

Initiative:	The California Craft Cannabis Initiative	The 2016 California Bipartisan Decriminalization of Cannabis Act	The Marijuana Control, Legalization and Revenue Act	Right to Medical Marijuana (CONSTITUTIONAL AMENDMENT)	The Compassionate and Sensible Access Act (CONSTITUTIONAL AMENDMENT)	Community Act to Regulate, Control and Tax Cannabis of 2016	California Cannabis Hemp Act of 2016	Responsible Use Act of 2016 (or also known as) The Safe Communities, Parks and Schools Act of 2016	CCPR / Reform CA	COMMENTS
Filing Number	15-0017	15-0027	15-0020, 15-0039	15-0041	15-0018, 15-0044	15-0038, 15-0049	13-0013, 15-0050	15-0024, 15-0036, 15-0052	??????	
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Regulator:	Establishes the California Cannabis Commission. The commission consists of five voting members, the executive commissioner who shall be elected statewide for a four-year term at each gubernatorial election and four commissioners elected for four-year terms, two of whom shall be elected at each gubernatorial election and the other two shall be elected at the intervening statewide general election. Each member shall represent a district corresponding to the four Board of Equalization districts, with the voters of each district electing one commissioner.	ABC will become the "California Department of Cannabis and Alcoholic Beverage Control". Other agencies still have a regulatory role (e.g., the Department of Public Health shall develop regulations for marijuana testing facilities). MMJ and hemp are regulated separately from recreational MJ.	Establishes the California Cannabis Control Commission, consisting of seven members (from different agencies) appointed by the Governor and subject to removal by the Governor for incompetence, neglect of duty, or corruption. The Control Commission shall then appoint an Executive Director to handle the day-to-day operations of the Cannabis Commission.	State Constitutional Amendment Does nothing to provide a regulatory structure to the commercial side of cannabis distribution, apparently this will be left up to other initiatives or at worst the state government	State Constitutional Amendment Does nothing to provide a regulatory structure to the commercial side of cannabis distribution, apparently this will be left up to other initiatives or at worst the state government	State board of Equalization to license producers, processors, wholesalers, retailers and transporters.	The initiative does not mandate a particular regulator. Rather, legislature is required to enact legislation. The eventual regulations shall be in a manner analogous to (and no more onerous than) than beer and wine and include existing health and product safety rules established for the herbal products industry.	The Cannabis License Control Board will be created within the Department of Consumer Affairs. Other agencies still have a regulatory role (e.g., the Department of Food and Agriculture shall have the power to issue rules concerning the commercial cultivation). Also each board member of the Cannabis License Control Board is appointed by the governor from another regulatory agency.		C. ABC should NOT be in the business of regulating Cannabis AND Alcohol, a clear conflict of interest. H. Too Much Control is given to the Government and with their history of prohibition, this would be a disaster J. ? Not Filed Yet

Regulator Discretion/ Enforcement Powers:	The Cannabis Commission has the power to make all regulations necessary and proper to effectuate the will and intent of the people and may carry out or delegate the enforcement and administration of this chapter to other public agencies. The initiative includes subject-matter on which the Cannabis Commission may adopt regulations.	Testing facilities shall report samples in violation of regulations. Violations are to be pursued in accordance with the current statutes for alcohol related violations.	The Control Commission shall have all powers necessary and proper to enable it fully and effectively to carry out the policies and purposes of the initiative, and the Control Commission shall be the sole state entity vested with these powers. However, the initiative includes subject-matter on which the Control Commission must adopt regulations. Also initiative specifically states that regulations of the Control Commission shall be promulgated in compliance with the Administrative Procedure Act, except that any review by the Office of Administrative Law shall be limited to ensuring compliance only with the procedural provisions of that statute. The Attorney General is responsible for criminal enforcement of the initiative.	NA	No law allowed that could impede a patients ability to obtain, transport or cultivate medical cannabis	State Board Of Equalization in conjunction and cooperation with unlimited local regulation	The initiative does not include subject-matter on which the regulator must adopt regulations. However, any future regulations cannot be excessive, discriminatory, or prohibitive.	The Cannabis License Control Board shall have the exclusive power to license and to suspend or revoke any license. However, the initiative includes subject-matter on which the Cannabis License Control Board must adopt regulations.		C. Who the testing facilities are to report to and how penalties are allocated are not explained... H. To simply say that regulations cannot be excessive etc. is too subjective, by not defining the regulations, a new prohibition can be manipulated by the Government, they cannot be trusted by the voters to do anything in our best interest without being specifically told what we want.
