager to invest, generate millions of dollars in tax revenue and erase the racially disproportionate rate of arrests and incarceration for possession.

And it was all politically risk free. Voters had granted landslide approval of an amendment to the Constitution to grant legal status to purchasing and promised users would soon be able to kick back, relax and fire up a joint.

Instead, the effort to establish rules and regulations and administer the program has deteriorated into an ongoing embarrassment, a public display of the misunderstanding, miscommunication and disagreements of a dysfunctional government.

For two- and one-half months, disputes over tax rates, location and number of commercial outlets, licensing requirements and distribution of anticipated revenue delayed legislative passage.

The latest obstacle, whether those younger than age 21 found in possession of marijuana should be punished, has caused yet another delay.

The stalemate has resurrected criticism that has dogged the administration since the outset — failure of an inexperienced governor and staff to understand and react to the partisan and personal cross currents which often roil the legislature.

The history of legalization efforts is not a particularly stellar model of governmental policy-making.

Murphy campaigned on it in 2017, but couldn't convince the democratically-controlled legislature to support it. In 2019, the legislature approved a ballot question for the 2020 election which, to no one's surprise, drew a 60 percent favorable response.

Despite the certainty of the outcome, no serious effort was undertaken in the year leading up to the referendum to address the issues that thwarted legislative approval in the first place.

The amendment provided legalization would be effective on Jan. 1, 2021, sending the legislature and the governor's office scrambling to build from the ground up in less than two months a multi-million-dollar endeavor and create a new state bureaucracy to administer it.

Two implementing bills currently rest in the governor's office, awaiting a third bill to clarify penalties for marijuana possession by minors. The lack of punishment provisions was cited by the governor as the rationale for withholding his signature, describing the omission as a "drafting error."

Legislative proponents claimed that failing to include penalties for juveniles was a deliberate policy decision rather than an inadvertent oversight. The two sides were unable to come to an agreement on the reasons for their disagreement.

Ultimately, a legislative committee approved penalties for minors, only to witness it fail after opponents argued any punishment would fall heavily and with longer term consequences on minority youth. Whether the governor will relent and affix his signature to the pending legislation is unclear.

It was an all too familiar story. The rap on the administration has been the absence of the politically masterful and a reliance on those who believe the executive is preeminent and the legislative branch compliant.

Critics have complained the administration has been hampered by a dictatorial mindset and brought problems on itself by wrangling with the legislature over otherwise easily resolvable matters.

Legislative successes nearly always result from accommodations, compromises and pledges of future favors. Chits are the coin of the political realm and tracked as scrupulously as favorable press clippings.

The insights and instincts of the politically skilled are crucial to reconcile the irreconcilable, overcome the seemingly impossible and turn loss into gain.

A governor's office can be an exceedingly insular environment. Perspective is often replaced by a magnified sense of self-importance. Occupying space near the levers of power can be intoxicating, especially for those who've not experienced anything like it before.

It is crucial that a few political graybeards be sprinkled throughout the top staff to deflate egos in interactions with legislators who, after all, hold the fate of the governor's agenda.

To be sure, legislators can be difficult and unyielding at times, but responding with condescension and projecting an air of smug superiority will not smooth over differences and achieve consensus. It is fundamental, practical politics that carries policy over the finish line to reality.

Purists may be offended by it, but realists understand it. The entire episode toward marijuana legalization would have benefitted from the involvement of a few realists.

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