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

Yes

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 will 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

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

No

Initiative 65’s advocates say it’s a “medical” marijuana program. In fact, it will recklessly establish in our constitution a dangerously, 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:

• allows only 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 the law enforcement's ability to prosecute.

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.

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

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. 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 blocked every proposed bill 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. Vote 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.
**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.

**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 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 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

**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:

   - 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:

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

   AND

   VOTE FOR ONE:

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