Licensing and Fees Limits:	The Cannabis Commission shall have the power to issue licenses and charge related fees.	The Department of Cannabis and Alcoholic Beverage Control shall determine fees. However, the fees must be analogous with and no more onerous than the on-sale and off-sale beer and wine models.	The initiative enumerates the specific fee for each type of license. However, the Control Commission may reasonably adjust any fee listed. Also enumerated fees \$500 or more shall be adjusted for changes in the Consumer Price Index each odd numbered year.	No Fees or Licensing	No Fees or Licensing	Fees are not yet determined	No greater than \$1,000.	Depends on the type of license but no greater than \$1,000 with renewal on an annual basis.		C. ABC should NOT be in the business of regulating Cannabis AND Alcohol, a clear conflict of interest. H & I. Insufficient fees to cover costs of regulation
Implementation Date:	January 1, 2018	July 1, 2017	January 1, 2017	Upon Passage	Upon Passage	Various	May 8, 2017	October 31, 2017		Earliest Implementation is best to counter Bad State Regulation

Vertical Integration/ Licensing Structure:	Separate licenses for craft cultivator, commercial cultivator, cannabis processor, and cannabis retailer. The Cannabis Commission may impose reasonable limits on the total number of licenses that may be issued. However, the initiative does not specifically separate licenses. Because of the requirements of a craft cultivator license, a craft cultivator license cannot be held by a commercial cultivator.	The Department of Cannabis and Alcoholic Beverage Control shall determine the license types in a manner analogous with the on-sale and off-sale beer and wine models.	Separate licenses for retail sale, distribution, on-site consumption, farmers markets, public events, veterinary use and manufacture. However, nothing shall prevent any business from simultaneously registering as multiple types of registered businesses. Because of the requirements of an artisan cultivator license, this license cannot be held by a commercial cultivator.	NA	NA	Persons with a felony shall not hold any of the required licenses below: producer, processor, wholesaler, retailer, transporter. Licenses are only valid for one year and cannot be transferred.	The regulator shall determine the license types in a manner analogous to California's beer and wine industry model.	Separate licenses for commercial cultivators, wholesalers, testing facilities, specialty establishments, retailers, and temporary commercial activity. However, a single person or entity may obtain multiple licenses (and must for each location).	C. ABC should NOT be in the business of regulating Cannabis AND Alcohol, a clear conflict of interest. H. Too Much Control is given to the Government and with their history of prohibition...? what would we end up with? Too much unknown G. good luck finding cannabis experts who are not prior felons, we need to bring in non violent felons and give them a chance to be a part of a legitimate industry, this will go a long way to crushing the influence of Cartels and the underground market.
Protections for Current Participants:	A person who is not a California resident, or not incorporated in California, shall not be qualified for a license pursuant to this section. A medical cannabis dispensary that possesses, cultivates, or distributes medical marijuana and has been operating in good faith pursuant to for more than one year prior to January 1, 2017, and that has applied for and obtained a California seller's permit from the State Board of Equalization, may elect to operate for adult-use purposes as a cannabis retailer. Also initiative provides for the registration of marijuana-related trademarks, official list of California's world-famous marijuana appellations (including the Emerald Triangle), and craft cultivators license and cottage food operations.	Existing medical marijuana establishments shall by default become recreational marijuana facilities on January 1, 2017 and have until January 1, 2019 to come into compliance.	For commercial cultivator licenses priority shall be given to California residents, natural persons, and any medical cannabis dispensary, collective or cooperative that has been operating in good faith for more than one year prior to January 1, 2017. Also initiative provides for official list of California's world-famous marijuana appellations (including the Emerald Triangle) and artisan cultivators license.	NA	Prevents Monopolies or non competitive marketplaces	Nothing about grandfathering in current players	Initiative does not specifically provide protections for current participants.	Existing medical marijuana establishments shall not be subject to unlawful use liability until the Cannabis License Control Board starts issuing licenses.	H. Does not address protections for current industry and people who have been working for cannabis rights for consumers, those who have been fighting for our rights since 1997

Product Testing:	The Cannabis Commission shall promulgate regulations for the testing of marijuana available for sale at retail outlets.	All recreational marijuana shall be tested by a facility subject to regulations outlined by the California Department of Public Health, the California State Board of Pharmacy, and the California Department of Cannabis and Alcoholic Beverage Control.	The Control Commission shall develop standards for testing and shall be responsible for developing licenses for Analytical Cannabis Laboratories.	NA	NA	Not Addressed	Initiative does not specifically provide product testing requirements.	Testing facilities are responsible for accurately determining whether labeling requirements are met.		C. ABC should NOT be in the business of regulating Cannabis AND Alcohol, a clear conflict of interest. H. Lack of public safety regulation for retail sales, especially the booming extracts market (pun intended)
GMOs:	All marijuana sold in the state for adult use shall be labeled to disclose the presence of any GMOs.	Genetically modified marijuana of any type is strictly prohibited.	All marijuana sold shall be labeled to include disclosure regarding the presence of any GMOs.	NOTHING ABOUT GMO	NOTHING ABOUT GMO	Not Addressed	Genetically modified marijuana is not legalized by the initiative.	Initiative does not specifically prohibit genetically modified marijuana.		I. Monsanto loves columns indicated in RED
Product Labeling/ Advertising:	All marijuana sold for adult use shall be labeled, and the Cannabis Commission may require the use of a universal symbol or other recognizable logotype identifying the presence of marijuana in any product available for distribution. The Cannabis Commission may also impose restrictions on the advertisement of marijuana and marijuana-derived products, and prohibit advertisements aimed at children or young adults under 21 years of age, or both.	Initiative includes product labeling requirements. Moreover, packaging and advertising in a manner appealing to minors is strictly prohibited.	The Control Commission shall develop standards for labeling and may require the use of a universal symbol or other recognizable logotype identifying the presence of marijuana in any product available for distribution. The initiative prohibits deceptive advertising, and advertising that appeals to children or adolescents is presumptively deceptive.	NONE	NONE	Not Addressed specifically, a reference to appropriate controls for public displays and prevention of public consumption is mentioned.	Initiative does not specifically provide product labeling requirements.	Initiative includes product labeling requirements.		H. Labeling must be mandated for public safety when considering sales of products to the public, advertising to youth must be limited or non existent

Restrictions on Extracts:	The Cannabis Commission may promulgate regulations governing the methods of production, processing, and packaging marijuana-derived products, the conditions of sanitation, and standards for ingredients, quality, and identity of marijuana-derived products that are produced, processed, packaged, or sold by licensees. The Cannabis Commission shall develop and issue a license for the processing of marijuana into concentrates and edible food products.	Producing, possessing, or selling extracts made with explosive or toxic solvents is strictly prohibited.	Concentrating of marijuana using compressed gases or chemical solvents shall be subject to extensive regulation by the Control Commission, and may only be performed by a person licensed as a Concentrate Processor.	NONE	NONE	up to one ounce personal cannabis in any form	Initiative does not specifically restrict the production of extracts.	Initiative creates a new Penal Code section. Causing a fire from reckless use of butane to create extracts is subject to felony or misdemeanor penalties.		H. Not regulating unsafe extraction practices leaves us open for blowback from the community regarding BHO explosions at a minimum, not to mention concentrated pesticides in the final product. G Restrictive possession amount similar to existing war on drugs
Restrictions on Edibles:	The Cannabis Commission shall develop and issue a license for the processing of marijuana into concentrates and edible food products.	Edibles shall be produced in a state licensed kitchen, cannot be individually packaged to contain more than 100 mg. of THC, and shall be segmented into 10 mg. or smaller doses. Moreover, edibles require additional labeling information.	All edibles shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be free from contamination. Also edibles shall conform to the applicable provisions of the Sherman Food, Drug, and Cosmetic Law.	NONE	NONE	up to one ounce personal cannabis in any form	Initiative does not specifically restrict the production of edibles.	Edibles require additional labeling information.		H. Public safety issues must be addressed in any legalization effort.
