

# Voters should reject Amendment 3



## **St. Louis Post Dispatch**

By the Editorial Board  
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Missouri voters on Nov. 8 will be asked whether to legalize recreational marijuana statewide — an eminently reasonable goal — but they’re being asked to do it in a way that would hobble the new industry and the Missouri statutory system with complications from the start. Amending the state constitution is the worst way to legalize pot because it precludes the statutory tweaks that will be necessary going forward. Voters should reject Amendment 3 and instead insist that state lawmakers finally do their jobs regarding this issue.

Almost 40 states, including Missouri, have legalized marijuana for medical purposes, and almost half of those (including Illinois) have added full legalization for recreational use. Those states are now reaping the benefits of increased tax revenues.

Polls show vast majorities of Americans favor full legalization, as do almost two-thirds of Missourians. Those majorities have come to understand what should have qualified long ago as common sense: The double standard that treats this relatively benign substance as if it’s akin to heroin or crack — while legalizing and widely accepting the more deadly vices of alcohol and cigarettes — is a societal construct based on old cultural prejudices, not medical science. It also leaves massive money on the table that taxing bodies could use to improve the health and safety of its citizens.

While other states have legalized recreational pot by referendum, Missouri would be the first referendum to require the expungement of records for those convicted of marijuana

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offense. But since the entire measure would be an amendment, it would be imbedded in the constitution, the only way to fix its flaws — of which there are many — is through more statewide referendums.

Legislative inaction has forced Missouri voters again and again to create law via ballot initiatives, on wages, political reform, Medicaid expansion and other issues that should be addressed by their elected representatives. In fact, pretty much the only valid argument in favor of Amendment 3 is that, despite widespread support for marijuana legalization, Missouri's mulish legislators are unlikely to ever do it themselves.

That's not a good enough argument, because the provisions of legalization will undoubtedly need to be updated and amended from time to time — something that's relatively easy to do with a statute but not a constitutional amendment. The fact that state and local chapters of the NAACP are already split on whether to support the amendment because of differing assessments on whether it would promote or stymie minority participation in the new markets illustrates the kind of adjustments that would be needed.

The only reason Missourians are being asked to legalize pot by this method is because their legislators refuse to legislate. Voters should defeat Amendment 3 — and consider voting against the do-nothing incumbents who have made proponents believe it's necessary. Maybe that would finally prompt some actual leadership from Missouri's so-called leaders.

**EDITOR'S NOTE:** This editorial has been updated to clarify that other states have already legalized marijuana use through referendums. The original version of this editorial incorrectly characterized the first-in-the-country conditions surrounding the Amendment 3 vote.

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