

## The Meaning of the November Ballot Initiative to Legalize Recreational Marijuana

On Tuesday, November 6, 2018, Michigan citizens will be asked whether they want to legalize **recreational** marijuana. Medical marijuana was made legal in 2008, and is not affected by this.

You need to understand **what this ballot initiative means**, and what it **does not address**.

### This Proposal Will:

#### 1. Allow the highest per person marijuana possession limit of any state in the nation.

- Adults will be able to possess 10 ounces or approximately 600-880 joints at home and 2.5 ounces of personal possession in public.
- Adults will also be allowed to have 12 plants in their home (12 plants per adult).
- In the seven states that have legalized recreational marijuana, the personal possession limit is 1 ounce. The exception is Maine, which allows 2.5 ounces for personal possession. Massachusetts allows the possession of 10 ounces of harvested marijuana at home.
- **Michigan would allow possession in both categories - at home and personal possession.**

#### 2. Aggressively advance an agenda without easy citizen regulation. If initiative passes on November 6, **every Michigan community - whether their members want it or not - will be open for “marijuana business” as of January 2019. Towns will be forced to allow recreational marijuana businesses until they choose to “opt-out”.**

- Every community means - every municipality or township in Michigan.
- Business refers to commercial growing and retail shops.
- To opt-out or limit the number of recreational marijuana businesses in your community, an individual in the community must petition to initiate an ordinance to “opt out” of the law, after it goes into effect. Said individual must gather 5% of voter signatures from the last governor election, and create a ballot proposal for a regularly held election (cannot be a special election), and get enough community support to pass the initiative at the next election.

#### 3. It will **not regulate like alcohol: there is limited specified regulations. The penalty for selling to minors is vaguely stated.**

- Also, if a young person, ages 18 to 20 (under the age of legal purchase, possession, and use in this proposal) is ticketed, they need **not** be advised or required to take drug education or counseling.

#### 4. It will allow the transfer (or giving) of 2.5 ounces of marijuana to *someone else without any regulation*.

**5. This initiative does not regulate the potency of marijuana.**

- Today's drug is much more potent - containing up to 2 to 7.5 times more THC, the addictive chemical compound in marijuana, than in the 1980s.
- The THC level in highly potent marijuana edibles (80% to 99% THC) is not regulated.

**6. This initiative has unforeseen consequences for Michigan businesses and the economy.**

- Expect decreased work safety and productivity with workers under the influence.
- Expect an increase in absenteeism (employees not showing up to work).
- Expect decreased workforce with applicants (and workers) that can't pass a drug test, etc.
- The US Navy estimates each drug user costs his or her employer an average of \$6,600 more than non-substance using coworkers
- In accordance with the National Drug Control Policy, the estimated national cost of lost worker productivity including absenteeism and poor job performance due to illicit drug use was 129 billion dollars.

**7. Increases Law Enforcement's Job.**

- This will make it difficult for police to prove a driver is under the influence of marijuana.
- This will affect enforcement and potentially accident liability and insurance rates.
- The PER/SE (BAC of .08+) criterion for driving under the influence of alcohol will not apply.

**This Proposal Will Not:**

1. The ballot initiative does not address possible dangerous *additives* to marijuana cigarettes.
2. This ballot initiative does not prohibit marijuana and alcohol sale and consumption in the same place of business (it allows consumption at the site of purchase). This further raises concerns about car crashes and fatalities, given the potential for drugged/drunk driving.
3. This ballot initiative does not allow citizens to FOIA Information to discover who owns/operates a grow establishment, even if the business creates a public nuisance.
4. This ballot initiative does not allow marijuana use/addiction to be used as a factor in determining child custody.

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# Additional Q & A

## **Q1: WHAT IS THE CURRENT LAW WHEN IT COMES TO *RECREATIONAL* MARIJUANA IN MICHIGAN?**

A1: It is currently illegal both on the federal and Michigan state level. Marijuana is a Schedule One controlled substance. Substances in this schedule currently have no accepted medical use in the United States. There is a lack of accepted safety for use under medical supervision, and a high potential for abuse. Many cities, townships, and counties have designated marijuana possession as a civil infraction i.e. a ticket.

## **Q2: WHAT IS THE CURRENT LAW WHEN IT COMES TO *MEDICAL* MARIJUANA?**

A2: Medical marijuana was made legal in Michigan in 2008. If an individual has a medical marijuana card, they can consume marijuana within the guidelines of the law and not be prosecuted by the state. *This ballot initiative however is regarding recreational marijuana not medical.*

## **Q3: WHAT IF I DO NOT WANT *RECREATIONAL* MARIJUANA TO BE LAW IN MY TOWN, COMMUNITY, OR NEIGHBORHOOD?**

A3: The ballot initiative, if passes, will make it law and you will have to get your town leadership to opt out of the law.