Restrictions on Delivery Services:	The Cannabis Commission may establish standards for the times and periods when, and the manner, methods, and means by which, licensees may transport and deliver marijuana and marijuana-derived products within the state.	Recreational delivery services are strictly prohibited. However, pharmacies have the option to deliver prescribed medical cannabis to patients analogous with the California State Board of Pharmacy's policy for the delivery of prescription narcotics.	Initiative does not specifically restrict delivery services.	NONE	NONE	must be delivering for a brick and mortar establishment that is licensed. Each license for transport is tied to a specific vehicle.	Initiative does not specifically restrict delivery services.	Delivery services are permitted provided that all marijuana delivered includes adequate certification or a label affixed to the product.		C. Inclusion of Pharmacies would be at the omission of small business providers, and would result in a monopoly by big pharma. Not allowing delivery services would impact shut ins negatively as well. H. Lack of regulation opens industry to criminal enterprise.

Medical Marijuana:	When intended for medical purposes upon the recommendation of a physician and dispensed by a medical marijuana dispensary, marijuana is a medicine and a dispensary is a health facility.	Medical marijuana shall be administered through a licensed traditional pharmacy or a licensed medical marijuana pharmacy regulated by the California State Board of Pharmacy and the California Department of Public Health analogous with the restrictions established for traditional pharmacies. Licensed physicians shall write prescriptions that include type, preparation or form, specific dosage, duration of treatment, and number of refills.	Initiative shall not limit or adversely affect the individual and group cultivation rights, medical rights, and protections afforded by the CUA and the MMPA. Also the Control Commission shall be responsible for developing licenses for Medical Cannabis Retailers and Compassionate Use Providers.	That any resident, having obtained the age of 18 years has the right to grow, own, purchase, and obtain a permit from the State to sell organic marijuana for medical use, without a licensed physician's recommendation or prescription.	No law allowed that could impede a patients ability to obtain, transport or cultivate medical cannabis	Upholds existing SB420 protections based on Voluntary ID Card possession.	Initiative does not specifically regulate medical marijuana separately from recreational marijuana.	The Cannabis License Control Board shall administer the statewide program to license medical marijuana dispensaries. Commercial medical cultivation is limited to 99 mature plants per cultivation site, with one cultivation site per licensed location or parcel not zoned industrial or agricultural.	C. Including pharmacies is problematic due to monopolies and schedule one status, cannot be implemented. H. Lack of Separation between recreational and medical. This is missing but very essential for protections and integration with existing Prop 215 statute. Any good Initiative should define these and provide a clear difference on what is taxable and what is not taxable.
Treatment of Existing Patients:	Initiative does not specifically address existing patients under the CUA and the MMPA.	Current patients under the age of 21 may purchase medical marijuana pursuant to the CUA and MMPA from a recreational facility until which point as a medical marijuana pharmacy has opened in the patient's county.	Initiative shall not limit or adversely affect the individual and group cultivation rights, medical rights, and protections afforded by the CUA and the MMPA.	Gives adults over 18 the right to grow, own, purchase, sell, obtain, without a recommendation being required	No law allowed that could impede a patients ability to obtain, transport or cultivate medical cannabis	appears to protect SB420 allowances for medical patients and caregivers	Initiative does not specifically address existing patients under the CUA and the MMPA.	Initiative reenacts the CUA and the MMPA with stronger safe harbor protections.	B & H. Separation of recreational and medical is essential for protections and integration with existing Prop 215 statute and provides a clear difference on what is taxable and what is not taxable. Furthermore cultivation bans must not be allowed for critically Ill Patients.
Industrial Hemp (Dietary and Industrial Marijuana):	Initiative does not specifically regulate hemp separately from recreational marijuana.	Dietary cannabis shall regulated by the California Department of Food and Agriculture. Industrial cannabis shall be regulated by the specific bodies governing the individual products. The California Environmental Protection Agency shall establish guidelines for rendering industrial cannabis products non-consumable by July 1, 2017.	Any industrial cultivation and or use of marijuana per the statutes of the California Industrial Hemp Farming Act shall be exempt from all regulations, restrictions, conditions and taxes set forth by this inactive, with the exemption of the "California Cannabis Genetic Repository."	NA	NA	Not Addressed	Initiative does not specifically regulate hemp separately from recreational marijuana.	The Department of Food and Agriculture shall issue rules concerning the cultivation of hemp. The California Environmental Protection Agency shall issue any rules necessary to prevent pollution generated by the cultivation of hemp.	B & H. Separation of Medical from Hemp is essential to develop future regulations regarding cultivation sites for both to prevent cross pollination.

