

>> ALL RISE.  
HEAR YE, HEAR YE, HEAR YE, THE  
SUPREME COURT OF FLORIDA IS NOW  
IN SESSION, ALL WHO HAVE CAUSE  
TO PLEAD, DRAW NEAR, GIVE  
ATTENTION AND YOU SHALL BE  
HEARD.  
GOD SAVE THESE UNITED STATES,  
THE GREAT STATE OF FLORIDA AND  
THIS HONORABLE COURT.  
>> THE SUPREME COURT OF FLORIDA,  
PLEASE BE SEATED.  
>> GOOD MORNING AND WELCOME TO  
THE FLORIDA SUPREME COURT.  
TODAY WE HAVE ON OUR DOCKET TWO  
BALLOT INITIATIVE CASES.  
THE FIRST IS ADVISORY OPINION  
REGARDING REGULATING MARIJUANA.  
>> MISTER CHIEF JUSTICE AND MAY  
IT PLEASE THE COURT, WE ARE HERE

--

>> I CAN'T QUITE HEAR YOU.  
>> IS THAT BETTER?  
WE ARE HERE TO TALK ABOUT THE  
REGULATE MARIJUANA CITIZEN  
INITIATIVE.  
MY NAME IS JEFFREY DESOUSA FOR  
THE ATTORNEY GENERAL'S OFFICE.  
I EXPLAIN WHY THE BALLOT SUMMARY  
IS DEFECTIVE.  
I WILL BE JOINED BY DANIEL  
NORDBY FOR THE FLORIDA COMMERCE  
AND MOHAMMED JAZIL FOR THE HOUSE  
OF REPRESENTATIVES.  
I THINK ARE STARTING PLACE IS  
THE FACT THAT THE RECREATIONAL  
USE OF MARIJUANA IS REGULATED  
UNDER STATE LAW.  
YOU CANNOT BE MORE REGULATED  
THAN AN OUTRIGHT BAN ON A  
CERTAIN ACTIVITY.  
WHEN IT AIMS TO DO, WITH ITS  
CHIEF PURPOSE IS IS TO LEGALIZE  
THE CONDUCT THAT PREVIOUSLY WAS  
UNLAWFUL.  
WHAT IS SO STRIKING ABOUT THE  
BALLOT SUMMARY IS NOT ONLY THAT  
IT DOESN'T REFERENCE THE CONCEPT  
OF LEGALIZATION BUT USES PRECISE  
OPPOSITE LANGUAGE BECAUSE IT

SPEAKS IN TERMS OF ACCESS TO MARIJUANA WITH TERMS LIKE REGULATE, REGULATIONS, RESTRICTIONS AND LIMITED USE. IF YOU READ BETWEEN THE LINES OF THE SPONSOR'S BRIEF WHAT THEY ARE SAYING IS VOTERS ARE INTELLIGENT AND PUT 2 AND 2 TOGETHER AND FIGURE IT OUT. THAT IS NOT THE STANDARD SECTION 101.161 REQUIRES EXCITATORY STATEMENT OF THE CHIEF PURPOSE INCLUDING AND BEGIN WAS LANGUAGE.

TO THE EXTENT THE SUMMARY SPEAKS EUPHEMISTICALLY BY USING A PHRASE LIKE REGULATE WHAT IT REALLY MEANS IS LEGALIZED, THAT IS INSUFFICIENT.

WITH THE BALLOT SUMMARY WITH RESPECT TO THE CHIEF PURPOSE IS ITS FAILURE TO GIVE VOTERS ANY SENSE AS TO THE SCOPE AND BREADTH OF THE REGULATIONS ENACTED AND CONSTITUTIONALIZE IF THE AMENDMENT WERE TO PASS.

WE THINK THERE ARE TWO PARTICULAR PROBLEMS, THE FIRST IS THE BALLOT SUMMARY DOESN'T TELL VOTERS WHICH STATE ENTITY IS RESPONSIBLE FOR PROMULGATING THESE REGULATIONS.

IT SAYS THE STATE WILL ADOPT REGULATIONS.

WITH THE CONSERVATION CASE THE COURT DECIDED, YOU KNOW A TRANSFER OF POWER FROM THE LEGISLATURE TO REGULATE TO AN EXECUTIVE BRANCH AGENCY THAT IS THE KIND OF THING THAT IS MATERIAL AND HAS TO BE DISCLOSED TO VOTERS AND WHAT THE AMENDMENT WOULD DO IF ENACTED.

IT WOULD TAKE FROM THE LEGISLATURE THE POWER TO REGULATE AND GIVE IT TO THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION. IN THE PROCESS IT WOULD ALSO ELEVATE THE DV PR FROM A

CREATURE OF STATUTE TO A  
CONSTITUTIONAL EXECUTIVE AGENCY.  
THE OTHER PROBLEM IS THE  
LANGUAGE DOESN'T PUT VOTERS ON  
NOTICE THAT THE REGULATIONS THAT  
SHALL BE ADOPTED, AND IN  
RESTRICTION OF THE DV PR THERE  
IS DISCRETION REMAINING TO IT.  
LARGELY REGULATIONS WILL BE  
PREDETERMINED.

YOU LIST A NUMBER OF THEM IN  
BRIEF BUT IF YOU LOOK AT THE  
BALLOT SUMMARY YOU GET THE SENSE  
THIS IS THE DELEGATION OF  
AUTHORITY AND DISCRETION TO THE  
AGENCY TO DECIDE WITHIN ITS  
PARTICULAR AREA OF EXPERTISE  
WITH THE RAGS SHOULD BE WHEN  
THESE ARE PREDETERMINED AND  
LARGELY SET BY THE TERMS.

>> THE COURT HAS NO FURTHER  
QUESTIONS ON THOSE POINTS.

I WILL TURN BRIEFLY TO OUR  
ARGUMENT THE BALLOT SUMMARY IS  
AFFIRMATIVELY MISLEADING WITH A  
NUMBER OF RESPECTS, IN  
RESTRICTING RIGHTS.

>> YOUR SECOND DEGREE ARGUMENT  
ON THE THOUGHT THAT THE STATUTE  
REQUIRES ALL MATERIAL TERMS.

>> I THINK SO.

