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5 **A RESOLUTION**  
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7 providing for an advisory referendum on the November 8, 2022, election ballot to  
8 measure public opinion on allowing adults 21 years of age and older to engage in the  
9 personal use of marijuana, while also regulating commercial marijuana-related activities,  
10 and imposing a tax on the sale of marijuana  
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13 WHEREAS, criminalizing marijuana or cannabis use has failed to curb its use  
14 and, according to a Gallup survey conducted in July 2021, 49 percent of Americans say  
15 they have used marijuana, up from 30 percent in 1985; and

16 WHEREAS, in a Marquette University Law School poll conducted in February  
17 2022, 61 percent of Wisconsinites said that marijuana should be “fully legalized and  
18 regulated like alcohol”, and recent polls show a majority of Americans favor legalization  
19 of adult recreational use of marijuana; and

20 WHEREAS, the Wisconsin State Legislature has failed to act on legislation to  
21 legalize and regulate marijuana and has not even permitted medical cannabis (CBD  
22 only) which 37 other states and the District of Columbia have done; and

23 WHEREAS, a study in late 2021 by municipal bond strategists at Barclays and  
24 reported in Fortune Magazine suggests that by 2030 states that have legalized  
25 marijuana and regulate its sale may realize \$12 billion per year in tax revenue to help  
26 balance their budgets; and

27 WHEREAS, nineteen states and the District of Columbia have decriminalized  
28 legalized adult personal use of marijuana while in other jurisdictions enforcement often  
29 results in charges disproportionately to people of color and young people; and

30 WHEREAS, the time law enforcement spends enforcing existing marijuana laws  
31 and ordinances negatively impacts the time available to solve more serious crimes and  
32 apprehend more dangerous criminals; and  
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34 WHEREAS, felony second offense marijuana charges are disproportionately  
35 issued against African-American males in Milwaukee County, continuing a pattern of  
36 racially biased justice system outcomes with lifelong negative impacts on those  
37 convicted and on their families; and

38 WHEREAS, the Milwaukee County Board of Supervisors adopted File No. 21-  
39 208 in March 2021 which amended Chapter 24.02 of the Milwaukee County Code of  
40 General Ordinances to reduce the fine for marijuana possession and possession and  
41 delivery of drug paraphernalia to no more than one dollar; and

WHEREAS, the Milwaukee County Board of Supervisors adopted File No. 21-306 in April 2021 calling on the State of Wisconsin to regulate marijuana like alcohol and legalize the recreational use of marijuana in Wisconsin for those aged 21 and older, thereby putting the State in line with many other states in the Union, including neighbors Michigan and Illinois; and

WHEREAS, in 2018, approximately 70 percent of Milwaukee County voters approved an advisory referendum on the question of whether Wisconsin should legalize marijuana for 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; and

WHEREAS, it is important that Milwaukee County ask its voters the same question again to better understand how people's views are changing on the issue of marijuana legalization, and to help put a stop to the waste of public resources toward enforcement which unjustly affects people of color; and

WHEREAS, the Committee on Judiciary, Law Enforcement and General Services, at its meeting of July 15, 2022, recommended adoption of File No. 22-800 (vote 3-2); now, therefore,

BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County, Wisconsin, as follows:

Section 1. Referendum Election. The County Clerk is hereby directed to call an advisory referendum election to be held in the County at the regularly scheduled election to be held November 8, 2022, for the purpose of submitting to the qualified electors of the county the proposition of whether the State of Wisconsin should legalize and regulate the recreational use of marijuana in Wisconsin. The referendum shall be held, noticed, and conducted following the procedures set forth in Section 59.52 (25) of the Wisconsin Statutes.

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

; and

BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes the Office of Strategy, Performance and Budget and the Office of the Comptroller to process an appropriation transfer of \$15,000 from Org. Unit 1800-1945 – Appropriation for Contingencies to appropriate accounts in Org. Unit 3270 – County Clerk Election Commission Division to offset the cost of the referendum in 2022.

07/15/22

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## **EXHIBIT A**

### **OFFICIAL REFERENDUM BALLOT**

**November 8, 2022**

### **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