Taxation:	<p>All taxes applicable to the sale of tangible personal property apply to the sale of marijuana for adult use. The Legislature may impose additional taxes on the processing and sale of marijuana, provided that the cumulative taxes on marijuana do not exceed 30% of the retail market value of the marijuana, with exceptions. Medical marijuana is a medicine and a dispensary is a health facility so the Legislature may not impose a tax on the sale of medical marijuana.</p>	<p>Recreational marijuana shall bear a 15% excise tax with an additional 5% implementation tax between January 1, 2017 and January 1, 2022. Medical marijuana shall only bear a temporary 10% implementation tax. After January 1, 2022, medical marijuana shall maintain a 3% maintenance tax. Industrial and dietary marijuana shall be taxed based on weight.</p>	<p>The Legislature may place an excise tax on the sale of non-medical marijuana so long as no excise tax or combination of excise taxes shall exceed 10% of the retail price of the products in the first three years after passage of the initiative. The Legislature may increase the excise tax in yearly graduated amounts not to exceed 1% per year with a maximum cap placed at 15%. The Legislature may place an excise tax on the bulk storage of marijuana, so long as no excise tax or combination of excise taxes shall exceed 10% of the wholesale price of the products, whichever is greater. Any excise tax on bulk storage shall only apply to amounts over 25% and may apply to marijuana cultivated for personal use. Marijuana that is sold for dietary or medical purposes shall not be subject to any sales or use taxes.</p>	NA	NA	<p>Implements a "Cannabis and Cannabis Items Tax Law" Ten percent from producer to producer, or producer to processor at time of sale based on wholesale value. Ten percent from processor to producer, wholesaler or retailer based on value at time of sale. Ten percent from retailer to end user based on retail value at time of sale. Allows cities and counties to impose local taxes on producers, processors and retailers so long as voters approve. Taxes are paid quarterly and a Dedicated Cannabis Fund is created.</p>	<p>An excise tax on commercial sale of recreational marijuana so long as no excise tax or combination of excise taxes shall exceed 10% of the retail price of the products.</p>	<p>Tax stamp program for recreational marijuana at: \$8.00 per ounce of dry marijuana; \$0.20 per U.S. liquid gallon for all liquid marijuana-infused products; and \$1.00 per gram of concentrated cannabis. No transactions and use tax, surtax, fee or levy shall apply to medical marijuana.</p>		<p>B. Allowing the legislature this ability will guarantee immediate tax at 30% and this will make the cartels very happy as street dealers will undercut the legitimate market.</p> <p>C. 20% Excise Tax is excessive and allowing any tax on medical or dietary is not acceptable.</p>
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Target of Funds Received:	Initiative does not specifically provide a recipient of the taxes generated from the sale of marijuana.	50% shall be distributed among California public schools serving kindergarten through 12th graders.	10% of the revenues from any excise tax shall be allocated respectively to each of the following: colleges or universities of the state higher education system; universal preschool and public education K thru 12; water conservation and environmental restoration; drug abuse education and treatment; fire services, police, sheriff, and marijuana impairment studies; general fund of local cities and counties that do not have bans on storefront marijuana retailers; marijuana research conducted by colleges or universities of the state higher education system; distribution to nonprofit entities whose principal objectives are to ensure the equality of minority citizens.	NA	NA	Taxes and fines collected to enforce administration, no benefit to other usages	50% of the excise tax revenues collected shall be made available to fund research, development and promotion of diverse industrial, nutritional, and medicinal hemp industries.	All revenue remaining after reimbursement of the costs shall be expended upon: (1) Multi benefit water quality, water supply, and watershed protection and restoration projects. (2) The Center for Medical Cannabis Research.		D. This Tax Structure is the preferred tax allocation model that can better represent a greater segment of our society for revenue and benefits realized.
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Local Control and Zoning Power:	Any local law or ordinance that is inconsistent with the policy of the state that marijuana be safe, regulated, and accessible is preempted. A local government entity may enforce an ordinance limiting a franchised storefront or storefront that is part of a chain of businesses to one location. Certain licenses may not be operated in certain zoning districts, e.g. commercial cultivation is not permitted on land zoned for residential use.	No city, county, or local government shall ban the cultivation, sale, or use of marijuana. However, cities may restrict the number of licensed recreational marijuana-only facilities operating strictly within city limits based on legal reasonable necessity policies.	A storefront marijuana business shall be allowed to operate in any commercial or industrial zone in a city, county, or city and county, or if permitted by ordinance, any zones other than purely residential. However, a city, charter city, county, or city and county may ban, or limit the number of, marijuana businesses within its boundaries if an ordinance or charter amendment enacting that restriction has been approved by the majority of voters within that jurisdiction at an established election. Also the governing body may enact a temporary ban or number limitation, until the vote occurs, not to exceed a total of 12 months, once a measure limiting or banning marijuana businesses is placed on the ballot. Moreover, pursuant to Section 7 of Article XI of the California Constitution, a city, county, or city and county may adopt ordinances that establish additional reasonable regulations, standards, and requirements for commercial marijuana activity.	NA	No law allowed that could impede a patients ability to obtain, transport or cultivate medical cannabis	(a) Notwithstanding any other provision of state or local law, a local government may adopt ordinances, regulations, or other acts having the force of law to control, license, regulate, permit or otherwise authorize, with conditions, the following: 1. cultivation, processing, distribution, safe and secure transportation, sale and possession for sale of cannabis, but only by persons and in amounts lawfully authorized; 2. retail sale of not more than one ounce per transaction, in licensed premises, to persons 21 years or older, for personal consumption and not for resale; 3. appropriate controls on cultivation, transportation, sales, and consumption of cannabis to strictly prohibit access to cannabis by persons under the age of 21	Marijuana industry participants shall not be subject to any special zoning requirement that is excessive, discriminatory, or prohibitive. Also sufficient community outlets shall be allowed to provide reasonable and discreet access for medical marijuana patients.	A city, county, or city and county, shall have the power to enact reasonable and appropriate environmental and public health controls, including ordinances that prohibit licensed outdoor cultivation in unenclosed spaces except in an agricultural zone.	B & I. Too much control is given to the governments of local cities regarding banning the implementation of this effort, might as well leave things the way they are now... H. Assumes the government can honestly implement "Sufficient Community Outlets" and knows what a fair definition of "Excessive" is, sorry I dont trust them to that extent...not good