YOUR CASES IS THERE HAS TO BE UP  
EXPLANATORY STATEMENT AND THAT  
MEANS THE MAJOR LEGAL  
CONSEQUENCES THAT FLOW FROM  
ENACTMENTS OF THE AMENDMENT.

>> HOW DOES THAT RELATE TO  
STATUTORY LANGUAGE REQUIRES AN  
EXPLANATION.

OF PURPOSE, SOUNDS LIKE CRAFTING  
ON - WOULD THAT BE A FAIR  
STATEMENT?

>> I DON'T KNOW HOW YOU GET --  
FROM THE PURPOSE TO ALL THE  
OTHER MATERIAL.

>> WE THINK THOSE MATERIAL  
AFFECTS, AND YOU CAN IMAGINE A  
HYPOTHETICAL BALLOT SUMMARY THAT  
SAID RECREATIONAL USE OF  
MARIJUANA SHALL BE REGULATED BY

THE STATE, WE THINK THAT WOULD BE INVOLVED IN EXPLANATORY STATEMENT, GIVING A SPONSOR 75 WORDS TO USE.

IT IS CLEAR AND UNAMBIGUOUS LANGUAGE.

THAT KIND OF CURSORY TOP-LEVEL ANALYSIS, WHAT THE AMENDMENT DOES WOULD BE INSUFFICIENT AND THAT IS WHY THE FISH AND WILDLIFE CASE IS TELLING. THE TRANSFER OF POWER FROM ONE AGENCY TO ANOTHER IS PRECISELY THE MATERIAL EFFECT THAT GOES TO THE CHIEF PURPOSE AND THE SUMMARY DOESN'T DISCLOSE.

>> YOU USED HALF OF YOUR REBUTTAL TIME.

IF YOU WANT TO KEEP GOING, KEEP GOING FOR A LITTLE WHILE.

I WILL GIVE YOU A FULL MINUTE.

>> THANKS SO MUCH.

>> MAY IT PLEASE THE COURT.

I'M DANIEL NORDBY OF SHUTTS & BOWEN LLP.

THE NATIONAL TROPHY WORKPLACE ALLIANCE AND SAVE OUR SOCIETY FROM DRUGS, WE HAVE OUTLINED IN A WRITTEN BRIEFING THE MANY WAYS THE PROPOSAL TODAY STANDS APART FROM MANY OTHER PROPOSALS BEFORE YOU DURING THIS CYCLE IN TERMS OF SHEER LENGTH AND DISPARATE IRAN TOPICS.

MUST THE COURT WOULD PROVIDE OTHERWISE I WILL START BRIEFLY, WITH THE COMMENTS MADE BY JEFFREY DESOUSA ON THE BALLOT TITLE AND SUMMARY WHICH ARE MISLEADING IN HOW THEY DESCRIBE THE EFFECT.

WE THINK THIS AMENDMENT, AND IN FIRESTONE, THEY STRUCK A PROPOSED AMENDMENT TO THE CONSTITUTION WHICH BALLOT SUMMARY DESCRIBE THE PROPOSAL AS IMPOSING RESTRICTIONS ON LOBBYING WHEN THE AMENDMENT WOULD HAVE ELIMINATED RESTRICTIONS ON LOBBYING, YOUR

PROPOSAL SUFFERS THE SAME DEFECT AND IF THERE IS ANY PRINCIPLE THE BALLOT SUMMARY JURISPRUDENCE HAS ESTABLISHED A BALLOT SUMMARY MAY NOT BE AFFIRMATIVELY MISLEADING TO THE VOTERS IN DESCRIBING THE RESULT OF THE PROPOSED AMENDMENT.

I WOULD CONTRAST THAT WITH A SUMMARY OF THE MEDICAL MARIJUANA AMENDMENT THE COURT APPROVED IN 2015 AND ADOPTED BY VOTERS IN 2016.

THE BALLOT SUMMARY SPOKE IN TERMS OF ALLOWING OR AUTHORIZING MARIJUANA USE CONTRAST TO THE ONE THAT SPEAKS IN TERMS OF REGULATING, RESTRICTING AND LIMITING THE USE OF MARIJUANA. THE SUMMARY IS INVALID AND THAT WOULD BE A SUFFICIENT BASIS AND THAT WOULD RENDER IT INVALID. TO THE SINGLE SUBJECT ARGUMENTS, BRIEFLY ADDRESS THE PROPOSED AMENDMENTS VIOLATIONS OF THE FLORIDA CONSTITUTION SINGLE SUBJECT REQUIREMENT.

IN FINE VERSUS FIRESTONE THIS REFERRED TO THE SUBJECT REQUIREMENT AS A RULE OF RESTRAINT TO FOCUS THE ELECTORATE'S ATTENTION ON SINGLE CHANGES IN THE FUNCTIONS OF OUR GOVERNMENTAL STRUCTURE AND THIS HAS REQUIRED STRICT COMPLIANCE WITH THE SINGLE SUBJECT RULE AND SCRUTINY OF INITIATIVES TO ENSURE THEY COMPLY WITH SINGLE SUBJECT REQUIREMENT.

THE FLORIDA CANNABIS ACT WHICH THE SPONSOR INSURED IS THE TITLE HERE ADDRESSES MULTIPLE SUBJECT IN VIOLATION OF SINGLE SUBJECT REQUIREMENT.

WE IDENTIFIED SEVERAL IN OUR BRIEF ON PAGES 18-20.

I SPECIFICALLY NOTE THE COMBINATION IN ONE AMENDMENT, WITH RESIDENTIAL CULTIVATION OF MARIJUANA FOR PERSONAL USE IN

PROVIDING LARGE-SCALE COMMERCIAL CULTIVATION AND REGULATION ON THE DISTRIBUTION AND SALE OF MARIJUANA.

THESE ARE DISTINCT OBJECTS THAT ARE LOGICALLY SEPARABLE FROM ONE ANOTHER.

THIS COURT DOESN'T ALLOW SPONSORS AND CONSISTENTLY SAY A SPONSOR CANNOT EVADE A SINGLE SUBJECT REQUIREMENT BY UNFOLDING DISPARATE SUBJECTS WITHIN THE CLOAK OF A BROAD GENERALITY.

THAT IS FROM EVANS VERSUS FIRESTONE SOME 30 YEARS AGO.

