

INITIATIVE MEASURE No. 65

BALLOT TITLE: Should Mississippi allow qualified patients with debilitating medical conditions, as certified by Mississippi licensed physicians, to use medical marijuana?

YES

Initiative 65 is the only measure on the ballot that guarantees Mississippi patients access to the help they need right away – as soon as voters approve it. Initiative 65 sets up a safe and regulated medical marijuana program for patients who qualify from a specified list of 22 debilitating medical conditions that are proven to respond to medical marijuana, including cancer, epilepsy, seizures, multiple sclerosis, and ALS.

34 states have regulated medical marijuana programs. For many patients, medical marijuana is the only medicine that effectively relieves pain and suffering without debilitating side effects. Under Initiative 65, decisions are made by doctors and patients – not politicians.

If the Mississippi Legislature cared about patients' access to medical marijuana, they would have long ago established a medical marijuana program, but they did not. Instead, they blocked every proposed bill – more than 20 – to pass medical marijuana legislatively. Due to the Mississippi Legislature's repeated failures to pass medical marijuana, more than 228,000 Mississippians signed petitions to put Initiative 65 on the ballot for voters to decide on November 3.

After Initiative 65 officially qualified, politicians in the Legislature placed a competing alternative on the ballot, Alternative 65A, thereby creating a convoluted two-step voting process in an attempt to confuse voters by denying them a fair up or down vote. Alternative 65A is poorly written and does not specify who, if anyone, will be able to receive medical marijuana or when, if ever, a program would be set up or how it would function – Alternative 65A has ZERO guarantees.

Mississippians who want a safe, immediate, clearly defined medical marijuana program that truly helps patients who are suffering should vote "yes" for Initiative 65, the measure supported by doctors, religious leaders, law enforcement officials, and veterans, instead of Alternative 65A, the politicians' measure.

By: Dr. Matthew B. Wesson, M.D.
Steering Committee Member for Initiative 65

NO

Initiative 65 will put patients, communities, kids, and workers at risk. Constitutional amendment 65 exempts this marijuana cartel from the laws of the state overriding and superseding any control by legislators and executive branches of the state. Unlike a normal state law, Initiative 65 would eliminate the ability of any future state Legislature to develop a true medical marijuana program as more research is done on marijuana. Future changes would require another constitutional amendment to correct the serious flaws in Initiative 65.

Initiative 65 would prohibit the taxing of marijuana by the state or local governments. No revenue from marijuana sales would be available for schools, roads, health care or law enforcement.

A Mississippian can't own a gun if they use marijuana under Initiative 65 because it is illegal under federal law to possess a firearm if you are a drug user, even if it is called "medical" marijuana.

Initiative 65 eliminates the power of local governments to control zoning with respect to marijuana. The potential locations of marijuana dispensaries and growers are dictated by this amendment. Local leaders would not have the power to limit the location and number of dispensaries in their communities.

If passed, marijuana would be distributed in any number of ways, including cookies, brownies, joints, blunts and vaping with an allowed distribution of 2.5 ounces every 2 weeks (approximately 300 joints/month). This is not how dosages of medicine are distributed. If marijuana is to be medicinal, it should be treated like any other medicine so that doctors and patients can have confidence it is safe. True medicine is not authorized in our constitution, as no other product is.

The Mississippi State Board of Health opposes Initiative 65. This initiative is the wrong way to approach medical marijuana in Mississippi. Please vote Against/NO to Initiative 65.

Mississippi State Board of Health

ALTERNATIVE MEASURE No. 65 A

BALLOT TITLE: Shall Mississippi establish a program to allow the medical use of marijuana products by qualified persons with debilitating medical conditions?

YES

Initiative 65's advocates say it's a "medical" marijuana program. In fact, it will recklessly establish in our constitution a dangerous, largely unregulated program that will flood Mississippi with marijuana.

Alternative 65A is different. It requires the appropriate state agency to consult with medical professionals to develop a safe, effective medical marijuana program based on sound medical principles. Alternative 65A has safeguards to ensure that, unlike Initiative 65, it will be limited to legitimate medical uses. This alternative program:

- Is limited to qualified persons with debilitating medical conditions
- Allows terminal patients to smoke marijuana while non-terminal patients can use other forms like pills
- Limits the number of state-licensed medical marijuana manufacturers to prevent flooding the market
- Allows only pharmaceutical quality marijuana
- Restricts marijuana treatment to state-licensed healthcare providers
- Requires tracking and assessment of patient outcomes to determine marijuana treatment effectiveness

Initiative 65 puts a "medical" marijuana program into our constitution, making it extremely hard to change. Alternative 65A gives the legislature and state agencies freedom to update the program to respond to advances in knowledge of the benefits and dangers of medical marijuana.

Physicians and treatment centers complying with Initiative 65 and its bare-bones regulations are exempted from criminal and civil liability. Irresponsible doctors and marijuana mills cannot be sued by injured victims or prosecuted by state and local law enforcement. Alternative 65A does not limit victims' rights or tie law enforcement's hands.

Under Initiative 65 "medical" marijuana cannot be taxed above the 7% sales tax, meaning it would be taxed less than tobacco and alcohol, and all revenues would go back into the medical marijuana program. Alternative 65A would give the legislature freedom to tax medical marijuana appropriately and use the revenue for critical needs like education and infrastructure.

