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A resolution by Supervisor Weishan, Jr., providing for an advisory referendum on the November 6, 2018, election ballot to measure public opinion on allowing adults 21 years of age and older to engage in the personal use of marijuana, while also regulating commercial marijuana-related activities, and imposing a tax on the sale of marijuana, by recommending adoption of the following:

A RESOLUTION

WHEREAS, criminalizing marijuana use has failed to curb its use, and more than 100 million Americans say they have used marijuana; and

WHEREAS, in a 2016 poll, 59 percent of Wisconsinites said that marijuana should be “fully legalized and regulated like alcohol,” and recent polls show a majority of Americans favor legalization of adult recreational use of marijuana; and

WHEREAS, the Wisconsin State Legislature has failed to act on legislation to legalize and regulate marijuana, and has not allowed hearings on such legislation; and

WHEREAS, legalizing and taxing marijuana could significantly increase State and local revenues; and

WHEREAS, an estimate by the Congressional Research Service suggests that replacing marijuana prohibition with a system of taxation and regulation could yield \$6.8 billion in Federal excise taxes alone; and

WHEREAS, Alaska, California, Colorado, Maine, Massachusetts, Nevada, Oregon, and Washington have legalized adult personal use of marijuana, and regulate the production, distribution, and sale of marijuana, while Vermont and the District of Columbia have legalized limited personal possession and cultivation of marijuana by adults; and

WHEREAS, the time law enforcement spends enforcing existing marijuana laws and ordinances negatively impacts the time available to solve more serious crimes and apprehend more dangerous criminals; and

WHEREAS, felony second offense marijuana charges are disproportionately issued against African American males in Milwaukee County, continuing a pattern of racially-biased justice system outcomes with lifelong negative impacts on those convicted and on their families; and

WHEREAS, marijuana prohibition makes product quality control and sales regulation impossible, leaving marijuana sellers free to target children as potential customers and to peddle potentially adulterated products; and

47 WHEREAS, the lack of a dispute resolution system for disputes in the illicit
48 marijuana trade inevitably leads to violence as disputes arise; and
49

50 WHEREAS, the Committee on Judiciary, Safety, and General Services, at its
51 meeting of May 10, 2018, recommended adoption of File No. 18-333 (vote 5-0);
52 now, therefore,
53

54 BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County
55 (the County), Wisconsin, as follows:
56

57 Section 1. Referendum Election. The County Clerk is hereby directed to call an
58 advisory referendum election to be held in the County at the regularly scheduled
59 election to be held November 6, 2018, for the purpose of submitting to the qualified
60 electors of the County the proposition of whether the State of Wisconsin should legalize
61 and regulate the recreational use of marijuana in Wisconsin. The referendum shall be
62 held, noticed, and conducted following the procedures set forth in Section 59.52(25) of
63 the Wisconsin Statutes.
64

65 Section 2. Official Referendum Ballot Form. The ballot to be used at the
66 referendum election shall be prepared in accordance with the provisions of Sections
67 5.64(2) and 7.08 1)(a) of the Wisconsin Statutes. The ballot shall be substantially in the
68 form attached hereto as Exhibit A.
69

70 ; and
71

72 BE IT FURTHER RESOLVED, the Department of Administrative Services is
73 authorized and directed to process an appropriation transfer of \$15,000 from Org. 1800-
74 1945 – Appropriation for Contingencies to an allocated contingency account within the
75 same organizational unit to reserve monies for the Election Commission to offset the
76 additional costs of the advisory referendum; and
77

78 BE IT FURTHER RESOLVED, the County Clerk may request the transfer of
79 these funds through an appropriation transfer after the actual referendum expenses are
80 calculated and a determination as to whether the additional funds are necessary for the
81 Election Commission to achieve a balanced budget for 2018.
82

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EXHIBIT A
OFFICIAL REFERENDUM BALLOT

November 6, 2018

ADVISORY REFERENDUM

Do you favor allowing adults 21 years of age and older to engage in the personal use of marijuana, while also regulating commercial marijuana-related activities, and imposing a tax on the sale of marijuana?

Yes

No