IF YOU LOOK AT THIS, ALL THE TOPICS ADDRESSED LIMITATIONS ON GOVERNMENT REVENUE.

THIS COURT STRUCK IT ON SINGLE SUBJECT GROUNDS.

>> LET ME ASK YOU THIS QUOTING FROM THE PATIENTS.

THAT THE AMENDMENT - LOGICALLY VIEWED AS HAVING ACTUAL RELATION - DEFINED - NATURALLY AND LOGICALLY RELATE.

AND IF YOU DIG DOWN.

>> I THINK PART OF THE DIFFICULTY IN A CONCURRING OPINION IS THE ONENESS OF PURPOSE IS A MALLEABLE STANDARD IN THAT CASE, THE IMPORTANT QUESTION IS WHAT LEVEL OF GENERALITY DO YOU VIEW THE DOMINANT PURPOSE OR SINGLE SUBJECT.

THE COURT HAS SAID IN THE SABER EVERGLADES CASE THAT MULTIPLE PROVISIONS ADDRESSING EVERGLADES PRESERVATION VIOLATE SINGLE SUBJECT REQUIREMENT.

THERE ARE SEVERAL DIFFERENT TOPICS THAT COULD BE VIEWED AS SEPARABLE FROM ONE ANOTHER.

ONE IS LEGALIZATION OF PERSONAL USE OF MARIJUANA AND ANOTHER'S MAKING PROVISION FOR LARGE-SCALE COMMERCIAL USE OF MARIJUANA, AND RESIDENTIAL CULTIVATION OF MARIJUANA.

THESE ARE TOPICS DIFFERENT  
VOTERS FEEL DIFFERENTLY ABOUT  
APPROVING.

UNDER THE LOGROLLING PRECEDENT  
WHICH WAS EMPLOYED AS AN  
ANALYTICAL TOOL TO TEASE OUT  
SINGLE SUBJECT VIOLATIONS.  
WHEN THERE ARE DIFFERENT TOPICS  
THAT CAN BE DIVIDED IN A WAY  
VOTERS MIGHT APPROVE ONE AND  
DISAPPROVE OF ANOTHER THAT IS  
SUBJECTIVE OF SINGLE SUBJECT  
VIOLATION.

>> WHY WOULD IT BE SOMEONE IN  
FAVOR OF THE USE OF MARIJUANA,  
PERSONAL USE OF MARIJUANA BE  
AGAINST HAVING GROWERS THAT  
ACTUALLY PROVIDED FOR SALE AND  
IN THEIR OWN HOMES, SOMEBODY WHO  
IS AGAINST PERSONAL USE OF  
MARIJUANA IS AGAINST COMMERCIAL  
ESTABLISHMENTS THAT MAKE IT  
AVAILABLE FOR USE.

I'M HAVING A HARD TIME SEEING  
WHY YOU WOULD BE FOR ALL OF IT  
OR AGAINST ALL OF IT.

>> WE PROVIDED A FEW EXAMPLES IN  
BRIEFS OF TOPICS THAT VOTERS  
FEEL DIFFERENTLY ABOUT.

A VOTER MIGHT APPROVE OF  
LEGALIZATION OF SMALL QUANTITIES  
OF MARIJUANA FOR PERSONAL USE  
BUT DISAGREE WITH THE IDEA  
CANNABIS ESTABLISHMENTS SHOULD  
BE ACROSS THE STATE FOR THE  
COMMERCIAL SALE OR VICE VERSA.

A VOTER MIGHT APPROVE OF RELATED  
COMMERCIAL SALE AND DISTRIBUTION  
OF MARIJUANA BUT NOT APPROVE OF  
THE IDEA OF RESIDENTIAL  
CULTIVATION IN PEOPLE'S  
BACKYARDS IN A COMPLETELY  
UNREGULATED WAY.

THIS COMBINES DIFFERENT TOPICS  
FOR SINGLE UP OR DOWN VOTE WITH  
OTHERS AND WE WOULD SUBMIT THAT  
IS GOING TO.

IT IS A DIFFERENT PLANT.

>> I DON'T BELIEVE IT IS UNDER  
THE CATEGORY.

>> SMOKE-FREE PLACES IN FLORIDA,  
FLORIDA STATUTE 386.284 IT  
PROHIBITS SMOKING IN  
RESTAURANTS, HOTELS, AND SO ON.  
THAT STATUTE AND THE  
CONSTITUTION SEEMS ONLY TO APPLY  
TO TOBACCO PRODUCT SO IF THIS  
PASSES, TECHNICALLY THIS STATUTE  
AND CONSTITUTIONAL AMENDMENT,  
WITH MARIJUANA CIGARETTE IN A  
HOTEL WHERE IS IT WOULD BE A --  
A PIPE OR CIGARETTE.

>> TIME IS EXPIRED.

>> YOU ARE CORRECT THE  
SMOKE-FREE WORKPLACE PROVISION  
OF THE CONSTITUTION WOULD NOT  
ADDRESS MARIJUANA, SMOKING IF IT  
IS LIMITED TO TOBACCO SMOKING.  
FOR ALL OF THESE REASONS THE  
FLORIDA CHAMBER ASKS THE COURT  
TO FIND THAT ON THE BALLOT.

>> MAY IT PLEASE THE COURT.  
MOHAMMED JAZIL ON BEHALF OF THE  
FLORIDA HOUSE OF  
REPRESENTATIVES.

JUSTICE LAWSON, TO ADDRESS YOUR  
ISSUES THIS IS WHAT JUSTICE  
COBURN SAID WAS UP TO THE  
STANDARD IN THE 1991 CASE  
CONCERNING POLITICAL TERM  
LIMITS.

THE ERRATIC NATURE OF OUR OWN  
CASE LAW, 11 SECTION 33 SHOWS  
HOW VAGUE AND MALLEABLE THE  
STANDARD IS, WHAT MAY BE ONE  
THING TO ONE PERSON IS A  
DISPARATE TOPIC TO ANOTHER.  
BEAUTY IS IN THE EYE OF THE  
BEHOLDER IN OUR CONCEPTION OF  
ONENESS HAS CHANGED EVERY TIME  
NEW MEMBERS OF COME ON TO THIS  
COURT.

