

Legalizing Marijuana in Florida?

Five Critical Reasons to VOTE NO on Amendment 2



Amendment 2 decriminalizes possession and smoking of marijuana by creating a constitutional right to grow, sell and consume pot. Amendment 2 claims to be about legalizing just medical marijuana, but its wording amounts to the de-facto legalization of pot in Florida.

FLORIDA ALREADY HAS MEDICAL MARIJUANA

The Florida Legislature already legalized medical marijuana. In fact, TWO different laws are actively in effect today. In 2014, Florida passed "Charlotte's Web" allowing the use of low-THC (non-euphoric) marijuana by those suffering from cancer, seizures or severe muscle spasms and for whom no other treatment has proven effective. In 2015, Florida's "Right to Try Act" was amended to include medical marijuana, allowing patients with terminal conditions to access the drug without FDA approval. We recognize the real need to help people suffering with debilitating medical conditions and to alleviate pain. We believe these two EXISTING laws properly provide for these situations and that *Amendment 2 is completely unnecessary.*



ALLOWING THE SALE OF UNSAFE "EDIBLES" PUTS CHILDREN AT RISK

Amendment 2 legalizes marijuana foods (edible products laced with marijuana) which will include cookies, candies, and "pot-tarts." These are *obviously enticing to children*, and in "medical" marijuana states like California, children are being rushed to the ER after unknowingly consuming marijuana in the form of candy. States where medical marijuana is legal have been shown to have higher rates of calls to poison-control centers and ER visits by children under 9 years of age for unintentional marijuana exposure.³ *Edible products have also caused deaths in Colorado.*

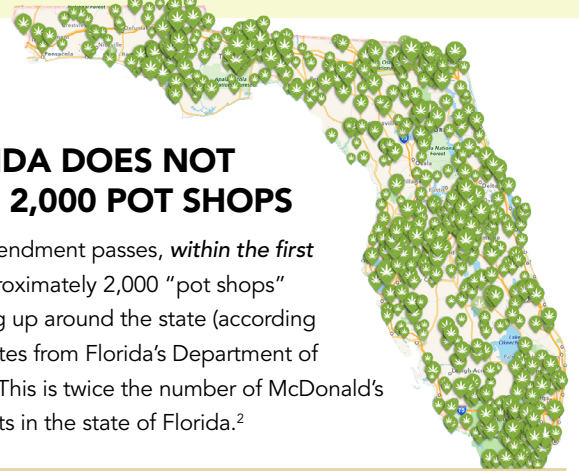


INCREASED POTENCY LEVELS MEAN INCREASED HEALTH RISKS

Marijuana would not be dispensed at pharmacies with a doctor's prescription. Instead, it would be sold by what the marijuana industry refers to as "budtenders," with *NO medical training or clinical experience required.* Further, Amendment 2 does not regulate the strength or potency of the marijuana being used. In Colorado, THC levels have increased from around 15% to more than 20%, and levels in extracted hashish or concentrates can reportedly

FLORIDA DOES NOT NEED 2,000 POT SHOPS

If this amendment passes, *within the first year* approximately 2,000 "pot shops" will spring up around the state (according to estimates from Florida's Department of Health.¹) This is twice the number of McDonald's restaurants in the state of Florida.²



AMENDMENT 2 WOULD PROHIBIT REGULATION OF THE POT INDUSTRY



Amendment 2 ties the hands of our elected representatives to respond to its inevitable unintended consequences. Because it grants a fundamental "constitutional right" to sell, purchase and consume marijuana, the Florida Legislature and other state regulatory bodies would be *unable to pass common-sense legislation to correct problems with the amendment's outcomes.* Instead, another constitutional amendment will be necessary, a very lengthy and costly process. This is not an issue appropriate for a Constitution, a document intended for fundamental rights and the structure of government. Florida has an unfortunate history of placing policy issues in our state Constitution – like fish net bans, pregnant pig regulations and others. The bottom line is this: *drugs should not be permanently enshrined in Florida's Constitution.*

1. http://www.edr.state.fl.us/Content/constitutional-amendments/2016Ballot/MedM-FIEC_Full%20Analysis_10-21-2015.pdf 2. http://www.huffingtonpost.com/the-daily-meal/states-with-the-most-mcdo_b_5496803.html 3. <http://www.neim.org/doi/full/10.1056/NEJMp1500043?query=TOC&page=&sort=newest&#ref2> 4. <http://www.neim.org/doi/full/10.1056/NEJMp1500043?query=TOC&page=&sort=newest&#article> and <http://abc-news.go.com/US/marijuana-edibles-dangerous-smoking/story?id=23468248> and <http://www.washingtontimes.com/news/2015/jul/26/cdc-warns-of-dangers-of-marijuana-edibles/> 5. <http://www.neim.org/doi/full/10.1056/NEJMp1500043?query=TOC&page=&sort=newest&#article>

reach 90%. There have been increased public safety incidences and the CDC warns of the "potential danger."⁴ *There is no standard amount, quality or limit to the pot that may be contained in an edible.* As in other states,⁵ the wide range of marijuana products available and their increased potency would have *serious public health implications for Florida.*



