



Legislation Text

File #: 200307, **Version:** 1

200307

ORIGINAL

180898

ALD. RAINEY

Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of legislation legalizing the use and sale of marijuana, taxing its sale, and sequestering the revenue resulting from that taxation for purposes of benefitting communities of color.

This resolution directs the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of legislation to legalize the use and sale of marijuana, tax its sale, and sequester the revenue resulting from that taxation for purpose of benefitting communities of color.

Whereas, Despite the federal government's prohibition on the cultivation, use, possession, distribution, and sale of marijuana through the Controlled Substances Act, there are nevertheless myriad state laws that treat marijuana less harshly and essentially contradict federal law; and

Whereas, It has long been the federal government's policy to reserve the enforcement of petty marijuana possession offenses to the state and local level; and

Whereas, Different states have taken differing approaches governing the possession, sale, and cultivation of marijuana, including legalization with taxing and regulation conducted similarly to cigarettes and alcohol, medical-use legislation, decriminalization for first-time offenders possessing small amounts, and prohibition; and

Whereas, In several states, municipalities have passed local marijuana ordinances that classify certain forms of possession or use as municipal violations subject to civil forfeitures; and

Whereas, Since 1997, the City of Milwaukee has worked to decrease the deleterious effects of marijuana legislation by decriminalizing use and possession of small amounts of marijuana for first-time offenders; and

Whereas, In April 2014, the State passed a law allowing cities, towns, and villages to regulate second and subsequent offenses; and

Whereas, Given the lack of consistent policies regarding marijuana use and possession throughout

the state, which causes confusion among residents, it has become increasingly apparent that marijuana legislation is a matter of statewide concern; and

Whereas, It is well-documented that enforcement of marijuana laws has long disproportionately affected communities of color; and

Whereas, A Wisconsin Policy Forum review of Milwaukee County circuit court data found that while African Americans make up approximately 26% of Milwaukee County's population, they accounted for 86% of those found guilty of a second or subsequent marijuana possession offense in 2013 and 2014; and

Whereas, The racial disparity of arrests for marijuana use and possession is an issue of fundamental fairness and negatively affects police-community relations in predominantly African American neighborhoods; and

Whereas, Since a significant proportion of fines for marijuana possession are never paid, it is questionable whether the amount of public resources being spent to enforce these laws is appropriate; and

Whereas, There is a great deal of discretion involved in enforcement of marijuana possession laws; and

Whereas, Since legalizing marijuana in 2014, Colorado has collected more than \$1 billion in tax revenue from the sale of marijuana; and

Whereas, Colorado and many other states that have passed marijuana legislation use tax revenue collected from the marijuana industry to benefit social programs; and

Whereas, Using marijuana tax revenue for social programs that benefit disproportionately-affected communities of color would aid in restoring balance to those communities that have been adversely affected by enforcement of marijuana laws; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration - Intergovernmental Relations Division is directed to seek introduction and passage of State legislation to legalize the use and sale of marijuana, tax its sale, and sequester the revenue resulting from that taxation for purpose of benefitting communities of color; and, be it

Further Resolved, That the City Clerk shall send copies of this resolution to the City's delegation in the State Legislature; and, be it

Further Resolved, That File Number 180898 is amended by inserting the following item in the document attached to the file and identified as "AMENDED 2019-2020 State Legislative Detailed Proposals and Key Issues":

Health & Safety	Common Council	Legalize the use and sale of marijuana, tax its sale, and sequester the revenue resulting from that taxation for purpose of benefitting communities of color.
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LRB 176164-1
Tea B. Norfolk
6/18/2020