MY FRIENDS AND DANIEL  
NORDBY HAVE MADE ITEMS WHY THE  
PURPOSE STANDARD HAS NOT BEEN  
MET IN THE BRIEFS IN ORAL  
ARGUMENT.

WHAT THE HOUSE IS ASKING FOR US  
TO SET A CONSISTENT STRIKE ZONE  
FOR WHAT THE STANDARD MEANS,

WHAT ARTICLE 11 SECTION 3  
ACTUALLY MEANS AND THEN KEEP THE  
CANNABIS ACT FROM THE BALLOT  
BECAUSE IT STRIKES OUT ONE JUDGE  
AGAINST A FIXED ORIGINAL LAND  
PLANE MEANING IN ARTICLE 11,  
SECTION 3.

THE TEXT OF ARTICLE 11 SECTION 3  
HAS GIVEN CITIZENS AN  
OPPORTUNITY TO AMEND THE  
CONSTITUTION, NOT PROPOSE LAWS  
THROUGH THE CITIZENS INITIATIVE  
PROCESS, THE HISTORICAL AND  
STRUCTURAL CONTEXT OF THE 1968  
CONSTITUTION SUBSTANTIATES THAT.

>> THE STRUGGLE I HAVE WITH YOUR  
ARGUMENT IS THAT PROVISION OF  
THE CONSTITUTION WAS AMENDED IN  
1972 IN ORDER TO ALLOW CITIZENS  
TO REVISE THE CONSTITUTION-BASED  
ON THE CASE LAW THAT SAID THE  
MORE LIMITED PROVISION FROM 68  
THAT COULD AMEND SECTIONS DIDN'T  
WANT TO GIVE THEM ENOUGH POWER  
TO CHANGE THE CONSTITUTION.

WITH THE 68 CONSTITUTION, HAS  
MUCH RELEVANCE AFTER 1972.

WOULD YOU ADDRESS THAT?

>> TO ADDRESS THAT I THINK IT IS  
IMPORTANT TO READ THE ADAMS CASE  
THAT WAS DECIDED SHORTLY AFTER  
THE CITIZEN INITIATIVE PROCESS  
WAS ADDED AND ADAMS TALKED ABOUT  
THE DISTANCE BETWEEN AMENDMENT  
AND REVISIONS LEADER TALKED  
ABOUT HOW AMENDMENT AND  
REVISIONS OF QUANTITATIVE AND  
QUALITATIVE DIFFERENCE.

REVISIONS AFFECT SEVERAL PARTS  
OF THE CONSTITUTION, AMENDMENTS  
AFFECT SINGULAR PARTS OF THE  
CONSTITUTION.

REVISIONS AFFECT HOW GOVERNMENT  
IS STRUCTURED, AMENDMENTS DO NOT  
AND THE WAY I LOOK AT IT, THE  
1968 CONSTITUTION STILL SAID  
AMEND THE CONSTITUTION.

YOU ARE LOOKING TO MAKE CHANGES  
ONE AT A TIME OR MORE NARROWLY  
FOCUS ON ONE FUNCTION OF

GOVERNMENT ETC..

1972 AMENDMENTS STILL HAVE REVISION TAGS TO CONSTITUTIONS. AND CHANGES TO THE CONSTITUTION, CITIZENS CAN NOW FROM 1972 ON AFFECT MORE THAN ONE PART OF THE CONSTITUTION, DO MORE THINGS QUALITATIVELY BUT THE PROPOSED CHANGE HAS TO AFFECT THE CONSTITUTION AND THE WORD CONSTITUTION GETS US TO THE ORIGINAL INTENT OF THE 68 FRAMERS AND WHAT THEY HAD BEFORE THEM.

YOU HAD DEAN SEBRING APPEARING, THE FRAMERS OF THE 68 CONSTITUTION TALKING ABOUT THE ILLS OF HAVING STATUTE LIKE AMENDMENTS TO THE CONSTITUTION AND I THINK THAT HOLDS TRUE TODAY.

THAT WAS THE INTENT AND MEANING OF THE PHRASE THEN, IT SHOULD BE NOW.

>> TRYING TO UNDERSTAND THE SCOPE.

LET'S IMAGINE A SITUATION WHERE WE HAD A CONSTITUTION WITHOUT A PROHIBITION -- HAVE IN OUR CONSTITUTION, THIS IS A HYPOTHETICAL OBVIOUSLY.

SAY THE CONSTITUTION DID NOT HAVE THAT AND THE PEOPLE DECIDED THEY WANTED TO PROHIBIT AN INCOME TAX.

WOULD THAT BE WITHIN THEIR POWER AND THE WAY YOU UNDERSTAND THE LIMITATION OF THIS PROCESS?

>> YES, YOUR HONOR, IT WOULD.

THE WAY WE OUTLINE THE LIMITATION OF THIS PROCESS IS WE SAID CONSTITUTIONAL CHANGES AFFECT THE STRUCTURE OF GOVERNMENT OR AFFECTS WHAT THE GOVERNMENT CANNOT DO TO THE INDIVIDUAL, WHAT LIMITATIONS ARE EXPLICITLY BEING PUT ON THE GOVERNMENT'S POWER TO ACT ON THE INDIVIDUAL FUNDAMENTAL RIGHTS AND -

>> I HEAR WHAT YOU ARE SAYING AND UNDERSTAND THE IMPOSITION OF INCOME TAX WOULD FOLLOW THE SCOPE OF THAT BUT I STRUGGLE TO UNDERSTAND WHY THIS WOULD NOT FALL WITHIN THE SCOPE OF THAT BECAUSE IT IS LIMITING THE ABILITY OF THE GOVERNMENT TO PUNISH PEOPLE FOR USING MARIJUANA.

>> IS IT --

>> TO FACILITATE THAT, THAT -- IT IS ABOUT LEGALIZATION OF MARIJUANA.

WE HAVE OTHER QUESTIONS WHETHER THAT IS ADEQUATELY DISCLOSED BUT IT IS, THAT IS THE PURPOSE OF IT.

I AM STRUGGLING TO SEE HOW -- AT SOME LEVEL, SOME -- SIMILAR TO THE INCOME TAX, A PROHIBITION ON THE GOVERNMENT PUNISHING THE USE OF MARIJUANA.