## **Q4: IF THIS NOVEMBER 6 BALLOT INITIATIVE PASSES, HOW CAN WE ADD REGULATIONS INTO IT?**

A4: The Michigan Legislature will need to amend the law. As recently experienced in the case of Medical Marijuana in Michigan, **it could likely take up to 10 years for changes and additional regulations to be put in place.**

## **Q5: IF THIS BALLOT INITIATIVE PASSES, HOW SOON WILL IT GO INTO EFFECT?**

A5: January 1, 2019

## **Q6: IF IT PASSES WILL CITIZENS HAVE ANY RECOURSE TO STOP THIS?**

A6: No. The Michigan Legislature would need to overturn the law with a  $\frac{3}{4}$  vote (i.e.  $\frac{3}{4}$  of the Legislative Body in each chamber would have to agree). Even changing anything as small as a comma to the policy will require a  $\frac{3}{4}$  vote by the State Senate and House members.

## **Q7: WHO ARE THE PEOPLE THAT ARE FUNDING THIS BALLOT INITIATIVE TO MAKE *RECREATIONAL* MARIJUANA LEGAL IN MICHIGAN? WHO WANTS TO MAKE THIS POLICY LAW?**

A7: Marijuana Policy Project based out of Washington DC is the “bank” pertaining to funding. They could be filtering money from bad businessmen and out-of-state businesses that want to come to Michigan and profit by marketing to our youth and communities.

**Q8: HOW WILL LAW ENFORCEMENT MAKE SURE USERS FOLLOW THE LAW?**

A8: It will be very challenging for law enforcement, as there is not a reliable impairment test in the instance of impaired driving. Law enforcement will also have the obstacle of enforcing personal possession limits of marijuana, and underage sales and distribution of marijuana, as well as marijuana in the school systems.

**Q9: WOULDN'T IT HELP LAW ENFORCEMENT TO MAKE RECREATIONAL MARIJUANA LEGAL? THEY WILL HAVE LESS THINGS TO MONITOR, WON'T THEY?**

A9: The ballot proposal allows 2.5 ounces on your person and 10 ounces at home, and 12 plants at home. **Law enforcement will have to monitor that people follow the law in regards to possession limits and approved locations for use.**

With an increase in marijuana-impaired driving accidents and fatalities, law enforcement will have the issue of identifying and enforcing impaired driving identification. Law enforcement will also likely have to deal with large crime organizations like cartel moving to Michigan to operate in our communities where it is legal and easier to market and transport to states where marijuana is not legal.

This will most assuredly make law enforcement's job *harder not more simple*.

**Q10: WHERE WILL YOU BE ABLE TO BUY OR OBTAIN RECREATIONAL MARIJUANA?**

A10: A provisioning center will be able to set up shop in *any* Michigan community as the ballot language is written that a community has to opt-out (as a community) if they do not want it.

Because marijuana is illegal federally, where Michigan citizens would obtain their marijuana is in question. It seems that in order to buy marijuana seeds a business owner or citizen that would wish to grow marijuana, would have to turn to the black market (funding terrorism and other crimes).

**Q11: WILL THERE BE ANY SORT OF REGULATIONS FOR HOME USE?**

A11: 10 ounces at home and 12 plants as well as 15 grams of 99% THC concentrates. There will be no recourse for neighbors to influence whether their neighbors set up shop or smoke it as it will be a “legal substance.” **If smoke from a neighbors use goes onto your property where your children play you will have no recourse.**

**Q12: WHO WILL BE MONITORING TO MAKE SURE HOMES ONLY HAVE 12 PLANTS PER ADULT?**

A12: Local law enforcement and prosecutors. Michigan's State Licensing Bureau (LARA) will be responsible for regulating but not enforcing.

**Q13: ARE THERE ANY REGULATIONS OF A HOMEOWNER SELLING MARIJUANA OUT OF THEIR HOUSE?**

A13: No - an individual can transfer 2.5 ounces without any regulation whatsoever (i.e. no ID, taxes or payment will be necessary for an exchange of hands).

**Q14: WON'T THE TAXES FROM THE SALE OF RECREATIONAL MARIJUANA HELP OUR ECONOMY?**

A14: The costs far outweigh the 'proposed' benefits. Even a conservative estimate of a few projected economic and social costs of marijuana legalization total 61.2 million for 2020, exceeding the revenues projected by pro-legalization activists. ([Click here to read more.](#))

**Q15: RECREATIONAL MARIJUANA, IF MADE LEGAL, WILL PROVIDE JOBS TO THE COMMUNITY, RIGHT?**

A15: It will hurt our economy, workforce, *and employers*. The costs will include employers not being able to hire employees who can't pass a drug test, and big businesses potentially leaving Michigan. ([Read this from MI Chamber.](#))

**Q16: MARIJUANA IS JUST A PLANT! DON'T YOU THINK IT IS WRONG TO MAKE PLANT USE, OF ANY KIND, ILLEGAL?**

A16: Poison Ivy is also a plant and natural, would you smoke that? Heroin is derived from poppy plants, cocaine from coca leaves. This argument that some are making is not sustainable.

**Q17: DOESN'T LEGALIZING RECREATIONAL MARIJUANA CONTRIBUTE TO FREEDOM?**

A17: Not when a market is emerging that is profiting from addiction and making products that are targeting our youth - that is a public health problem.

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