15-0087

VIA HAND DELIVERY

October 2015

Ashley Johansson

Initiative Coordinator

California Department of Justice

P.O. Box 944255

Sacramento, CA 94244-2550

(916) 445-4752

RECEIVED
OCT 16 2015
INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

Page 1

Dear Ms. Johansson:

The undersigned on this and subsequent pages are the proponents of the attached initiative measure entitled "The Marijuana Control, Legalization and Revenue Act of 2016 Version 5" Please prepare a circulating title and summary of the chief purposes and points of the measure. We have also included with this letter the signed statements required by Election Code sections 9001 and 9608, our addresses as registered to vote and a check for $200.00.

Thank you for your time and attention to this matter. If you have any questions, please do not hesitate to contact John Lee at John@AFPR.us

Sincerely,

E. D. Lemaux

October 2015

Ashley Johansson

Initiative Coordinator

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Proponent Signature Page

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Russell L. Goodrow

October 2015

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J DAVID NICK

October 2015

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Michael Grafton

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October 2015

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Ron E. Mullins

October 2015

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Richard Miller

October 2015

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Initiative Coordinator
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The undersigned is a proponent of the attached initiative measure entitled "The Marijuana Control, Legalization and Revenue Act of 2016 Version 5." Please prepare a circulating title and summary of the chief purposes and points of the measure.

Dave Hodges

October 2015

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Re: Request for Title and Summary for Proposed Initiative

Proponent Signature Page

The undersigned is a proponent of the attached initiative measure entitled "The Marijuana Control, Legalization and Revenue Act of 2016 Version 5." Please prepare a circulating title and summary of the chief purposes and points of the measure.

Steve Kubby

The Marijuana Control, Legalization and Revenue Act 2016 - Version 5.5

Text of Proposed Law

SECTION 1. Title.
This measure shall be known and may be cited as "The Marijuana Control, Legalization and Revenue Act."

SEC. 2. Findings and Declarations.
(1) The "war on drugs" has failed miserably, imprisoned the poor and minorities, and handed billions of dollars to criminal cartels and gangs.
(2) Taxing cannabis sales will generate hundreds of millions of dollars in annual revenues for the state.
(3) Legalizing and regulating cannabis sales will make Californians safer by eliminating the dangers caused by prohibition.

SEC. 3. *A new Division 10, entitled "Cannabis Regulation and Taxation" is added to the Business and Professions Code, to read*:

Chapter 1.
§ 27100. Cannabis.
The social use of marijuana by adults, 21 years of age and older, including the cultivation, transportation, distribution, farmers markets, on-site consumption, processing, production, public events, retail sale, veterinary use, manufacture of edible products and manufacture of concentrated marijuana (with or without solvents), whether or not for profit, shall be lawful in this state and is a matter of statewide concern.

§ 27200. Taxes.
The applicable sales and use taxes shall apply to sales of non-medical marijuana. In addition, the Legislature may place an excise tax on the sale of non-medical marijuana not to exceed fifteen percent (15%) of the retail price of the products. Marijuana that is sold for medical purposes shall not be subject to any sales, use, or excise tax.

§ 27300. Cannabis Diversion Programs.
The State shall establish and fund cannabis-only diversion programs in each county.

§ 27400. Implementation.
The Legislature shall implement this Act with one or more bills that shall be effective not later than January 1, 2018.

§ 27500. Penalties.
Violations of any statute or regulation enacted or promulgated to implement this Act shall not constitute a felony and shall not be punished by imprisonment.

§ 27600. Local Control.
A city, county, or city and county may ban, or limit the number of, marijuana businesses within its boundaries, if such restriction has been placed on the ballot by petition in accordance with the procedures for an initiative, or by the city council or board supervisors, and approved by the voters within that jurisdiction at a statewide election held in November.

SEC. 4. Liberal Construction.
This Act shall be liberally construed to effectuate its purposes.

SEC. 5. Severability.
The provisions of this Act are severable. If any provision of this Act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 6. Conflicting Measures.
(a) The provisions and intent of this Act shall be given precedence over any state law, statute, regulation or policy that conflicts with this section, and the policy and intent of this Act shall prevail over any such contrary law, statute, regulation or policy.
(b) If this measure is approved by the voters, but superseded by any other conflicting ballot measure approved by more voters at the same election, and the conflicting ballot measure is later held invalid, it is the intent of the voters that this Act shall be given the full force of law.
(c) If any rival or conflicting initiative regulating any matter addressed by this Act receives the higher affirmative vote, then all non-conflicting parts shall become operative.

SEC. 7. Sections 11357, 11358, 11359, 11360, 11361, and 11485 of the Health and Safety Code are hereby repealed.

SEC. 8. Amendment.
The provisions of this Act may be amended by the Legislature to further the purposes of this Act by a statute passed in each house by roll call vote entered in the journal, two-thirds of the membership concurring. Any implementation legislation enacted pursuant to Section 27400 of the Business and Professions Code shall require only a majority vote in each house.

SEC. 9. Legal Defense by the Attorney General.
The California Attorney General shall protect and defend this Act from any and all challenges in the courts of any jurisdiction to final judgment.