>> IT WOULD BE A CLOSER QUESTION HAD THE PROPOSED AMENDMENT SIMPLY SAID THE GOVERNMENT SHALL NOT INFRINGE ON AN INDIVIDUAL'S RIGHT USE MARIJUANA BUT THAT IS NOT WHAT IT SAYS.

IT LAYS OUT IN 4189 WORDS EVERYTHING RELATED TO THE POSSIBLE USE, REGULATION OF MARIJUANA EVEN FOR THE INDIVIDUAL.

IF YOU LOOK AT SUBSECTION SEE THE TALKS ABOUT THE USE OF CANNABIS THERE ARE LIMITATIONS ABOUT HOW YOU CAN GO SIX PLANTS, HAVE SOME DO MINIMUS TRANSFER OF CANNABIS FROM PERSON-TO-PERSON. THAT IS NOT A DELINEATION OF INDIVIDUAL RIGHTS AND IT WOULD BE LIKE SAYING THE FIRST AMENDMENT, PROTECTING THE RIGHT TO ASSEMBLY AND SPEECH, WOULD BE A DELINEATION OF INDIVIDUAL RIGHTS IF IT ALSO LAID OUT EVERY CONCEIVABLE MANNER AND PLACE RESTRICTION.

I DON'T THINK THAT IS THE WAY IT

WORKS.

YOU LAYOUT A RIGHT AND A FRAMER, AN INDIVIDUAL RIGHT, WHATEVER IT IS AND THEN LET THE POLICYMAKERS, POLICYMAKERS UNDER THE FLORIDA CONSTITUTION OR FLORIDA LEGISLATURE, IF YOU LET THEM DECIDE HOW TO IMPLEMENT A FRAMER, FILL THE GAPS, SET FORTH APPROPRIATE TIME AND PLACE RESTRICTIONS IN THE FIRST AMENDMENT CONTEXT, YOU DON'T TRY TO PUT EVERYTHING RELATED TO A POSSIBLE TOPIC INTO THE CONSTITUTION.

>> YOUR TIME IS ALMOST UP BUT IT SEEMS YOUR ARGUMENT COMES DOWN TO THE NORMATIVE ARGUMENT ABOUT WHAT THE CONSTITUTION IS AND IT HAS A LOT OF APPEAL IN THE ABSTRACT BUT I AM NOT SEEING TEXTUALLY WHERE THE CONSTITUTION ITSELF SAYS ONLY SUCH AND SUCH THINGS LIKE YOU ARE SAYING CAN BE IN THE CONSTITUTION.

>> THAT A POINT.

HOURS IS A NORMATIVE ARGUMENT AND WE BELIEVE THE NORMATIVE ARGUMENT, THE SUBSTANCE OF IT ANSWERING WHAT A CONSTITUTION IS CAN BE RESOLVED WHAT THE FRAMERS BELIEVE THE CONSTITUTION --

>> HOWEVER NOBLE THE UNDERSTANDING OF WHAT THE CONSTITUTION IS I'M NOT SURE THEY TRANSLATED WHAT LIMITED.

>> I WOULD SIMPLY ASK YOU TO CONSIDER WHAT THE PLAIN LANGUAGE OF THE CONSTITUTION COULD BE AND YOUR HONOR CAN PERHAPS RELY ON 1966 AND CONSIDER WHAT PEOPLE AT THE TIME BELIEVED A CONSTITUTIONAL LIMITATION OR CHANGE -- MY TIME IS EXPIRED. THANK YOU, YOUR HONOR.

>> MAY IT PLEASE THE COURT, MICHAEL MINARDI ON BEHALF OF REGULAR FOR A, AN HONOR TO BE HERE DEFENDING THIS AMENDMENT WE DO BELIEVE COMPLIES WITH ALL

REGULATIONS OF THE FLORIDA  
CONSTITUTION.

NUMBER ONE, IN ORDER TO DEAL  
WITH THIS WE MUST FIRST  
DETERMINE WHETHER IT COMPLIES  
WITH 101.161.

THE AMENDMENT IS WITHIN BALLOT  
SUMMARIES WITHIN 75 WORDS AND  
THE TITLE IS WITHIN 50.

THE CHIEF PURPOSE IS CLEAR AND  
UNAMBIGUOUS.

>> LET ME ASK YOU ABOUT THAT.  
IN YOUR BRIEF, YOU SAY AND  
DESCRIBING IT, THIS IS CANNABIS  
LEGALIZATION SUBJECT TO  
REASONABLE REGULATION AND  
DEFIANCE OF FEDERAL LAW.  
THAT IS HOW YOU SUM IT UP.  
I THINK THAT IS ACCURATE.  
I THINK THAT IS QUITE ACCURATE.  
BUT THEN I LOOK AT THE ACTUAL  
BALLOT SUMMARY.

I DON'T QUITE SEE THAT.  
I SEE SOME THINGS THAT INDICATE  
IMMUNIZATION OF FEDERAL LAW  
VIOLATIONS MAY ADDRESS THAT BUT  
WHEN I LOOK AT THE WORD, THE  
REFERENCE TO LIMITED USE,  
REGULATES MARIJUANA FOR LIMITED  
USE I DON'T SEE HOW THAT  
ADEQUATELY DISCLOSES THE  
LEGALIZATION OF RECREATIONAL USE  
OF MARIJUANA.

BECAUSE ISN'T IT TRUE UNDER THIS  
PROPOSAL, AN ADULT WOULD HAVE  
THE ABILITY TO MAKE UNLIMITED  
USE OF MARIJUANA.

THERE WERE RESTRICTIONS ON  
POSITION BUT AS THEY TRAVEL BACK  
AND FORTH TO WHATEVER THEIR  
SOURCE IS THEY CAN CONSUME  
MARIJUANA IN UNLIMITED QUANTITY.

>> IT DOES LIMIT --

>> EXPLAIN THE NO PART OF THAT.

>> IT DOES LIMIT THE QUANTITIES.

>> IT DOES LIMIT THE QUANTITIES  
A PERSON CAN POSSESS.

>> NOT THE QUANTITY A PERSON CAN  
CONSUME, DOES IT?

>> IT DOESN'T LIMIT WHAT A

PERSON CAN CONSUME IT.  
IT DOES LIMIT WHAT YOU CAN  
CULTIVATE, HOW THEY CAN  
CULTIVATE.