RECOMMENDATIONS ON 2016 AMENDMENT QUESTIONS

NOTE Amendments 1 and 2 are legislative policy issues and therefore have no place in Florida's Constitution. Amendments 3 and 5 are appropriate issues for an amendment because Florida's homestead exemption is found in the state Constitution and the Legislature does not have the authority to pass laws changing these constitutional issues.

VOTE **NO** AMENDMENT 1

SOLAR ENERGY

GRANTS A RIGHT TO OWN/LEASE SOLAR ENERGY EQUIPMENT AND PROHIBITS FORCED SUBSIDIZATION OF SOLAR ENERGY

While this amendment sounds pro-consumer and pro-solar, it is not. Amendment 1 is backed and promoted by the various utility companies in the state. Floridians already have the right to own/lease solar equipment and Amendment 1 provides no new consumer protections. What is hidden from view is the fact that utility companies will be able to charge consumers for the electricity they should be using (and aren't because they are using solar instead). Furthermore, it offers permanent protection to the utility companies' share of the energy market by forbidding competition and creating a monopoly of sorts for the sale of solar energy. (Current law forbids the third-party sale of solar energy, but the Legislature can change this at any time).

VOTE **NO** AMENDMENT 2

MEDICAL MARIJUANA

DECriminalizes POSSESSION AND SMOKING OF MARIJUANA AND CREATES A CONSTITUTIONAL RIGHT TO GROW, SELL, AND CONSUME POT

Amendment 2 claims to be about legalizing medical marijuana, but it offers little to no regulation and would amount to de-facto legalization of pot in Florida. Granting a fundamental "constitutional right" to sell, purchase and consume marijuana means the Legislature and other regulatory bodies would not be able to pass common-sense legislation in response to the amendment's inevitable unintended consequences. Marijuana would not be dispensed at a pharmacy with a doctor's prescription. Government reports estimate 2,000 pot shops; and because pharmacists can't dispense it, marijuana would be sold by what the marijuana industry refers to as "budtenders." Budtenders have no medical training and no clinical experience. The amendment also legalizes marijuana foods (edible products laced with marijuana) which will include cookies, candies, and "pot-tarts." These are obviously enticing to children and in "medical" marijuana states like California young people are being rushed to the ER after unknowingly consuming marijuana in the form of candy. *[see fuller explanation on reverse side]*

VOTE **YES** AMENDMENT 3

TAX EXEMPTION FOR DISABLED FIRST RESPONDERS

GRANTS A PROPERTY TAX EXEMPTION TO FIRST RESPONDERS WHO HAVE BEEN TOTALLY AND PERMANENTLY DISABLED IN THE LINE OF DUTY

This amendment allows the Legislature to grant a property tax exemption of ad valorem taxes on homesteaded properties for totally and permanently disabled first responders like police officers, fire fighters and paramedics. It is appropriate to honor and take care of those individuals who have served and been injured while protecting and serving their communities. This amendment only enables the Legislature to later pass this exemption into law (which they cannot do without this amendment). This amendment has bipartisan support by both Republicans and Democrats and was placed on the ballot unanimously by the Florida Legislature.

PASSED | AMENDMENT 4

SOLAR CHOICE *(NOTE: on August 2016 Primary Ballot, passed by 72.6%)*

VOTE **YES** AMENDMENT 5

PROPERTY TAX EXEMPTION FOR LOW-INCOME SENIORS

GRANTS A PROPERTY TAX EXEMPTION ON HOMESTEAD PROPERTIES TO SENIOR CITIZENS AND DISABLED VETERANS MAKING LESS THAN \$20,000/YEAR

This amendment allows the Legislature to grant a property tax exemption of ad valorem taxes on homesteaded properties for homes valued at less than \$250,000 owned by individuals over the age of 65 who have lived in their home for at least 25 years; are permanently disabled veterans aged 65 or older; or are surviving spouses of veterans or first responders who died in the line of duty. This exemption would allow individuals to keep the exemption even if their home value exceeded \$250,000 in the future (after qualifying the first year). The Legislature cannot grant this exemption without the passage of this amendment. Individual local jurisdictions must also approve this exemption in order for individuals to receive it. This amendment has bipartisan support by both Republicans and Democrats and was placed on the ballot unanimously by the Florida Legislature.