

## RESOLUTION 2018 - 124

### RESOLUTION FOR BARNEGAT TOWNSHIP, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO OPPOSE THE ENACTMENT OF LEGISLATION TO LEGALIZE THE RECREATIONAL USE AND SALE OF MARIJUANA.

**WHEREAS**, under the Federal Controlled Substances Act of 1970, it is illegal to possess, use, buy, sell or cultivate marijuana for recreational purposes in all United States jurisdictions; and

**WHEREAS**, Ocean County follows the Rule of Law and Federal law clearly states that marijuana is considered to have a high potential for abuse and physical or psychological dependence and that marijuana use is illegal for any reason, with the exception of FDA-approved research; and

**WHEREAS**, the Federal Drug Enforcement Agency lists marijuana as a Schedule I Drug and that other Schedule I Drugs include Heroin, LSD, Ecstasy and Quaalude; and

**WHEREAS**, Barnegat Township strives to support the local law enforcement effort and recognizes that making recreational marijuana use legal will further strain the resources of law enforcement already dealing with the opioid epidemic; and

**WHEREAS**, recent public media accounts have indicated that the Governor of the State of New Jersey, some State Legislators and other officials will move to legalize recreational marijuana use within the Governor's first 100 days of office; and

**WHEREAS**, only eight states and the District of Columbia have legalized recreational marijuana; and

**WHEREAS**, Attorney General Jeff Sessions has rolled back an Obama-era policy that allowed "legal" marijuana without Federal intervention and has effectively unleashed Federal prosecutors to crack down on marijuana-related offenses; and

**WHEREAS**, a recent poll taken by Fairleigh Dickinson University found that 58 percent of those polled believe the State should not legalize marijuana for recreational use, highlighting a trend which shows support for legalization declining in recent years; and

**WHEREAS**, Colorado, one of the states that has legalized recreational marijuana, has seen an increase in documented traffic deaths involving drivers that had used marijuana as well as increased use in teens aged 12 to 17 that is 74% above the national average; and

**WHEREAS**, recreational marijuana is specifically designed to have as much Tetrahydrocannabinol ("THC") as possible; and

**WHEREAS**, THC is known to impair physical function in the user, including reaction time while operating a vehicle and the user's ability to perceive danger; and

**WHEREAS**, New Jersey utilized Drug Recognition Experts, "DRE" Experts, to determine whether someone is under the influence of a drug when operating a motor vehicle; and

**WHEREAS**, New Jersey has a standard established for Driving While Intoxicated, .08%, however, since marijuana THC is known to stay in a person's system for up to 30 days, there is no current test or standard established for operating a motor vehicle under the influence of marijuana, making enforcement difficult; and

**WHEREAS**, Monmouth County and several municipalities in Ocean County, including Point Pleasant Beach and Berkeley Township, have already passed Ordinances to ban sales in their jurisdiction with Toms River Township, Ocean Gate and Lavallette strongly considering similar ordinances; and

**NOW, THEREFORE, BE IT RESOLVED** that Barnegat Township, County of Ocean, State of New Jersey hereby opposes the enactment of legislation to legalize the recreational use and sale of marijuana; and further encourages Ocean County municipalities to join with Ocean County in opposing this issue.

**BE IT FURTHER RESOLVED** that certified copies of this resolution shall be made available to the Governor Phil Murphy, 9<sup>th</sup>, 10<sup>th</sup>, 12<sup>th</sup> and 30<sup>th</sup> Legislative Districts, Ocean County Mayors, Prosecutor Joseph Coronato, Sheriff Michael Mastronardy, Ocean County Chiefs of Police and the New Jersey Association of Counties.

#### **CERTIFICATION**

I, Michele A. Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Barnegat Township Committee at their regular meeting held at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey, on the 6<sup>th</sup> day of March, 2018.

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Michele A. Rivers, RMC  
Municipal Clerk