



Voter Guide

**Presidential General Election
Tuesday, November 8, 2016
Vote 7 a.m. to 8 p.m.**

Guía Electoral

**Elección General Presidencial
Martes, 8 de Noviembre del 2016
Vote 7 a.m. a 8 p.m.**

MEASURE Y
COUNTY OF MONTEREY
COMMERCIAL CANNABIS BUSINESS TAX

Shall the ordinance imposing a tax on commercial marijuana businesses in the unincorporated area of Monterey County only (not cities) up to a maximum of: \$25 per square foot on cultivation with an annual adjustment by Consumer Price Index (CPI) thereafter; \$5 per square foot on nurseries with annual CPI adjustment thereafter; and 10% of gross receipts on other marijuana business activities with no CPI, potentially generating millions of dollars annually to help fund County services, be adopted?

IMPARTIAL ANALYSIS BY COUNTY COUNSEL

Approval of this measure would impose a permanent tax on all commercial marijuana (also known as "cannabis") business activity, such as cultivation, processing, manufacturing, distribution and selling, only in the unincorporated area of Monterey County (not in cities). County regulations regarding medical marijuana use and cultivation would only become operative if this tax is approved. The tax would not apply to personal medical marijuana cultivation, but would apply to commercial recreational marijuana business activity if legalized at the state level.

The tax distinguishes between cultivation, basically growing marijuana, and all other commercial marijuana business activity. Commercial marijuana cultivation, currently restricted to indoor areas such as greenhouses or buildings, would be taxed based on the square footage of the "canopy" as specified in a permit. The "canopy" is all areas that could be occupied by any portion of a marijuana plant; it would not be determined by the square footage of the building in which the cultivation occurs. For example, if a greenhouse has several shelves stacked vertically, each within the permit to hold marijuana plants for cultivation, the square footage of each shelf would be taxed as part of the canopy.

The cultivation tax distinguishes between cultivation as a nursery, which is cultivation of certain products such as seeds, clones and immature plants to be sold for growing mature plants, and all other cultivation. The nursery cultivation tax would start at \$2.00 per square foot of canopy until June 30, 2020 and then increase by \$1.50 on each succeeding July 1 until a maximum rate of \$5.00 per square foot is reached. Thereafter, on each succeeding July 1 the tax would increase by the Consumer Price Index ("CPI") but there would be no decrease in the tax if the CPI fell in any given year.

The non-nursery cultivation tax would start at \$15.00 per square foot of canopy until June 30, 2020, and then increase each succeeding July 1 by \$5.00 until a maximum rate of \$25.00 per square foot is reached. Thereafter, on each succeeding July 1, the tax would increase by the CPI but there would be no decrease in the tax if the CPI fell in any given year.

The tax on all other (non-cultivation) commercial marijuana business activity would be based on annual gross receipts starting at 5% until June 30, 2020, and then increasing each succeeding July 1 by 2.5% until a maximum rate of 10% is reached. There would be no annual CPI adjustment on the gross receipts tax.

The tax would be a general tax as defined in the California Constitution, and tax revenues would be placed in the County's General Fund and used for general County purposes at the discretion of the Monterey County Board of Supervisors. The measure was placed on the ballot by the Board of Supervisors. A "Yes" vote is a vote to approve the imposition of the tax; a "No" vote is a vote against imposition of the tax. The measure requires a simple majority vote for approval.

/s/ Charles J. McKee, County Counsel

The above statement is an impartial analysis of Measure Y. If you desire a copy of the measure please call the Monterey County Elections office at (831) 796-1499 or (866) 887-9274 (toll free) and a copy will be mailed at no cost to you. You may also access the full text of the measure on the Monterey County Elections office website address at <http://www.montereycountyelections.us>.

**MEASURE Y
COUNTY OF MONTEREY
COMMERCIAL CANNABIS BUSINESS TAX**

ARGUMENT IN FAVOR OF MEASURE Y

This is a common sense regulation, requiring marijuana operations to provide funds to ensure County resources are not strained by marijuana business activities while benefitting all Monterey County residents through proper taxation.

This is not a sales tax or income tax! This is a tax that marijuana businesses would pay for permission to operate in the unincorporated areas of Monterey County (outside the cities). Without this tax, marijuana operations put a burden on funding for public services, primarily public safety and environmental programs. This measure provides a fiscally and socially responsible approach that allows limited cultivation of marijuana, which has become an important option to those living with cancer, chronic pain and other debilitating conditions. This tax would provide funding for County services addressing the strain on funding for public services created by this industry.

Voting yes on this measure will support a local, regulated, marijuana market that will not exist without this tax. This tax is tied to a rigorous regulatory framework designed to ensure proper siting and policing of marijuana cultivation, processing, and dispensing in Monterey County. Regulations ensure protection of our neighborhoods, natural environment, and quality of life.