>> HOW DO YOU SQUARE THAT WITH  
THE REFERENCE IN THE SUMMARY TO  
THE LIMITED USE?

>> THAT IS USED.

THE WAY YOU USE THE PLANT,  
CULTIVATION OF THE PLANT AND  
LIMITED MEANS NOT UNLIMITED.

>> IT IS A SEPARATE THING THAT  
IS REFERRED TO.

THESE ARE DISTINCT CATEGORIES,  
YOU HAVE POSSESSION,  
CULTIVATION, DISTRIBUTION,  
POSSESSION, CULTIVATION, I  
UNDERSTAND THOSE THINGS ARE  
LIMITED IN SOME WAYS BUT I DID  
NOT SEE HOW USE IS LIMITED IN  
ANY WAY OTHER THAN THE AGE  
LIMIT.

IT REFERS TO LIMITED USE BY  
PERSONS 21 YEARS OF AGE.

>> LIMITED USE THE WAY WE  
CONSIDER NUMBER ONE IS NOT  
UNLIMITED.

THERE WERE NO UNLIMITED ASPECT  
AMOUNTS, SOME OF THEM I USE OR  
WHETHER INGESTING IT OR  
SOMETHING THEY CAN DO WITH IT.  
THAT IS WHAT LIMITED USE IS IN  
THE CIRCUMSTANCES, THEY HAD  
LIMITED AMOUNT OF CULTIVATION  
ARE THINGS THEY CAN DO.

AND LIMITED HOME CULTIVATION, OR  
HOW MUCH THEY CAN GIVE TO OTHER  
PEOPLE AND LIMITS ON THE AMOUNT  
OF CANNABIS THEY HAVE IN THEIR  
HOME.

>> NONE OF THOSE THINGS SEEM  
LIKE LIMIT ON THE USE.

DOES IT LIMIT THE ABILITY TO USE  
MARIJUANA THAT IS MADE PUBLIC,  
AND IN THE WORKPLACE, WANTING  
THEM TO USE IT?

WOULD ALLOW THE GOVERNMENT, OR  
ANY PUBLIC SPACE?

>> IT WOULD ABSOLUTELY.

>> THOSE WERE LIMITED USE?

>> THOSE ARE LIMITED USE ISSUES.

>> CAN I ASK YOU A QUESTION?

IT SEEMS THE TITLE STUMBLES OUT OF THE GATE WHEN IT REGULATES MARIJUANA IN A MANNER SIMILAR TO ALCOHOL IN THE SENSE THAT PUTTING ASIDE COMPARISONS BETWEEN WHAT IS IN THIS ACT AND HOW ALCOHOL IS REGULATED.

I'M SURE THERE ARE THINGS YOU WOULD SAY ARE SIMILAR BUT AT THE MOST BASIC FUNDAMENTAL LEVEL THERE IS NO CONSTITUTIONAL LIMITATION OF HOW THE LEGISLATURE HAS TO GOVERN IN THE AREA OF OUR HOLLAND'S CONSTITUTIONALIZE IS LAW AND MARIJUANA.

IT IS A MANNER SIMILAR TO ALCOHOL, ISN'T THAT A MISSTATEMENT OF THE BASIC FUNDAMENTAL LEVEL OF WHAT THIS DOES?

>> I DON'T THINK JUST BECAUSE ONE IS NOT CONSTITUTIONALLY RECOGNIZED DOESN'T MEAN IT IS SIMILAR AND SIMILAR MEANS OF LIKE OR COMPARABLE BUT NOT EXACTLY THE SAME.

IN THE FLORIDA MARRIAGE AMENDMENT THE COURT DEFINED EQUIVALENT MEANING THE SAME OR IDENTICAL.

SIMILAR DOESN'T MEAN THAT. IT MEANS ASSOCIATED WITH, HAVE COMPARISONS, HAS SIMILARITIES.

>> BUT IF THEY ARE DISSIMILAR IN A FUNDAMENTAL WAY, WE ARE TALKING ABOUT THIS WHOLE AREA OF THE LAW IS LARGELY BASED ON MAKING PEOPLE UNDERSTAND THE LEGAL CONTEXT OF WHAT THESE THINGS DO AND IT SEEMS YOU ARE MISSTATING SOMETHING VERY FUNDAMENTAL, THE FIRST FIVE WORDS SOMEONE READS ARE IN ACCURATE.

>> REGULATE IS TO CREATE OVERSIGHT, TO BE ABLE TO CREATE A PROGRAM TO HAVE OVERSIGHT OF

IT.

IN A MANNER SIMILAR TO ALCOHOL,  
NUMBER ONE IN SOMETHING THEY  
ADDRESS IS THE DV PR.

THE DV PR CONTROLS ALCOHOL.  
THEY ESTABLISH LICENSING  
SYSTEMS.

SIMILAR TO ALCOHOL, THE MAIN  
THINGS WE KNOW ABOUT IN SOCIETY,  
YOU HAVE TO SHOW ID THAT YOU ARE  
21 PLUS AND YOU CAN PURCHASE  
ALCOHOL AND YOU CAN'T DRIVE  
UNDER THE INFLUENCE, HAVE OPEN  
CONTAINERS AND THINGS OF THAT  
NATURE.

THOSE ARE THINGS THAT ARE  
SIMILAR TO ALCOHOL.

WE BELIEVE THERE ARE OTHER  
THINGS CONSISTENT WITH THIS  
AMENDMENT IT ESTABLISHES AND  
REALIZING YOUR QUESTION ON  
TOBACCO THAT IS THE REASON WE  
BELIEVE THE DV PR IS THE BEST  
ENTITY TO CONTROL IS BECAUSE IT  
IS SOMETHING THEY DEAL WITH ON A  
RIO GRANDE CONSISTENT BASIS,  
PROBLEMS WE SEE THAT HAPPEN AND  
REGULATED IS ALL USE MARKET,  
SALE TO MINORS, ADULTS OUTSIDE  
CARS WERE KIDS ASKING TO GO IN  
AND PURCHASE FOR THEM.

FRAUDULENT IDENTIFICATIONS.

THESE ARE THINGS THE DEPARTMENT  
OF BUSINESS AND PROFESSIONAL  
REGULATION ALREADY DOES AND IS  
IN THEIR PURVIEW.

