

2018 MICHIGAN BALLOT PROPOSAL 1: RECREATIONAL MARIJUANA

Proposal 18-1

A proposed initiated law to authorize and legalize possession, use and cultivation of marijuana products by individuals who are at least 21 years of age and older, and commercial sales of marijuana through state-licensed retailers.

This proposal would:

- *Allow individuals 21 and older to purchase, possess and use marijuana and marijuana-infused edibles, and grow up to 12 marijuana plants for personal consumption.*
- *Impose a 10-ounce limit for marijuana kept at residences and require amounts over 2.5 ounces to be secured in locked containers.*
- *Create a state licensing system for marijuana businesses and allow municipalities to ban or restrict them.*
- *Permit retail sales of marijuana and edibles subject to a 10% tax, dedicated to implementation costs, clinical trials, schools, roads and municipalities where marijuana businesses are located.*
- *Change several current violations from crimes to civil infractions.*

Should this proposal be adopted?

MORE INFORMATION ON THE BALLOT PROPOSAL

1. This ballot proposal would allow the highest per person marijuana possession limit of any state.

- Adults would be able to possess 10 ounces (approximately 600-880 joints) at home and 2.5 ounces on their person. An adult would also be able to transfer 2.5 ounces to another individual without regulation.
- Adults would also be allowed to have 12 plants in their home (12 plants per adult).
- Most states that have legalized recreational marijuana have a personal possession limit of 1 ounce. The exception is Maine, which allows 2.5 ounces for personal possession.
- Michigan would allow 10 ounces of possession at-home. Many states do not have different limits for personal or possession at home, and most of those that do have them are lower than Michigan's proposed limit. The only exception is Massachusetts, which also allows 10 ounces.

2. If the ballot proposal passes on November 6, every Michigan community must allow marijuana business as of January 2019. Municipalities would be required to allow recreational marijuana businesses until they choose to opt-out.

- Every community means *every municipality or township* in Michigan.
- In order to limit the number of recreational marijuana businesses in your municipality, an individual must collect signatures on a petition from 5% of voters in the last gubernatorial election. If enough signatures are collected, a vote would be held at the next regularly scheduled election (not a special election). Otherwise, municipalities are automatically opted-in.
- Business refers to commercial growing and retail shops.
- Retail shops would be authorized to sell both marijuana and alcohol.

3. This ballot proposal would not regulate the potency of marijuana.

- Modern marijuana plants are much more potent – containing up to 2 to 7.5 times more THC, the addictive chemical compound in marijuana, than in the 1980s.
- Marijuana concentrates contain much higher levels of THC level (80% to 96% THC). The potency of these products would not be regulated.

4. The ballot proposal would create challenges for Law Enforcement.

- Law enforcement would face challenges in determining whether someone is impaired while driving because there is no verified safe limit for operating a vehicle under the influence of marijuana.
- The blood alcohol content limit of .08 would not apply to marijuana use.
- Penalties for failure to comply with many aspects of the proposed law are vague or unstated in the proposal.
- This proposal does not allow marijuana use/addiction to be used as a factor in determining child custody.

COMMON QUESTIONS & ANSWERS ABOUT THE BALLOT PROPOSAL

If this ballot proposal passes, how soon would it go into effect? January 1, 2019

If this ballot proposal passes, can it be amended? If approved by voters in November, this proposal would be a public act. In order to change public acts in Michigan, a ¾ majority vote is required in both the Michigan House and Senate

How will our communities ensure restricted access to minors? The language on this issue is vague. The penalties for selling to minors are not defined in the proposal, and the penalties for minors in possession are only loosely defined. There will be challenges with restricting youth access in homes that have marijuana plants, and the high possession limits could also allow for increased access. Research shows that states that have legalized marijuana in some form have higher youth use rates than those without any legal marijuana.

Would this ballot proposal change the medical marijuana laws in Michigan? 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 medical marijuana law and not be prosecuted by the state. This proposal would not impact marijuana for medicinal use.

What should businesses expect if the recreational marijuana ballot proposal passes? Business leaders may see decreased workplace safety and productivity if workers are under the influence of marijuana. It may become more challenging to find and keep employees who can pass a drug test.

Where would an individual purchase recreational marijuana through the ballot proposal? Retail stores would be allowed to be established in every municipality in Michigan until or unless the municipality opts out through a citizen initiative, petition, and local election. Further, individuals would be allowed to grow up to 12 plants per household and transfer up to 2.5 ounces to another person.

Where would the taxes from the sale of recreational marijuana be distributed?

Taxes would be distributed as follows:

- Administrative costs in Michigan's Department of Licensing and Regulatory Affairs
- \$20 million annually (for at least two years or until 2022) to research the use of marijuana in treating U.S. military veterans and preventing veteran suicide

All remaining revenue would be divided as such:

- 15% to cities in proportion to the number of marijuana retail stores or micro-businesses within the city
- 15% to counties in proportion to the number of marijuana retail stores or micro-businesses within the county
- 35% to the school aid fund for K-12 education
- 35% to the Michigan transportation fund for the repair and maintenance of roads and bridges

We cannot yet predict the social costs of legalizing marijuana for recreational use, but the costs have been high in Colorado.