Marijuana businesses will need to obtain annual operating permits that evaluate locations, criminal backgrounds, security protocols, and comprehensive operational plans. Regular health, safety, and compliance inspections are required for commercial marijuana businesses.

The tax is critical to fund projected costs and demands on County services resulting from marijuana businesses. Current lack of resources and regulations create environmental and social impacts to our County and reward criminal activity. The tax revenues will help support general County services including law enforcement, hospitals, libraries, parks, homeless services programs and more.

Approve this measure, help put a stop to criminal activities, and preserve our cherished environment and quality of life.

/s/ John M. Phillips, Supervisor, District 2

/s/ Jane Parker, Supervisor, District 4

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE Y

Measure Y is not a common sense regulation. Bureaucrats know nearly nothing about farming or tending agricultural fields. They are pencil pushers, not farmers who toil in the fields. They are beholden to politicians and wealthy business elites, and have little to no experience in operating a successful enterprise.

As for funding, the Monterey County government has nearly 1 billion dollars in assets. This new revenue stream will likely pay for higher government salaries, bloated pensions, and outrageously generous pensions that few receive in the private sector. They simply want to leech off of hard-working people.

Sales and property taxes already provide ample funding for the policing of marijuana cultivation, processing, and dispensing in Monterey County. The governmentals want to over-regulate and over-control the operations of a farming enterprise that has become important in helping people with cancers and other illnesses.

This tax will increase the likelihood of illegal cannabis farming, causing many growers to cultivate their crop in public parklands, threatening wildlife, the environment and human life.

Vote NO on Measure Y.

/s/ James King, Chair, Libertarian Party of Monterey County

/s/ Lawrence Samuels, Vice-Chair, Libertarian Party of Monterey County

/s/ Jane Heider, Secretary, Libertarian Party of Monterey County

/s/ Brandon Kelsey

ARGUMENTS AND REBUTTALS ARE THE OPINION OF THE AUTHORS AND HAVE NOT BEEN CHECKED BY ANY OFFICIAL AGENCY

**MEASURE Y
COUNTY OF MONTEREY
COMMERCIAL CANNABIS BUSINESS TAX**

ARGUMENT AGAINST MEASURE Y

Government greed knows no bounds. Taxes are simply too high. Medical marijuana is already taxed at the local and state levels. Why levy a special tax?

High taxation of marijuana will only continue the problem of illegal pot farming—where growers use parklands for their operations, which can damage the wilderness, cause wildfires and result in physical harm to innocent hikers.

Plus, what do we get with higher and higher taxation. As taxes go up government service and quality seem to go down. Why pay more to get less? Why make ourselves poor when government officials receive \$100,000 salaries with generous retirement pension and healthcare benefits paid by you and me? Many of us already can barely afford food and housing.

This is exactly what is happening to many taxpayers. We need to stop making the people poorer and making the already wealthy bureaucratic elite richer. Vote NO on Measure Y.

/s/James King, Chair, Libertarian Party of Monterey County

/s/Lawrence Samuels, Vice-Chair, Libertarian Party of Monterey County

/s/Jane Heider, Secretary, Libertarian Party of Monterey County

/s/Brandon Kelsey

REBUTTAL TO ARGUMENT AGAINST MEASURE Y

Voting yes on Measure Y is a vote to establish a local general tax on marijuana businesses. It is not a tax on common citizens or a point of sale tax.

Tax money collected through Measure Y will be used for general County services which benefit all County citizens.

Illegal marijuana grows currently occur in Monterey County without a tax in place and they impact services that should be available to hard working law abiding citizens. The tax is part of a regulatory program that will give our County the necessary resources to properly regulate both legal and illegal marijuana activities. This tax would not allow or promote the use of wilderness areas or parks for marijuana cultivation. To the contrary, the regulations referenced in the measure explicitly make such operations illegal and subject to eradication.

Do not be misled. The marijuana industry is making large profits while putting a strain on public services. There are currently no taxes on marijuana businesses in our County. No money is collected for the costs of regulation, enforcement or eradication efforts associated with marijuana operations. Measure Y will help rectify this. It is time we brought the marijuana industry into a legal, regulated, and taxed market.

Read for yourself, and vote YES on Measure Y. The full measure and all implementing ordinances can be found online at: http://www.montereycountyelections.us/a_measures_NOVEMBER_2016_EN.html

or

<http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/current-major-projects/medical-marijuana-regulations>

/s/ John M. Phillips, Supervisor, District 2

/s/ Jane Parker, Supervisor, District 4

SAMPLE BALLOT / BOLETA MODELO

OFFICIAL BALLOT / BOLETA OFICIAL PRESIDENTIAL GENERAL ELECTION / ELECCIÓN GENERAL PRESIDENCIAL COUNTY OF MONTEREY / CONDADO DE MONTEREY

TUESDAY, NOVEMBER 8, 2016 / MARTES, 8 DE NOVIEMBRE DE 2016

INSTRUCTIONS TO VOTERS: TO VOTE, connect the arrow pointing to your choice, like this:

A SINGLE LINE IS SUFFICIENT. Use blue or black ink. Do not use felt tip pens.