THOSE ARE THE SIMILARITIES,  
LOCAL CONTROL.

>> I HAVE A QUESTION ABOUT THAT.  
IN SUMMARY IT SAYS LOCAL  
GOVERNMENTS CAN REGULATE  
FACILITIES, TIME, PLACE AND  
MANNER.

DID SUBSECTION E 9 MEAN ONCE A  
COUNTY IS LICENSED A PARTICULAR  
-- IT CAN NEVER BE REVOKED?

>> THERE ARE PROCEDURES FOR  
RENEWING LICENSES.

>> I THINK IT SAYS IT ALLOWS THE  
VOTERS TO HAVE ESTABLISHMENTS

BUT IF IT IS ALREADY LICENSED  
THEN ESSENTIALLY IT IS  
UNTOUCHABLE, HOW WOULD SOMEONE  
KNOW THAT?

>> IT IS NOT NECESSARILY IN THE  
SUMMARY.

IT IS ONE OF THE DETAILS NOT  
NECESSARILY TO THE CHIEF PURPOSE  
OF THE AMENDMENT.

THE CHIEF PURPOSE OF THE  
AMENDMENT IS CREATING A  
STRUCTURE.

>> I UNDERSTAND THE CASES  
CLEARLY SAY THERE ARE 1000 SITES  
THAT THE YOU DON'T HAVE TO LIST  
EVERY DETAIL BUT WHEN YOU CHOOSE  
TO SAY SOMETHING IN THE SUMMARY  
DON'T YOU HAVE TO BE ACCURATE?

>> WE BELIEVE EVERYTHING IN THE  
SUMMARY IS ACCURATE AS TO WHAT  
IT STATES.

I DON'T THINK IT IS MISLEADING  
IN ANY WAY.

IT PROVIDES REGULATIONS AS FAR  
AS THAT ISSUE.

WHETHER IT IS ACCURATE AS TO  
WHETHER OR NOT, IT DOES THE  
OTHER RESTRICTIONS AND REALIZE  
THIS SAYS ESTABLISHES.

IT DOESN'T CREATE ANOTHER  
AMENDMENT.

WE DON'T KNOW WHAT IT DOES.

THE AMENDMENT SAYS ESTABLISH.

THAT MEANS CREATE OR SET UP.

THE IDEA THAT IT DOESN'T GIVE  
THE CHIEF PURPOSE OF

LEGALIZATION IS NOT FOUND IN ANY  
AMENDMENT BECAUSE IT IS CLEARLY  
SAY REGULATE MARIJUANA FOR ADULT  
USE OF PEOPLE 21, ESTABLISH  
RULES AND REGULATIONS.

>> I GO BACK TO WHAT I SAID  
BEFORE.

IF IT SAID THAT, REGULATES  
MARIJUANA FOR ADULT USE, MAYBE  
WE WOULD BE TALKING ABOUT  
SOMETHING DIFFERENT.

IT SAYS LIMITED USE AND THAT  
CONJURES UP SOMETHING DIFFERENT  
FROM THE REALITY THAT I SEE

HERE.

I WON'T SAY THAT AGAIN.  
I WILL GIVE YOU AN OPPORTUNITY  
TO RESPOND.

>> WE DO BELIEVE IT DOES PROVIDE  
LIMITED USE, THERE ARE  
RESTRICTIONS AS OPPOSED TO A  
LIMITED.

ANOTHER REASON WE DIDN'T USE THE  
WORD LEGALIZATION IN THE BALLOT  
SUMMARY IS A LOT OF PROPONENTS  
AGAINST US ON THE CANNABIS I  
BELIEVE OURS IS TOO RESTRICTIVE  
AND THAT IT DOESN'T -- IT IS A  
LIMITED AMENDMENT THAT DOESN'T  
PROVIDE UNLIMITED USE FOR PEOPLE  
AND STILL REFLECTS --

>> THEY LACK RESTRICTIONS ON WHO  
COULD GET INTO THE BUSINESS.  
YOU CARVEOUT OUT IN A PARTICULAR  
WAY IT IS GOING TO EXCLUDE SOME  
PEOPLE IN THE BUSINESS.  
ISN'T THAT RIGHT?

>> THAT ESSENTIALLY CORRECT.

>> THAT HAS NOTHING TO DO WITH  
HOW MUCH PEOPLE ARE GOING TO  
USE, THE ABILITY OF PEOPLE TO  
USE MARIJUANA.

IT HAS TO DO WITH WHO IS GOING  
TO MAKE THE MONEY FROM SUPPLY.  
ISN'T THAT CORRECT?

>> THAT IS CORRECT AND SOME OF  
THOSE WE HAVE LICENSES,  
RESTRICTIONS AS WELL AND THOSE  
THEY ESTABLISH RULES FOR  
REGULATION OF CANNABIS  
ESTABLISHMENT BUT THE LIMITED  
USE STILL GOES TO SOME OF THE  
THINGS JUSTICE LAWSON MENTIONED  
AT THE HOME CULTIVATION AND  
AGAIN IT IS THE OPPOSITE AND IT  
DEPENDS HOW YOU USE THE WERE  
LIMITED BUT LIMITED MEANS ANY  
RESTRICTION, ON SOMETHING.  
IT DOESN'T MEAN EVERYTHING  
NECESSARILY IS CONTROLLED, JUST  
MEANS NOT UNLIMITED.

THIS IS NOT AN UNLIMITED  
AMENDMENT WHICH ALLOWS SOMEONE  
TO GO 12 PLANS, 15 PLANTS OR

HOWEVER MANY PLANTS THEY WANT TO GIVE IT TO WHOEVER THEY CHOOSE, TO DO SO OR USE IT AGAIN IN A PUBLIC PLACE OR ANY OTHER MANNER.

THE AMENDMENT CLEARLY PROVIDES ESTABLISHING, AND IT DOES SAY, WE DON'T USE LEGALIZATION, WE SAY REGULATE MANNER AND WE USE RESPONSIBLE ADULT USE.

>> EVEN IN A 2.

THE SENTENCE A SAYS IT.

>> LEGALIZATION.

THE SUMMARY SAYS REGULATION WHICH IMPLIES SOMETHING ALREADY LEGAL.

