

# This One Weird Trick for Legalizing Marijuana

Governor Andrew Cuomo “insisted Monday (April 1) that New York will pass a law to legalize recreational pot before the Legislature adjourns in June,” *The New York Post* reports. He’s been promising legalization for some time. Many New Yorkers had hoped the measure would be included in this year’s state budget.

What’s the hold-up? “You still need to control and regulate,” says Cuomo. “You don’t want 14-year-olds having access to marijuana, so how you do it is frankly the tougher part of the equation. In the rush of the budget, we couldn’t do it intelligently.”

News flash for Governor Cuomo and New York’s legislators (and for politicians in all the other states lagging the legalization trend): Those 14-year-olds already have access to marijuana. So does everyone else.

Sure, the price of “illegal” marijuana might be slightly higher than the price of “legal” marijuana (to make the profits worth the risk of going to jail), but anyone who wants a bag of weed can get one in a New York minute.

And they’ll still be able to get it after legalization, no matter what byzantine regulatory schemes the politicians come up with and no matter how solemnly they aver that those schemes are “for the chilllllldren.”

Here’s a weird trick for legalizing marijuana:

Legalize marijuana.

Yes, that’s really all there is to it.

If you feel some irrational need to “protect the children” from a plant, set an age limit. Problem solved.

Yes, they’ll ignore it. Just like they ignore the age limits on alcohol and tobacco. They’ll ignore it even if you only allow it to be sold in licensed facilities. They’ll get fake IDs, or find helpful adults, or just buy it on the black market like they do now. They’ll ignore it, and they’ll ignore you. But hey, knock yourself out.

Confused about how to tax marijuana? Fine — DON’T tax it. Or at least don’t tax it any differently than any other similar plant. Deem it a non-taxable food, or a taxable confection, or a taxable houseplant. There, you’re done.

There’s nothing complicated about this. People have used marijuana for millennia. New Yorkers have used marijuana since there have been New Yorkers. They’re using marijuana

now and they'll be using marijuana a hundred years from now.

The only relevant question is whether or not they should go to jail for using it.

The only correct answer to that question is no, they shouldn't.

Legalize it, New York. All you other states, too. Let's get this silly war on a plant over with. The plant won. The plant has never not been winning. Surrender already. It's good policy, it's good politics, and it's just the right thing to do.