Vote "Yes" on Alternative 65A – the only true medical marijuana option.

NO

Alternative 65A has ZERO guarantees or accountability. It does not even include a specific list of qualifying medical conditions or timeline for implementation. It was thrown together by politicians at the last minute and places the power in the hands of politicians – not doctors – to decide which patients, if any at all, will be eligible for medical marijuana.

If Mississippi politicians cared about patients' access to medical marijuana, they could have long ago established a medical marijuana program, but they did not. Instead, they blocked every proposed bill – more than 20 – to pass medical marijuana legislatively. None of those bills even made it to the floor for a vote.

Although patients in 34 other states have medical marijuana programs and more than 80% of Mississippians support a medical marijuana program for patients suffering from debilitating medical conditions, politicians have continually failed to pass medical marijuana legislation. Then, when given the opportunity to vote against Alternative 65A and thereby allow the voters a fair up or down vote, an overwhelming number of politicians chose instead to support Alternative 65A.

The language of Alternative 65A is inadequate and fails to include basic components necessary to establish a medical marijuana program that will help patients. It does not even provide constitutional protections for patients, caregivers, or doctors.

Under Alternative 65A, decisions will be made by state politicians – at some point – maybe. Don't let politicians confuse you. Leave Alternative 65A blank and don't vote for it.

Under Initiative 65, decisions are made by doctors and patients and will be set up right away – as soon as voters approve it. Vote for Initiative 65, the measure supported by doctors, religious leaders, law enforcement officials, and veterans, and placed on the ballot with over 228,000 signatures from across the state.

By: Dr. Matthew B. Wesson, M.D.
Steering Committee Member for Initiative 65

INITIATIVE MEASURE No. 65

BALLOT SUMMARY: Initiative Measure No. 65 proposes to amend the Mississippi Constitution to allow qualified patients with debilitating medical conditions, as certified by Mississippi licensed physicians, to use medical marijuana. This amendment would allow medical marijuana to be provided only by licensed treatment centers. The Mississippi State Department of Health would regulate and enforce the provisions of this amendment.

FISCAL ANALYSIS

*Prepared by the Mississippi
Legislative Budget Office*

The overall cost to Mississippi for the first year is estimated to be \$11,068,150. The anticipated expenses for the first year to implement a medical marijuana program is \$24,068,150 (Plants – seeds to Sale: \$5,000,000; Licensing, Monitoring, Inspection: \$16,220,150; and Cost to Collect Revenue: \$2,848,000). The anticipated revenue is \$13,000,000 (User ID Cards: \$2,500,000; Commercial Licenses: \$500,000 and sales fee at 7 percent: \$10,000,000).

The anticipated expenses for years following the first for a medical marijuana program is \$15,338,000 (Plants – seeds to Sale: \$5,000,000; Licensing, Monitoring, Inspection: \$8,756,000; and Cost to Collect Revenue: \$1,582,000). The anticipated revenue is \$26,000,000 (User ID Cards: \$5,000,000; Commercial Licenses: \$1,000,000 and sales fee at 7 percent: \$20,000,000). The overall annual revenue is anticipated to be \$10,662,000, all of which must be used to support the state marijuana program.

ALTERNATIVE MEASURE No. 65 A

BALLOT SUMMARY: This constitutional amendment is proposed as a legislative alternative measure to Initiative Measure No. 65 and would establish a program to allow the medical use of marijuana products by qualified persons with debilitating medical conditions.

FISCAL ANALYSIS

*Prepared by the Mississippi
Legislative Budget Office*

The cost or revenue impact associated with this initiative is undeterminable.

The Secretary of State's Office hosted a series of five Public Hearings in September and October 2020 to give Mississippians the opportunity to express their opinions about Initiative Measure #65 and Alternative Measure #65 A to be decided in the November 3, 2020 General Election. The public was invited to attend any or all forums.

For a transcript of each of the hearings, to read written comments submitted either for or against both measures or for more information on the medical marijuana measure, please visit: www.sos.ms.gov/initiatives

This pamphlet is published by the Mississippi Secretary of State's Office as required by, and in accordance with, Mississippi statute. Miss. Code Ann. § 23-17-45



Michael Watson
SECRETARY OF STATE

THE NOVEMBER 3, 2020 BALLOT

Both Initiative Measure No. 65 and Alternative Measure No. 65 A will appear at the end of the General Election ballot. According to Mississippi election law, voters will be asked to make two choices:

1. First, voters will be asked if they want to amend the Mississippi Constitution by either proposed amendment or whether they do not want to change the current law.

The ballot will give two options:

**VOTE FOR APPROVAL OF EITHER,
OR AGAINST BOTH:**

- FOR APPROVAL OF EITHER
Initiative Measure No. 65 OR
Alternative Measure No. 65 A
- AGAINST BOTH Initiative Measure
No. 65 OR Alternative Measure
No. 65 A

2. Next, voters will then have the option of voting for EITHER Initiative Measure No. 65 OR Alternative Measure No. 65 A.

The ballot will give two options:

**AND
VOTE FOR ONE:**

- FOR Initiative Measure No. 65
- FOR Alternative Measure No. 65 A

Medical Marijuana Initiatives

Initiative Measure No. 65 & Alternative Measure No. 65 A



Michael Watson
SECRETARY OF STATE

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