

CALIFORNIANS FOR COMMON SENSE
POST OFFICE BOX 32622
LONG BEACH CA 90832

09-0025 July 27, 2009

Ms. Krystal Paris, Initiative Coordinator
Attorney General's Office
1300 "I" Street
Sacramento, California 95814

RECEIVED
AUG 04 2009

Dear Ms. Paris:

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Pursuant to Article II, Section 10(D) of the California Constitution and Sections 9002 and 9004 of the Elections Code, I hereby request that a title and summary be prepared for the attached initiative entitled "Common Sense Act of 2010" as provided by law.

Pursuant to Section 9005, I also request that an estimate of the savings in state and local expenditures and of the additional revenues to state and local governments that passage of this measure will bring be included with the title and summary.

Also attached is the Proponent's affidavit, pursuant to Elections Code Section 9608.

My home address where I am registered to vote is also attached.

Also enclosed is a money order in the amount of \$200, payable to the State of California, pursuant to Elections Code Section 9004.

Please direct all correspondence and inquiries regarding this measure to the post office box noted in the letterhead.

Thank you for your assistance in this matter.

Sincerely,

John Donohue
Proponent
Common Sense Act

E1
in

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

COMMON SENSE ACT OF 2010

09 - 0025

Section 1: Title

This measure shall be known as the "Common Sense Act of 2010"

Section 2: Findings and Declarations

The People of the State of California hereby make the following findings, and declare that the intent of this measure is to bolster California's economy by recognizing that:

- (A) Marijuana is a valuable agricultural crop.
- (B) Prohibition is costly, unpopular and ineffective.
- (C) The expense of enforcement, prosecution, and imprisonment of violators of the prohibition of marijuana has drained federal, state and local resources and tax revenue.
- (D) Otherwise law-abiding citizens have been prosecuted and incarcerated for their part in contributing to this substantial segment of California's economy.
- (E) It is desirable to ease the overwhelming cost of prison overcrowding by reducing the number of people incarcerated for victimless acts.
- (F) Federal classification of marijuana as a Schedule One substance is scientifically incorrect, falsely stating that it has "no currently accepted medical use."
- (G) Tax revenue from the legal trade in cannabis and hemp products will help to mitigate state budget problems.

Section 3: Legalization and Taxation of Marijuana

- (A) The People of the State of California hereby repeal the prohibition on marijuana use, cultivation, possession, transportation and sale.
- (B) The People of the State of California authorize federal, state, county and municipal authorities to tax the manufacture, sale and use of marijuana.
- (C) All government entities within California shall immediately cease spending any public or private funds for the purpose of enforcing or prosecuting any law prohibiting the use, cultivation, possession, transportation or sale of marijuana.

Section 4: Instructions to California State Legislators

The People of the State of California hereby instruct our State Legislators to formulate new laws to regulate and tax the cultivation, production, transport, sale and/or use of marijuana and cannabis products. Legislators should take into account current laws regulating and taxing alcohol and tobacco, as well as pertinent laws of countries in which cannabis products are legal. We recommend California's regulation and taxation of the wine industry as a model.

Section 5: Instructions to Members of the Congress of the United States of America

The People of the State of California hereby instruct every Member of the United States Congress from California to actively work for the removal of marijuana from the federal Schedule of Controlled Substances, and to vote against any funding for the purpose of enforcing or prosecuting any law prohibiting the use, cultivation, possession, transportation or sale of marijuana, cannabis or hemp products.

Section 6: Operative Dates

- (A) This measure shall become effective immediately upon certification of passage by the California Secretary of State.
- (B) The California State Legislature and Governor shall have one year from the date of certification to codify appropriate regulations and tax provisions into state law.

Section 7: Severability

If any provision of this measure or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the measure that can be given effect without the invalid provision or application, and to this end the provisions of the measure are severable.