Local Tax:	All taxes applicable to the sale of tangible personal property apply to the sale of marijuana for adult use presumably to include local sales taxes.	No county or city shall impose any fee or tax including in connection with the cultivation, purchase, sale, production, processing, transportation, or delivery of marijuana. However, the sale of recreational marijuana is subject to all state, county, and local sales tax.	Marijuana sold for adult social use shall be subject to all state and local sales and use taxes applicable to the jurisdiction in which it is sold.	NA	NA	Local authorities may tax as they see fit, no restrictions on local or county tax amounts	Marijuana industry participants shall not be subject to any tax that is excessive, discriminatory, or prohibitive.	Special, or excise, taxes, fees, or levies, imposed by a city, county, or city or county shall not exceed 2%. However, the foregoing shall not limit the imposition of local fees based upon the direct costs of providing services.	B,H,I : Leaves too much discretion to government to determine what is excessive, we should lock this down more clearly
Individual Rights									

Personal Use Limitations and Protections:	<p>A person may cultivate for personal use, on private property, six or fewer marijuana plants, provided that all reasonable measures are taken to ensure that the plants are not seen, smelled, or perceived by nonconsenting neighbors or the public.</p>	<p>Five pounds of dried marijuana flowers, one pound of extracts, and three gallons of liquid extracts.</p>	<p>Adults may cultivate marijuana for their own personal use within or upon their legal residence, and possess the marijuana produced by the plants on the premises, provided that the growing takes place in an enclosed, locked space, is not conducted openly or publicly, and is not made available for sale. However, limits on the cultivation of marijuana may be set by the local neighborhood.</p>	<p>That any resident, having obtained the age of 18 years has the right to grow, own, purchase, and obtain a permit from the State to sell organic marijuana for medical use, without a licensed physician's recommendation or prescription.</p>	<p>No law allowed that could impede a patient's ability to obtain, transport or cultivate medical cannabis</p>	<p>Process, possess, share or transport not more than one ounce. Each adult may Cultivate no more than 25 square feet for personal use, and with landlord permission if applicable. Possess on premises living and harvested and results of any harvest and processing of plants. Possess objects, items, tools, equipment, products and materials associated with activities permitted herein. Smoking cannabis in any space where minors are present is prohibited</p>	<p>No permit, license, or tax shall be required for the non-commercial cultivation, transportation, distribution, or consumption of marijuana. Commerce in cannabis hemp euphoric products shall be limited to adults 21 years of age and older, and shall be regulated in a manner analogous and no more onerous than California's beer and wine model. For the purpose of distinguishing personal from commercial production, 99 flowering female plants and 12 pounds of dried, cured cannabis hemp flowers, but not leaf, produced per adult, 21 years of age and older, per year shall be presumed as being for personal use.</p>	<p>Twenty-four ounces of dried marijuana and one hundred gallons of infused product in liquid form. Not more than 12 mature plants per adult or an area not exceeding fifty square feet per adult, whichever amount is greater. Personal cultivation may be restricted or limited via rental agreements. There shall be a rebuttable presumption that an adult is in compliance with the personal use amounts.</p>		<p>B,C,H, I. Specifying actual limits may not be in our best interest, either too high and will not pass with voters or too low to be practical. The approach of Column "D" is to leave it ambiguous and let each neighborhood decide on a community level.</p> <p>C. Very well thought out provisions for odors and farmers markets</p>
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Public Consumption:	Laws, rules, and regulations that impose reasonable time, place, and manner restrictions on the possession or consumption of marijuana, or both, in public, shall continue to be of force and effect and may be amended, provided that no such limitation applies to any place where the person consuming or possessing the marijuana has a reasonable expectation of privacy.	Prohibited except for in outdoor designated areas on the premises of recreational marijuana-only facilities analogous with the smoking section model regarding tobacco.	The Cannabis Control Commission does not create licenses for on-site consumption of marijuana and marijuana-containing products. And has removed the second hand smoke provisions that were originally written into version one.	NA	NA	not allowed	Initiative does not specifically regulate public consumption.	Smoking is prohibited: (i) in or within 600 feet of the grounds of a school, recreation center, or youth center, unless the use occurs within or upon the property of a residence; (ii) on a school bus or on public transportation; and (iii) while operating a boat or motor vehicle. A city, county, or city and county shall have the power to adopt, enact or carry out ordinances or guidelines prohibiting the smoking in public places. Sales intended for consumption upon the grounds of the licensed premises between the hours of 2 o'clock a.m. and 6 o'clock a.m. is prohibited.		B, C, H, I. Second hand smoke from Cannabis is not carcinogenic or harmful like Tobacco and assuming this to be true and then codifying it into state law is dangerous until actual harms can be scientifically proven, furthermore, no special license should be required to allow smoking lounges for cannabis. Although reasonable ordinances such as restricting access to 21 and over or vaporizing and edibles only might work as is being proposed in Denver CO
Parental Rights:	Initiative does not specifically address parental rights.	State, local, and county law enforcement agencies are prohibited from assisting Child Protective Services, or any other federal agency, in any dependency case action where medical cannabis is used as a determining factor. If personal use is the primary determining factor for the removal of a child from a family in a dependency case, the agency shall prove to local law enforcement that marijuana directly harmed the child/children.	The mere presence of one or more minors in a household shall not render marijuana cultivation unlawful per se. Also, neither the presence of cannabinoid components or metabolites in a person's bodily fluids, nor conduct permitted under the initiative by a custodial or noncustodial parent, grandparent, pregnant woman, legal guardian, or other person charged with the well-being of a child, shall form the sole or primary basis for any action or proceeding by a child welfare agency or in a family or juvenile court.	NA	NA	NA	Initiative does not specifically address parental rights.	A person shall not be denied custody or visitation of a child, and no parental rights shall be diminished, solely on the basis of marijuana consumption. However, nothing in this section shall be construed to prevent the removal of a child from an environment where his or her health or well being is in specific and articulable danger as a result of the cultivation or manufacture of marijuana.		B, C, H, I : These. Do not go far enough to prevent raids of families or protect families from government intrusion into their privacy, unless we lock this down it has the potential to be used to continue the police effort to continue the war on drugs.

