



## Proposal to “Regulate Marijuana Like Alcohol”

### Michigan Proposal to Legalize Recreational Marijuana in 2018

[www.michiganpreventionassociation.org](http://www.michiganpreventionassociation.org)

- 1. ALLOWS THE HIGHEST PER PERSON POSSESSION LIMIT OF ANY STATE IN THE NATION** – 10 ounces or approximately 600-880 joints at home and/or 2.5 ounces personal possession in public. In the 7 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. EVERY MUNICIPALITY IN THE STATE WOULD BE FORCED TO ALLOW RECREATIONAL MARIJUANA BUSINESSES (COMMERCIAL GROWING AND/OR RETAILS SHOPS) UNLESS THEY HELD AN ELECTION TO “OPT OUT”.** To opt-out or limit the number of recreational marijuana businesses, an individual in the community must petition to initiate an ordinance, 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). **In Massachusetts, communities across the state are currently struggling to keep retail marijuana out because of the “opt out” provision in the legalization proposal approved there.**
- 3. DESPITE ITS NAME, THIS PROPOSAL DOES NOT “REGULATE LIKE ALCOHOL”. THERE IS LIMITED SPECIFIED REGULATION AND THE PENALTY FOR SELLING TO MINORS IS VAGUELY STATED.** In addition, 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. ALLOWS THE TRANSFER OF 2.5 OUNCES OF MARIJUANA TO SOMEONE ELSE WITHOUT ANY REGULATION.**
- 5. DOESN’T REGULATE THE POTENCY OF MARIJUANA. Today’s drug is much more potent** - containing up to 3 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 90% THC) is not regulated.
- 6. HAS UNFORSEEN CONSEQUENCES FOR BUSINESS AND THE ECONOMY**, e.g. decreased work safety and productivity with workers under the influence, absenteeism, decreased work force with applicants (and workers) that can’t pass a drug test, etc.
- 7. MAKES IT DIFFICULT FOR POLICE TO PROVE A DRIVER IS UNDER THE INFLUENCE OF MARIJUANA, EFFECTING 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. (See Page 2 for an explanation of “Per se” laws related to alcohol.)

#### IN ADDITION, THIS PROPOSAL...

- **DOESN’T ADDRESS POSSIBLE DANGEROUS ADDITIVES TO MARIJUANA CIGARETTES.**
- **DOESN’T PROHIBIT MARIJUANA AND ALCOHOL SALE AND CONSUMPTION IN THE SAME PLACE OF BUSINESS AND ALLOWS CONSUMPTION AT THE SITE OF PURCHASE.** This further raises concerns about car crashes and fatalities, given the potential for drugged/drunken driving.
- **DOESN’T ALLOW CITIZENS TO FOIA (Freedom of Information Act) INFORMATION TO DISCOVER WHO OWNS/OPERATES A GROW ESTABLISHMENT, EVEN IF THE BUSINESS CREATES A PUBLIC NUISANCE.**
- **DOESN’T ALLOW MARIJUANA USE/ADDICTION TO BE USED AS A FACTOR IN DETERMINING CUSTODY.**

#### Professional Organizations That Oppose the Use and Legalization of Marijuana:

- The American Academy of Pediatrics [www.aap.org](http://www.aap.org)
- The American Academy of Child and Adolescent Psychiatry [www.aacap.org](http://www.aacap.org)
- US Office of National Drug Control Policy [www.whitehouse.gov/ondcp](http://www.whitehouse.gov/ondcp)
- The American Society of Addiction Medicine [www.asam.org](http://www.asam.org)
- Community of Anti-Drug Coalitions of America [www.cadca.org](http://www.cadca.org)

## **“PER SE” LAWS RELATED TO ALCOHOL**

\*Note: "Per se" laws in DUI or DWI cases generally establish that once an individual is shown to have a blood-alcohol concentration (BAC) at or above .08 percent, that person will be considered intoxicated by law. In such circumstances, no further evidence of intoxication or impairment need be demonstrated for purposes of a DUI case. These days, all states have per se DUI laws that find any driver with a blood-alcohol concentration (BAC) at or above .08 percent to be intoxicated. The existence of these laws throughout the United States means that it is important for individuals who are drinking to realize that, regardless of how sober they themselves feel and behave, it is their BAC that matters in the eyes of the law once they get behind the wheel. Should it exceed the per se legal limit, they will legally be presumed to be impaired. <http://dui.findlaw.com/dui-laws-resources/per-se-dui-laws.html>