

Of the estimated **22 million pounds** of marijuana grown each year in the United States, nearly **80 percent** comes from California, Tennessee, Kentucky, Hawaii, and Washington.

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In 2013, California authorities seized **329 outdoor grow sites** and hauled away:



1.2 million plants



119,000 pounds of trash



17,000 pounds of fertilizers



40 gallons of pesticides



244 propane tanks



61 car batteries



89 illegal dams



81 miles of irrigation piping

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Trespass grows accounted for **72 percent** of outdoor plants seized in California in 2013.



Nearly half of the cannabis eradicated by law enforcement nationwide was on public or tribal land.

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During California's growing season, outdoor grows consume roughly **60 million gallons** of water a day—**50 percent more** than is used by all the residents of San Francisco.



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An indoor grow module accommodating **4 plants** sucks as much electricity as **29 refrigerators.**



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In California, indoor marijuana grows account for about **9 percent** of household electricity use.

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Nationwide, the electricity used by indoor grows is enough to power **1.7 million homes.**



That's equivalent to the output of **7 large power plants.**

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For every pound of pot grown indoors,
4,600 pounds of CO₂ goes into the atmosphere.

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The production and distribution of pot in America emits as much carbon as **3 million cars.**



The energy needed to produce **a single joint**



is enough to produce **18 pints of beer**



and creates emissions comparable to burning a
100-watt lightbulb for 25 hours.



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Federal Law

- **Controlled Substances Act**
 - Marijuana used for any purpose is a federal crime; Schedule I Drug.
- Aiding and abetting liability;
- Any distribution of marijuana in any premises is illegal.



Gonzales v. Raich (2005) 545 U.S. 1

- Federal law enforceable despite Compassionate Use Act or Medical Marijuana Program
- No federal medical necessity defense
- Commerce Clause gives Congress power to regulate controlled substances including marijuana for all purposes



GOVERNMENT CODE SECTION 37100



“The Legislative Body (City Council / County Board of Supervisors) may pass ordinances NOT in conflict with the Constitution and the laws of the State or the United States.”



2008

- *Ross v. Raging Wire Telecommunications*
 - No duty to accommodate an employee's use of marijuana under the Compassionate Use Act.
 - No state law could completely legalize marijuana for medical purposes because the drug remains illegal under federal law (21 U.S.C. §§ 812, 844(a)), even for medical users (see *Gonzales v. Raich*, *supra*, 545 U.S. 1, 26–29;



California Control, Regulate and Tax Adult Use of Marijuana Initiative (2016)

- The Control, Regulate and Tax Adult Use of Marijuana Initiative (#15-0103) is an initiated state statute proposed for the California ballot on November 8, 2016.



Supporters

- Marijuana Policy Project of California
- California State NAACP
- Drug Policy Action
- New Approach PAC
- Californians for Sensible Reform
- National Organization for the Reform of Marijuana Laws (NORML)
- Sean Parker, founder of Napster and the former president of Facebook
- California Lieutenant Governor Gavin Newsom (D)
- The California Medical Association (CMA), which represents over 41,000 doctors statewide



- The measure would legalize marijuana and hemp under state law. The initiative was also designed to establish state agencies to oversee the licensing and regulation of the marijuana industry. Moreover, it would enact a sales tax of 15 percent and a cultivation tax of \$9.25 per ounce for flowers and \$2.75 per ounce for leaves, with exceptions for qualifying medical marijuana sales and cultivation. The initiative was also designed to prevent licenses for corporate or large-scale marijuana businesses for five years in order to deter the “unreasonable restraints on competition by creation or maintenance of unlawful monopoly power.” Other provisions relate to rights of employers, driving under the influence and marijuana business locations.



Polls

California Recreational Marijuana Legalization

Poll	Yes	No	Unsure/No response	Margin of Error	Sample Size
Probolsky Research February 11 - February 14, 2016	59.9%	36.7%	3.4%	+/-3.1	1,000

Note: The polls above may not reflect all polls that have been conducted in this race. Those displayed are a sampling chosen by Ballotpedia staff. If you would like to nominate another poll for inclusion in the table, send an email to editor@ballotpedia.org



Medical Marijuana Regulation and Safety Act

- This legislation protects local control in the following ways:
- **Dual licensing:** A requirement in statute that all marijuana businesses must have both a state license, and a local license or permit, to operate legally in California. Jurisdictions that regulate or ban medical marijuana will be able to retain their regulations or ban.



Medical Marijuana Regulation and Safety Act

- **Effect of Local Revocation of a Permit or License:** Revocation of a local license or permit terminates the ability of a marijuana business to operate in that jurisdiction under its state license.



Medical Marijuana Regulation and Safety Act

- **Enforcement:** Local governments may enforce state law in addition to local ordinances, if they request that authority and if it is granted by the relevant state agency.



Medical Marijuana Regulation and Safety Act

- **State law penalties for unauthorized activity:** Provides for civil penalties for unlicensed activity, and applicable criminal penalties under existing law will continue to apply. With certain exceptions, expressly protects local licensing practices, zoning ordinances, and local actions taken under the constitutional police power.



Cities and counties are not preempted by state law from enacting ordinances regulating the location of marijuana distribution facilities.

City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc. (2013) 56 Cal.4th 729



Cities and counties are not preempted by state law from regulating outdoor cultivation of marijuana.

Kirby v. County of Fresno (2015) 242
Cal.App.4th 940

and

Maral v. City of Live Oak (2013) 221 Cal.App.
4th 975





Golden Angels
Seniors Collective
Orange County, California

MEDICAL MARIJUANA: Giving Seniors Safe Access with Dignity

Golden Angels Senior's Collective mission is to provide seniors safe access to medical marijuana with dignity. Moreover, to provide a continuing education program to the seniors of the community in Orange County, California since 2009.

THE BENEFITS OF CBD, REDUCE OR STOP
PRESCRIPTION DRUGS, RELIEF WITHOUT GETTING
STONED, RELAX THE BODY WITHOUT GETTING HIGH

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Mobile Delivery

Marijuana delivery services evade bans on dispensaries, spread across California

- **A flourishing and unregulated industry of pot delivery services is circumventing bans on storefront dispensaries and bringing medical marijuana directly to people's homes, offices and more unconventional locations across the state, records and interviews show.**

*by Gary Cohn & Michael Montgomery, KPCC
June 5th, 2010*

- Who's going to complain?" Zine said. "The person who's receiving (the marijuana) is not going to complain. The person who's delivering is not going to complain. The neighbor is not going to complain because they don't know what's going on."



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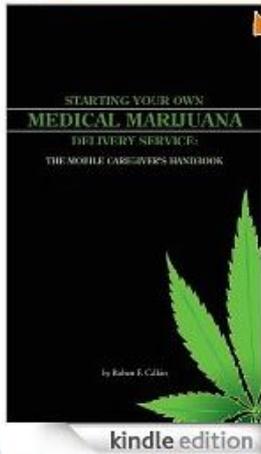
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Book Description

Publication Date: **June 21, 2010**

This book is the definitive guide on the subject of Medical Marijuana Delivery. Robert Calkin uses his 25+ years of experience and has based his book on original curriculum he wrote for Oakerterdam University.

You will get an overview of the Medical Marijuana Industry and a step by step method to start your own Medical Marijuana Delivery Service.



Possible Nuisances/Secondary Effects

- Burglaries, robberies and thefts;
- Fraudulent physician recommendations;
- Marijuana sales to customers with obviously fake identification cards;
- DUI;
- Sale of other illegal drugs at dispensaries; and
- Sales to minors.