Employee-Employer Rights:	Rules that prohibit the performance of employment duties while impaired, continue to be of force and effect and may be amended by the Legislature.	Employment shall not be denied based on legal marijuana use, following the same considerations given to prescription medications and alcohol use.	Discrimination against candidates for employment or those currently employed shall no longer be lawful in the State of California against adults who consume marijuana or its derivatives. However, this section shall not apply to employers or employees in safety-sensitive occupations covered by U.S. Department of Transportation regulations. (no drug screens for cannabis)	NA	NA	existing laws are unaffected regarding workplace intoxication, nothing is added to protect medical users who may have inert metabolites in their system while at work, or any protections for cannabis consumers who are seeking employment	No person shall be required to submit to testing for inactive and/or inert residual metabolites as a condition of employment, nor may the presence of such metabolites be considered in determining employment, other impairment, or intoxication.	Employers may prohibit or restrict marijuana intoxication, consumption, or use in the workplace.		C. Involving the state in testing our bodies is never a good idea
		Drug testing for metabolites is prohibited unless performed by an agent of the State in an official capacity.								
Patient Rights:	Prohibitions on the purchase and possession of marijuana by minors do not apply to medical marijuana.	No citizen shall be denied lifesaving procedures because of marijuana use including but not limited to blood transfusions and organ transplants.	The initiative creates a Compassionate-Use Provider license for any registered collective, cooperative, dispensary, person, or other business dedicated to providing marijuana at no cost to individuals who have a low income or severe medical condition, or are disabled, elderly, terminally ill, or veterans of the Armed Forces. Prohibitions on the purchase and possession of marijuana by minors do not apply to medical marijuana.	Removes requirement for doctors recommendation	No law allowed that could impede a patients ability to obtain, transport or cultivate medical cannabis	it is presumed that unless a person is exempted with a medical ID card, that possession of more than one ounce constitutes intent to sell and this presumption is rebuttable. Law enforcement may evaluate intent to sell based on items found that indicate intent such as packaging etc.	A patient may designate a collective and/or dispensary as their primary caregiver.	Initiative reenacts the CUA and the MMPA with stronger safe harbor protections, including the requirement that law enforcement perform a reasonable investigation prior to arrest, citation, or sanction.		
Use in Public Schools:	NA	Public schools are prohibited from denying students access to doctor prescribed medical marijuana in a non-combustible form.	NA	NA	NA	NA	NA	NA		C. A touchy subject that should be left alone, does not belong on a state wide voter initiative due to the potential backlash from opponents
Public Safety										

DUI Standards:	Laws, rules, and regulations that prohibit driving of a motor vehicle while impaired, continue to be of force and effect and may be amended by the Legislature.	Per-se methods including but not limited to blood, urine, hair or saliva testing for cannabinoids shall not be used to determine impairment. As a result, the State must research and establish performance-based standards for testing drivers by July 1, 2018.	Not later than July 1, 2017, the California Highway Patrol (CHP) shall, conduct extensive randomized, double-blind, placebo-controlled trials of marijuana consumption before and while operating a motor vehicle to determine a scientifically acceptable and uniform standard of impairment. Within six months of completion of the trials, the CHP shall deliver the results to the Control Commission along with recommendations on how to administer and enforce provisions that prohibit driving while under the influence of marijuana. Driving while impaired by marijuana shall remain punishable, with the exception that until the CHP completes its study, impairment must be proven by videotaped, admissible evidence of observations, and no presumptions shall arise from any chemical test of blood, breath, hair, saliva or urine.	NA	NA	Driving under influence of Cannabis is not allowed, specific methods to determine impairment are not addressed, therefore no real right to consume while at home is implied, because a specific limit or penalty for driving while impaired has not been determined, bad for patients and the industry as a whole.	Per-se methods including but not limited to blood, urine, hair or saliva testing for cannabinoids shall not be used to determine impairment. May 8, 2017, the Legislature shall determine an acceptable and uniform standard of impairment based on scientifically acceptable performance testing to restrict impaired persons from operating a motor vehicle or heavy machinery. Testing for active (not metabolized) cannabis may be used and considered in determining impairment or intoxication.	Not later than July 1, 2017, the Department of Transportation shall, on a closed course open to the public, and in conjunction with the Center for Medicinal Cannabis Research, conduct extensive controlled trials to determine a scientifically acceptable and uniform standard of impairment. Within six months of completion of the trials, the Department of Transportation shall deliver the results to the Legislature along with recommendations on how to administer and enforce provisions that prohibit driving while under the influence of marijuana.	H. Allowing the legislature to implement this is very dangerous, potential for corruption in their decision but the intent of this initiative is going in the right direction B. Gives too much power to the legislature, does not provide any real world solution to people who are seasoned consumers and drive perfectly having consumed amounts they are comfortable with...big brother needs to step back a bit and let science determine these things
