

# Louisville Metro Council

## Resolution Concerning

# The Cannabis Freedom Act

WHEREAS, The war on drugs is an obviously failed policy that hasn't met any of its stated objectives to reduce drug use. The burden of this failed, federally led effort lies primarily with state and local governments. Consequences of the failed policy include: overcrowded jails, racially biased policing, employment discrimination, and increased use of more dangerous drugs.

WHEREAS, Cannabis prohibition is at the center of the failed war on drugs and the focus on preventing cannabis use has blocked research into medical use of the plant. The fastest way to remove research barriers on cannabis is to remove criminal penalties for adult possession. Louisville Metro Council implores the State legislature to move quickly toward a taxed and regulated system for cannabis distribution similar to the one delineated in The Cannabis Freedom Act of 2016.

WHEREAS, Four U.S. states and the District of Columbia have legalized cannabis possession for adults. These states have experienced few problems transitioning to a legal market and they have generated significant tax revenues for their states. The positive experiences of other states convince Louisville Metro Council that Kentucky should move forward with legalization.

WHEREAS, There is consequence in not acting. Continuing the failed policies of the war on drugs has severe consequences for our society. Allowing these negative consequences to continue to affect our citizens is unacceptable; therefore be it

RESOLVED that the Louisville Metro Council calls on the governing bodies of the Commonwealth of Kentucky to acknowledge the importance of acting to correct the failed policy of cannabis prohibition and be it further

RESOLVED that Louisville Metro Council supports the provisions in The Cannabis Freedom Act of 2016 and we encourage the general assembly to move quickly toward its passage.

Louisville Metro Council

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December 17, 2015

## The Cannabis Freedom Act

The full text of the bill is available at [lrc.ky.gov](http://lrc.ky.gov) BR 161 pre-filed legislation by State Senator Perry Clark.

### Highlights

- Legalizes possession of up to an ounce of cannabis by adults 21 and over
- Includes a medical exemption for persons under 21 with physician approval
- Allows personal cultivation at home of up to 5 plants in a secure location
- Establishes a four tier system to separate commercial growers, processors, testing facilities and retail operators. This system prevents monopolization.
- Sets a non-refundable application fee of \$100 and an annual license fee of \$5000. The license is non-transferable.
- Creates an excise tax of \$30/ounce on cannabis flowers and \$10/ounce for other parts of the plant.
- Creates a separate responsible use program fund for tax receipts. The fund allocates taxes to the following: 30% to the public school fund, 20% to the Kentucky Education Department, 20% to the Office of Drug Control Policy for substance abuse treatment, 15% to the Kentucky Law Enforcement Council for equipment purchases and 15% to the general fund
- Places administrative control under the renamed Alcohol Beverage and Cannabis Control Board

### Limitations

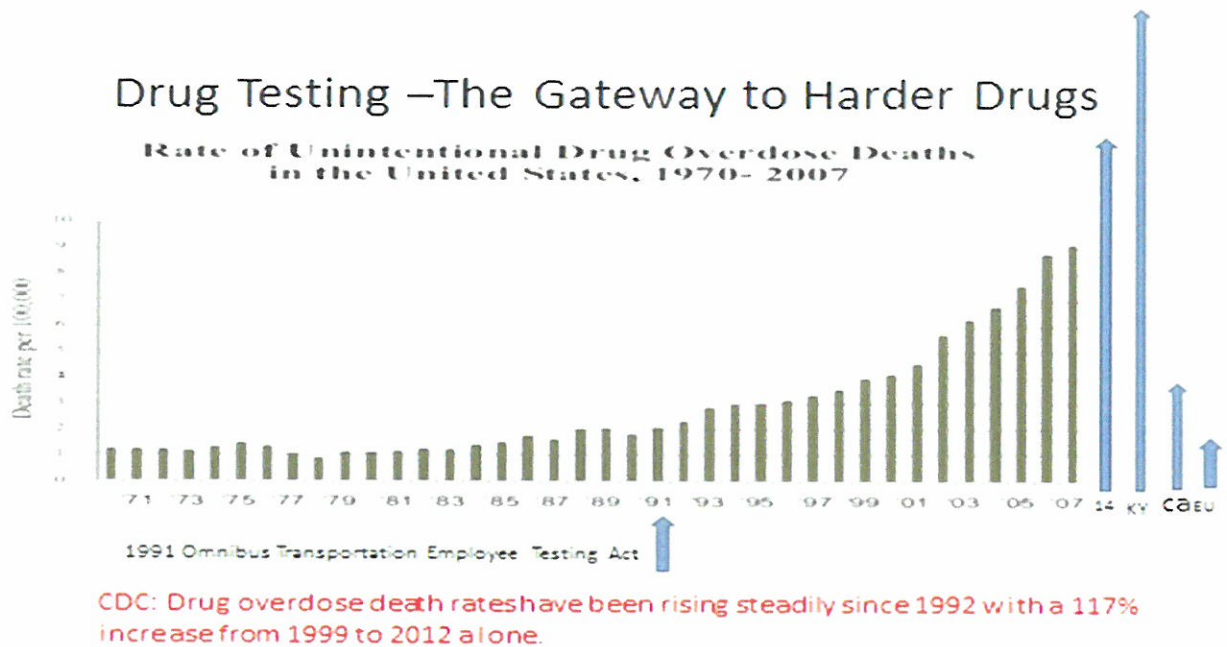
The Cannabis Freedom Act does not address three of the biggest failures of the drug war.

- Criminal sanctions for possession of other drugs
- Cannabis eradication program
- Widespread drug testing, which is the biggest mistake of the entire drug war

“History teaches that grave threats to liberty often come in times of urgency, when constitutional rights seem to extravagant to endure....

When we allow fundamental freedoms to be sacrificed in the name of real or perceived exigency, we invariably come to regret it.”

Thurgood Marshall, Dissenting Opinion, Skinner vs. Railway Labor Executives’ Association (489 US 602)



Drug policy affects everyone. It’s a local, state and federal issue. The problems the United States is experiencing in drug policy revolve around a single theme: Government Overreach. Our constitution was written to protect individual freedom because our founding fathers knew that the tendency of government is to overreach. The drug war hasn’t worked because the entire war is unconstitutional. Every level of government has a responsibility to end this massive violation of civil rights. Passing a resolution in support of the Cannabis Freedom Act would be a good start.

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