

2 **RESOLUTION: Authorize the Winnebago County Clerk to Publish a Notice of**
3 **Referendum Regarding the Legalization and Decriminalization of**
4 **Cannabis in the State of Wisconsin**

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6
7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

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

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

13 **WHEREAS**, according to a 2019 report of a non-partisan organization, the Prison Policy Institute, “Drug
14 offenses still account for the incarceration of almost half a million people, and nonviolent drug convictions remain a
15 defining feature of the federal prison system”; and

16 **WHEREAS**, in 2016, Federal Bureau of Investigation (FBI) data indicated that annually in Wisconsin 15,000
17 people are arrested for marijuana offenses; and

18 **WHEREAS**, the cost of incarcerations, including probation revocations, in Winnebago County is \$60 per day;
19 and

20 **WHEREAS**, in 2016 a University of Wisconsin-Madison study concluded that it costs taxpayers \$439 for
21 each marijuana arrest, meaning that the annual cost to arrest individuals for marijuana offenses is \$6.5 Million per
22 year; and

23 **WHEREAS**, according to a 2015 report from the Vera Institute of Justice, the average cost per incarcerated
24 persons in Wisconsin State Prisons annually is \$38,644, with marijuana compounding to other sentences; and

25 **WHEREAS**, marijuana offenses are still considered subject to felony conviction in the State of Wisconsin;
26 and

27 **WHEREAS**, according to the Vera Institute of Justice using data from the Wisconsin Department of
28 Corrections (DOC), the average cost of incarcerating first-time marijuana offenses is \$19,000 for a six-month
29 sentence; and

30 **WHEREAS**, according to a 2019 report by the analytics company, New Frontier, “the impact of federally legal
31 marijuana suggest that nationwide legalization could generate 1.1 million jobs by 2025,” and additional labor income
32 will further economic growth almost immediately; and

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

35 **WHEREAS**, legalizing and taxing cannabis could significantly increase state and local revenues; and

36 **WHEREAS**, an estimate of Congressional Research Service suggests that replacing cannabis prohibition
37 with a system of taxation and regulation could yield \$6.8 billion in federal excise taxes alone; and

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

42 **WHEREAS**, the amount of time law enforcement spends enforcing existing cannabis laws and ordinances
43 negatively impacts the time available to solve more serious crimes and apprehend more dangerous criminals; and
44 **WHEREAS**, cannabis prohibition makes product quality control and sales regulation impossible, leaving
45 cannabis sellers free to target children as potential customers and to peddle potentially adulterated products; and
46 **WHEREAS**, according to the National Center for Biotechnology Information, studies have shown that THC
47 from cannabis alleviates heroin and opioid addiction, thereby assisting in ending the opioid crises; and
48 **WHEREAS**, our current elected Governor recognizes the medical benefits of legal marijuana.

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50 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
51 authorizes Winnebago County to conduct a countywide advisory referendum to appear on ballots during the
52 November 2020 general election.

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54 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that a concise statement of
55 the question be given and shall read as follows:

56
57 **Question: Cannabis Should:**

58 *(Please select one of the alternatives below or your vote will be invalid)*

- 59 ☐ (a) ***Be legal for recreational use for adults 21 years of age and older, and legal for***
60 ***medical use, taxes and regulated similar to alcohol.***
61
62 ☐ (b) ***Be legal for medical purposes only.***
63
64 ☐ (c) ***Remain a criminally illegal drug as provided under current law.***
65
66 ☐ (d) ***None of the above.***

67
68 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the
69 Winnebago County Corporation Counsel to prepare a Notice of Referendum to be published by the Winnebago
70 County Clerk in accordance with statutory requirements.

71
72 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that this Resolution and the
73 Referendum shall be filed with the Winnebago County Clerk no later than 70 days prior to the election at which the
74 question will appear on the ballot.

75
76 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the
77 Winnebago County Clerk to forward a copy of this Resolution to the Winnebago County Corporation Counsel and the
78 Winnebago County Executive in accordance with statutory requirements.

79
80 Respectfully submitted by:

81 **BRIAN DEFFERDING, District 6**
82 **STEPHANIE SPELLMAN, District 10**
83 **NICOLE NEUHOFF, District 8**
84 **STEVE LENZ, District 7**
85 **MICHAEL NORTON, District 20**
86 **KOBY SCHELLENGER, District 23**

87 Committee Vote: _____

88 Vote Required for Passage: **Majority of Those Present**

89

90 Approved by the Winnebago County Executive this ____ day of _____, 2020.

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Mark L Harris
Winnebago County Executive