Treatment of Current and Previous Marijuana Convictions:	The initiative explicitly states that it shall apply retroactively.	All non-violent marijuana only offenders shall be released from all California State correctional facilities and the State shall dismiss criminal records, fines, or warrants, and shall expunge records for non-violent marijuana only offenders.	The initiative merely encourages the Governor and Legislature to enact legislation allowing non-violent inmates who were convicted of buying, selling or possessing marijuana to have their sentences reviewed and criminal records expunged or vacated.	NA	NA	Felons are not allowed to hold licenses in any category	Enactment of this initiative shall include the case by case review for the purpose of sentence modification, amnesty, immediate release from prison, jail, parole, and probation, and/or clearing, expunging, and deletion of all marijuana criminal records for all persons currently charged with, or convicted of any non-violent marijuana offenses. Within 60 days of passage, the Attorney General shall develop and distribute a one-page application, providing for the destruction of all marijuana criminal records.	The initiative mandates the immediate and timely destruction of records of the arrest and conviction for such offenses which are no longer unlawful or provide for lesser punishment. With respect to current trials, upon adjudication, the conviction and arrest shall immediately be expunged.	B,C,H, I Potentially violate the single subject rule for initiatives and could halt implementation of law when passed, further delaying the safe roll out of our freedoms in January 2017

Public Education and Diversion Programs:	Initiative does not specifically address public education and diversion programs.	State-funded health classes and drug prevention programs such as DARE shall provide balanced education on the benefits of marijuana as well as any potential negatives.	Drug diversion programs created by Penal Code Section 1211, shall no longer apply to marijuana. However, County Sheriffs shall appoint a marijuana education program administrator, who shall establish minimum requirements, criteria, and fees for the successful completion of marijuana diversion programs. Also the Control Commission shall be required to maintain ongoing education campaigns promoting the responsible use of marijuana.	NA	NA	NA	Initiative does not specifically address public education and diversion programs.	Initiative removes marijuana from the scope of drug diversion programs but does not prohibit any material, curricula, teachings, discussion or promotion of the responsible use of marijuana.		C. DARE is not interested in cannabis, they recently called for legalization. B & H. Diversion is important to voters and parents for a YES vote in 2016
Diversion to Minors:	The sale or giving of marijuana to a person under 21 years of age by a person 21 years or older is a misdemeanor. Possession by a person under 21 years old shall be punishable by a fine in an amount not to exceed one hundred dollars (\$100) or by community service for a period not to exceed 30 days.	Recreational marijuana violations are actionable and are to be pursued in accordance with the current statutes for alcohol-related violations.	The use, cultivation, or sales of cannabis by individuals under the age of 21 for any purpose, other than medical use, shall be prohibited, but punishment shall not exceed a civil infraction as defined in Penal Code § 19.6, or, in the alternative, a requirement to attend the county marijuana diversion program. Upon satisfactory completion of a county marijuana diversion program, any infraction conviction shall be automatically expunged. Also marijuana related conduct that contributes to the delinquency of a minor may also be punishable by Penal Code section 272 unless such conduct is specifically for the medical treatment of the minor in question.	NA	NA	Punishments vary from 3 to 5 years for involving minors in cannabis activity or furnishing to a minor under 18. for violations with minors under 14 the punishment is 3 – 7 years. Supplying to those between the ages of 18 and 21 gets you a six month prison term and a 1000 dollar fine for each occurrence. Businesses caught selling to minors are prevented from operating for one year.	Regulation, penalties, and enforcement shall be in a manner analogous to, and no more onerous than, California's beer and wine model.	Initiative enacts an entire unlawful use scheme that includes misdemeanor and infraction penalties for the possession or sale of marijuana to or by minors.		B. There needs to be a provision for medical use by minors where required.

Other Unlawful Uses:	The Cannabis Commission shall have the power to impose fines and to terminate the business operations of any person or entity that threatens the health and safety of the public, and in cases of severe and willful defiance to seize marijuana for destruction.	Recreational marijuana violations are actionable and are to be pursued in accordance with the current statutes for alcohol-related violations.	Any person who violates any provision of this division or regulations of the Control Commission may be liable in a civil action brought by the Commission for an amount up to ten thousand dollars \$10,000 per violation or is guilty of a misdemeanor or of a felony, depending on the provision(s).	NA	NA	Various penalties from 2000 to 10,000 based on repeat offenses	Regulation, penalties, and enforcement shall be in a manner analogous to, and no more onerous than, California's beer and wine model.	Initiative enacts an entire unlawful use scheme that includes misdemeanor and infraction penalties for the possession or sale of marijuana not in accordance with regulations.		