To vote for a qualified write-in candidate, write the person's name on the blank space provided and CONNECT THE ARROW.

INSTRUCCIONES A LOS VOTANTES: PARA VOTAR, conecte la flecha que apunta a su selección, como ésta:

UNA SOLA LÍNEA ES SUFICIENTE. Use tinta azul o negra. No use marcadores con punta de fieltro.

Para votar por un candidato calificado por escrito, escriba el nombre de la persona en el espacio en blanco provisto y CONECTE LA FLECHA.



ARROW

MEASURES SUBMITTED TO THE VOTERS INICIATIVAS DE LEY PRESENTADAS ANTE EL ELECTORADO

SCHOOL / ESCUELA

T HARTNELL COMMUNITY COLLEGE DISTRICT
HARTNELL COLLEGE REPAIR, JOB TRAINING, IMPROVED ACCESS MEASURE. To repair/upgrade classrooms, expand local access to higher education/ training for high-wage jobs, including nursing, agriculture, science, technology/ engineering, by upgrading aging classrooms, technology, science labs, repairing outdated, deteriorating mechanical/electrical systems, improving veterans' services, safety, security/ disabled access, removing asbestos, acquiring, constructing, repairing sites/facilities/equipment, shall Hartnell Community College District issue \$167,000,000 in bonds at legal rates, requiring citizen oversight, independent audits, all funds used locally?

T DISTRITO DE HARTNELL COMMUNITY COLLEGE
INICIATIVA PARA REPARACIONES, CAPACITACIÓN PROFESIONAL, FOMENTO DEL ACCESO EN HARTNELL COLLEGE. ¿Ha el Distrito de Hartnell Community College de emitir \$167,000,000 en bonos al tipo de interés que marque la ley con el fin de reparar/modernizar aulas, aumentar el acceso local a la educación superior/la capacitación para puestos de trabajo con salarios más altos, como la enfermería, la agricultura, las ciencias, la tecnología/ingeniería mediante la modernización de las aulas viejas, la tecnología, los laboratorios de ciencias, la reparación de los sistemas mecánicos/eléctricos obsoletos y deteriorados; la mejora de los servicios para los veteranos, la protección, la seguridad y el acceso para personas discapacitadas, la eliminación de asbestos; la adquisición, construcción, reparación de terrenos/instalaciones/equipos, con los requisitos de comité de supervisión ciudadana, auditorías independientes y empleo local de los fondos?

BONDS YES / BONOS SI ← " "

BONDS NO / BONOS NO ← " "

COUNTY / CONDADO

Y COUNTY OF MONTEREY
Shall the ordinance imposing a tax on commercial marijuana businesses in the unincorporated area of Monterey County only (not cities) up to a maximum of: \$25 per square foot on cultivation with an annual adjustment by Consumer Price Index (CPI) thereafter; \$5 per square foot on nurseries with annual CPI adjustment thereafter; and 10% of gross receipts on other marijuana business activities with no CPI, potentially generating millions of dollars annually to help fund County services, be adopted?

Y CONDADO DE MONTEREY
¿Debería adoptarse la ordenanza que impone un impuesto sobre los negocios de marihuana comercial sólo en el área no incorporada del Condado de Monterey (no las ciudades) hasta un máximo de: \$25 por pie cuadrado sobre el cultivo con un ajuste anual en lo sucesivo según el Índice de Precios al Consumidor (CPI); \$5 por pie cuadrado sobre los viveros con un ajuste anual en lo sucesivo según el CPI; y 10% de los ingresos brutos sobre otras actividades comerciales relacionadas con la manhuana sin CPI, generando potencialmente millones de dólares anualmente para ayudar a financiar los servicios del Condado?

YES / SI ← " "

NO / NO ← " "

Z COUNTY OF MONTEREY
Shall an initiative amending the Monterey County General Plan, Local Coastal Program, and Fort Ord Master Plan to: (1) prohibit the use of land within the County's unincorporated (non-city) areas for hydraulic fracturing treatments ("fracking"), acid well stimulation treatments, and other well stimulation treatments, (2) prohibit new and phase out existing land uses that utilize oil and gas wastewater injection and impoundment, and, (3) prohibit the drilling of new oil and gas wells in the County's unincorporated areas be adopted?

48 / Monterey BT56
SAMPLE BALLOT

SAMPLE BALLOT