

Resolution 06-09-2009

Marijuana Control, Regulation, and Education

RESOLVED, that the Conference of Delegates of California Bar Associations recommends that the legislature and governor be urged to support, pass and enact Assembly Bill 390 (2009-2010 Session), Marijuana Control, Regulation and Education Act, which legislation would legalize the possession, sale, cultivation, and other conduct relating to marijuana and its derivatives by persons 21 years of age and older, would regulate the sales of marijuana, would impose fees on its sale, and, in general, would treat marijuana sales in much the same manner as alcohol sales (http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0351-0400/ab_390_bill_20090223_introduced.pdf and http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0351-0400/ab_390_bill_20090324_status.html).

PROPONENT: San Francisco Bay Area National Lawyer Guild

STATEMENT OF REASONS

Existing Law: Criminalizes any recreational use of marijuana and fills California jails and prisons with largely harmless people.

This Resolution: Supports AB 390, which would lessen the burden of law enforcement and the correctional system to address crimes that endanger public health and safety. Furthermore, street pushers would have no incentive to sell marijuana to vulnerable youth. Marijuana is California's largest cash crop, estimated to generate 5 times the income of our bounteous fruit and vegetable harvest. This bill would generate an estimated 1 Billion in tax revenues and allow the income from the sale of marijuana to enter the mainstream economy, which would be enriched by the multiplier effects, creating legitimate jobs and new industries.

The Problem: Marijuana is California's largest cash crop, estimated at \$15 billion per year in sales. By comparison, California's vegetable and fruit crop generates about \$2 billion per year. Marijuana producers must hide the proceeds of their sales in the underground economy, where it does little to induce a multiplier effect in the mainstream economy, and is not readily taxable. It is clear that this industry is not going to disappear. Californians could benefit directly from this industry by receiving the tax revenues that it could generate and also by seeing law enforcement costs lowered. Marijuana is no more of a gateway drug than alcohol, studies show, and alcohol taxes and licenses provide significant income to the State.

IMPACT STATEMENT

This resolution does not affect any other law, statute or rule.

AUTHOR AND/OR PERMANENT CONTACT: Richard P. Koch, 870 Market St., Suite 1264, San Francisco, CA 94102, (415) 397-1060, rpkoch1@sbcglobal.net

RESPONSIBLE FLOOR DELEGATE: Richard P. Koch

06-09-1