Broader Considerations										
Cannabis Seizures or Destruction	NA	NA	Encourage the Governor, Legislature and Law Enforcement to formulate policies that allow for the donation of Cannabis lawfully seized that has been unclaimed by the owner, and that the donations be sent to ;Compassionate Use Providers in compliance with this Act.	NA	NA	no state or local law enforcement agency or official shall attempt to, threaten to, or in fact seize or destroy any cannabis plant, cannabis seeds or cannabis that is lawfully cultivated, processed, transported, possessed, possessed for sale, sold or used in compliance with this Act or any local government ordinance, law or regulation adopted pursuant to this Act.	NA	NA		D & G Address cannabis destruction and what to do with it

Federalism and Interstate Commerce:	The distribution or transport of marijuana to other states is prohibited, for so long as required by the United States Code and the federal Department of Justice.	Federal Schedule I status shall no longer be recognized or honored by the State of California, but California marijuana is strictly prohibited on federal lands until federal prohibition is repealed. All people or agencies shall ensure that marijuana is neither imported nor exported between states that have laws against marijuana. However, state-to-state commerce treaties between California and legal states for the purpose of regulated and taxed import-export marijuana exchange is permissible.	Neither the People of the State of California nor their public servants should be conscripted to enforce the uninformed classification of marijuana under federal law. Also unless pursuant to a court order, no information required to be provided to any state or local governmental agency by the initiative may be released to an agency or agent of the federal government in connection with a federal investigation or prosecution. However, The diversion of marijuana to other states may be punished as either a fine, misdemeanor, felony, or by a requirement to attend the county diversion program.	NA	NA	No out of state delivery sales or other activity allowed	The People of California hereby repudiate and challenge Federal marijuana prohibitions that conflict with the initiative. No California law enforcement personnel, State or local employees of any kind, or funds shall be used to assist or aid and abet the enforcement of Federal marijuana laws. Also any person who threatens the enjoyment of these provisions is guilty of a misdemeanor.	State or local funds shall not be expended on, and state or local law enforcement or other personnel shall not assist in, carrying out the enforcement of any federal marijuana laws. The State of California is hereby ordered to protect and defend all provisions of the initiative from any and all challenges by state or federal governments. Having in place or maintaining a valid license to engage in the cultivation, processing, production, sale or distribution of marijuana shall not mandate such person or entity, or its officers, members, agents and employees, to engage in activities that are in violation of federal law.			
Marijuana Industry Insurance and Banking:	NA	NA	A financial and an insurance cooperative may be established for, and limited to, an exclusive organization, ownership, and membership by collectives, cooperatives, and marijuana businesses.	NA	NA	NA	NA	NA			B, C, H, I. We need to fix the problem of an All Cash Industry

<p>The Environment:</p>	<p>Commercial cultivation shall be subject to any additional environmental regulation, and to any statute passed in each house of the Legislature by a roll call vote entered in the journal, a majority of each house concurring. Marijuana cultivated by a craft cultivator may be labeled as organic if grown in compliance with the requirements of the California Organic Products Act of 2003.</p>	<p>15% of the recreational marijuana implementation tax shall be distributed to the California Environmental Protection Agency to implement regulations specific to commercial marijuana cultivation. Until the California Environmental Protection Agency, the California Department of Food and Agriculture, and the California Department of Pesticide Regulation develop and implement pesticide and fertilizer restrictions specific to marijuana, all commercial production of any sort at minimum shall follow the State Water Resources Control Board "Legal Pest Management Practices for Marijuana Growers in California". Clear-cutting; using of river, stream, pond, reservoir, canal, aqueduct, or lake water unless privately owned; and cultivation on public lands are strictly prohibited.</p>	<p>All marijuana businesses shall be held to strict environmental safety requirements and gross pollution or environmental destruction caused by the unlawful cultivation of marijuana may be punished as either a fine, misdemeanor, felony, or by a requirement to attend the county diversion program: (1) The diversion of Cannabis to other states. 10% of all revenues derived from any excise tax shall be used for water conservation and environmental restoration. Operators of marijuana businesses that can show measurable diligence in regards to environmentally friendly modes of operation or who develop standards to protect the environment in their regular operating procedures, may petition the Control Commission for reduced or pro-rated license fees. Also marijuana cultivated may be labeled as organic if grown in compliance with the requirements of the California Organic Products Act of 2003.</p>	<p>NA</p>	<p>NA</p>	<p>NA</p>	<p>Initiative does not specifically create new environmental regulations.</p>	<p>Every person who cultivates within a state park shall be punished by imprisonment pursuant to Penal Code § 1170(h). In addition, the trial court may impose a fine of not less than \$250 per square foot.</p>		<p>H. Lack of oversight might scuttle this initiative in this very important area</p>
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Amendment Provisions:	Except as otherwise provided, the provisions of the initiative may be amended by the Legislature by a simple majority if the statute increases the number of plants that may be cultivated pursuant to this act, if the statute furthers the purposes of this initiative. All other amendments to this act by the Legislature shall be passed in each house with a two-thirds majority. However, a bill that amends this act to impose criminal penalties on any consensual marijuana-related conduct by persons 21 years of age or older, or a bill that amends this act to reduce the number of plants that may be cultivated shall referred to the voters. Also the Legislature is authorized to address any public health consequences of marijuana use that may arise.	None.	The provisions of the initiative may be amended by the Legislature to further its purposes by a statute passed each house with a two-thirds majority.	NONE	NONE	a) Amendments to the limitations in section 11300, which limitations are minimum thresholds and the Legislature may adopt less restrictive limitations. (b) Statutes and regulations to further the purposes of the Act to establish a statewide regulatory system for a commercial cannabis industry, that address some or all of the items referenced in Sections 11301 and 11302. (c) Laws to authorize the production of hemp or non-active cannabis for horticultural and industrial Purposes.	None.	The Legislature may amend provisions for: (i) unsafe extraction methods; (ii) enforcement of labeling omissions; (iii) providing additional exemptions to the taxes; (iv) providing less restrictive personal and medical use limitations; (v) commercial cannabis activities; (vi) and assisting in the regulatory operations of the Cannabis License Control Board and Board of Equalization.		C & H . Ability to amend is critical regarding unforeseeable implementation issues or constitutional rights issues, that may come up in order that the entire initiative is not thrown out because of a legal flaw. Gives the legislature the ability to modify only those unworkable components
Conflicting Initiative Provisions:	Yes (severability provisions are broadly worded enough to enact all provisions that do not conflict with the superseding ballot initiative).	Yes.	Yes.	NA	NA	NA	Yes.	Yes (severability provisions are broadly worded enough to enact all provisions that do not conflict with the superseding ballot initiative).		
Severability Provisions:	Yes.	No.	Yes.	No	Yes	Yes	Yes.	Yes.		