

# NOTICE OF REFERENDUM

## Dane County

**November 8, 2022**

### Referendum Election Details

At an election to be held in the County of Dane on November 8, 2022, the following proposed Resolution of the County Board, will be submitted to a vote of the people:

Since 2012, 19 states and Washington, D.C., have legalized marijuana for adults over the age of 21. And 38 states and Washington, D.C., have legalized medical marijuana. A majority of Americans now have legal access to marijuana, either for medical or recreational uses, or both. This means that Wisconsin is increasingly becoming an island of prohibition.

Legalization of marijuana would have numerous positive benefits for our state, including addressing racial disparities in our criminal justice system, increasing state revenue, and affording people the ability to access the medicine they need.

Marijuana prohibition laws in the early 1900's were rooted in white supremacy and racist in their application, and in the first full year after the Marijuana Tax Act was passed, Black individuals were three times more likely than white individuals to be arrested for violating narcotic drug laws.

Disparities in arrest data continue today with Black individuals over four times more likely to be arrested for marijuana offenses than white individuals in Wisconsin, according to 2019 data.

These arrests, and the criminal records they create, lead to significant societal harm related to housing access, employment, and long-term economic security.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports the legalization of marijuana in Wisconsin and the expungement of previous marijuana-related offenses, and places the following two separate advisory referendum questions on the ballot for the November 8, 2022 election:

Advisory Referendum Question #1:

*"Should marijuana be legalized, taxed, and regulated in the same manner as alcohol for adults 21 years of age or older?"*

Advisory Referendum Question #2:

*"Should all records of previous convictions for marijuana possession in small amounts in the State of Wisconsin be expunged?"*

BE IT FINALLY RESOLVED that the Dane County Clerk shall take all necessary steps to implement this resolution.

## **Ballot Text**

The question will appear on the ballot as follows:

Advisory Referendum Question #1:

*"Should marijuana be legalized, taxed, and regulated in the same manner as alcohol for adults 21 years of age or older?"*

Advisory Referendum Question #2:

*"Should all records of previous convictions for marijuana possession in small amounts in the State of Wisconsin be expunged?"*

## **Explanation**

Referendum Question #1 is non-binding and does not have the force of law. It seeks to elicit the opinion of the voters of Dane County as to whether marijuana should be legalized. A "yes" vote signifies that the voter supports adoption of legislation by the Wisconsin Legislature to repeal criminal statutes prohibiting the possession and use of marijuana and to adopt statutes taxing and regulating marijuana in the same manner as alcohol for adults 21 years of age and older. A "no" vote means the voter supports current criminal statutes and penalties for the possession and use of marijuana.

Referendum Question #2 is non-binding and does not have the force of law. It seeks to elicit the opinion of the voters of Dane County as to whether the records of criminal convictions for possession of small amounts of marijuana should be expunged. To "expunge" means to remove a record of a criminal conviction as if it had never occurred. A "yes" vote signifies that the voter supports legislation by the Wisconsin Legislature to adopt a statute expunging criminal convictions for possession of small amounts of marijuana. A "no" vote means the voter does not support expungement of these convictions.

Done in the City of Madison on October 21,  
2022.



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Scott McDonell, Dane County Clerk