>> IT IS LEGAL FOR PURPOSES 21 YEARS OF OLDER AND IS CONSISTENT WITH OUR MENTAL REGULATES MARIJUANA LIMITED USE AND GROWING BY PERSONS 21 YEARS OF AGE OR OLDER.

IT IS CLEARLY INFLUENCING AND THAT THEY ARE CREATING A NEW SYSTEM OR ESTABLISHING NEW LAWS IN ORDER TO PERMIT ADULTS 21 YEARS OLD TO HAVE LIMITED USE OF CANNABIS, LIMITED CULTIVATION AND ESTABLISHMENT OF LICENSED STRUCTURE.

>> LEGALIZATION GOES BEYOND PERSONAL USE, RIGHT?

PERSONAL CULTIVATION FOR ANYONE -- FARMERS IN FLORIDA RIGHT NOW CAN'T GO OUT AND GROW MARIJUANA THE SAME WAY THEY GROW WATERMELONS OR PEANUTS.

>> THAT IS CORRECT AND THAT IS ANOTHER REASON WHY WE DISTANCE BETWEEN REGULATE AND LEGALIZE BECAUSE THEY CAN'T JUST GO OUT AND DO THAT.

ANYONE CAN'T JUST CULTIVATE NO MATTER WHERE THEY ARE WHETHER OR NOT YOU ARE AN ENTITY OR COMMERCIAL BUSINESS THERE ARE REGULATIONS IN PLACE THEY HAVE TO COMPLY WITH IN ORDER TO DO SO.

>> BUT THIS AMENDMENT WILL

LEGALIZE THEIR ABILITY TO DO THAT.

>> THE WAY I SEE LEGALIZE IS HAVING NO PROHIBITION ON IT THE WAY IT SEEMS TO BE REMOVING ALL PENALTIES FROM IT AND WE DO BELIEVE THIS AMENDMENT DOESN'T DO THAT.

IT CREATES PENALTIES. FOR EXAMPLE OF AN OPERATOR ACTS OUTSIDE THE LICENSING REQUIREMENTS THEY CAN BE PENALIZED FOR THAT.

IF THEY ACT WITHOUT A LICENSE THEY CAN BE PENALIZED FOR THAT. OF AN ADULT 21 PLUS GIVES TO A MINOR OR AN ADULT --

>> YOU SAY DOES NOT LEGALIZATION?

YOU SAID IN YOUR BRIEF THAT IT IS.

>> THIS IS CANNABIS LEGALIZATION IS WHAT YOU SAID RIGHT THERE, PAGE 15, LAST FULL SENTENCE.

>> IT IS PART OF LEGALIZATION BUT IS NOT WHAT WE WOULD CONSIDER IN THE WAY WE USE THIS IN THE AMENDMENT A FOOL LEGALIZATION BECAUSE OF THAT. IT IS WHY THE WORDING IS NOT IN THE AMENDMENT MUCH AND WAS MENTIONED IN THE BRIEF BUT AGAIN THE AMENDMENT DOESN'T, BECAUSE LEGALIZATION IS A REQUIREMENT THAT WOULD FROM OUR PERSPECTIVE ABSOLVE ALL PENALTIES THIS PROVIDES A PENALTY FOR OVERSIGHT BY THE GOVERNMENT AS TO WHAT IS AND ISN'T WRONG, SOMEONE COULD STILL BE ARRESTED IF THEY HAVEN'T AMOUNT THAT IS NOT INDICATIVE OF PERSONAL USE ON THEM.

THAT IS WHY IT IS REGULATED AND IT IS LEGALIZED BUT ALSO REGULATED LEGALIZATION MARKET. IT IS NOT AN UNLIMITED LEGALIZATION MARKET SORT OF LIKE WHAT THE FEDERAL GOVERNMENT HAS DONE WITH HIM IN THIS SITUATION

AND THESE REGULATIONS AND RESTRICTIONS ARE ALL CONNECTED IN ONENESS OF PURPOSE TO THIS SCHEME OR PLAN.

GOING BACK TO SINGLE SUBJECT REQUIREMENTS, PROPOSED AMENDMENT MUST MANIFEST NATURAL ONENESS OF PURPOSE TO ACCOMPLISH THIS PURPOSE ARTICLE 3, ARTICLE 11 SECTION 3 STATES AMENDMENT PROPOSAL BY THE PEOPLE

CELEBRATED SUBJECT IN MATTERS DIRECTLY CONNECTED THERE WITH.

A PROPOSAL ME TO TEST WHEN IT MAY LOGICALLY BE VIEWED AS HAVING NATURAL RELATION AND CONNECTION AS COMPONENT PARTS ARE ASPECT OF A SINGLE DOMINANT PLAN OR SCHEME, UNITY OR OBJECT OF PLAN IS THE UNIVERSAL TEST AND IN ALL THE CASES CITED BY THE DEPARTMENT OF HEALTH, LOGROLLING REQUIREMENTS SUBSTANTIALLY DIFFERENT.

EVEN IN THE FISH AND WILDLIFE CONSERVATION AMENDMENT THERE IS SOME DISCREPANCIES INTERESTING WISHING FACTORS IN THAT, THE DFA IN THEIR BRIEF STATES ALL ASPECTS DEAL WITH MARIJUANA REGULATION, SAME THING THEY WERE SAYING HAS DISPARATE PARTS.

ALL THOSE PARTS DEAL WITH MARIJUANA REGULATIONS.

EVERGLADES THAT SUPPORT THE AMENDMENT, ENGAGE IN LOGROLLING BUT AGAIN THAT IS DISTINGUISHABLE, THAT CASE, SAVE OUR EVERGLADES, POPULATION AND THEY COMPEL THE SUGAR COMPANY TO RESTORE THE EVERGLADES AND IN DOING SO THEY FOUND THAT WAS A VIOLATION.

REGULATE DOESN'T DO THAT.

WE DON'T CONTAIN DIFFERENT PURPOSE LIKE REGULATE MARIJUANA TO FUND PUBLIC SCHOOLS.

EVERYTHING IN A NEW AMENDMENT IS CONNECTED TO THE USE OF MARIJUANA REGULATION OF A

COMMERCIAL SYSTEM.

THIS IS SIMILAR TO THE MEDICAL MARIJUANA AMENDMENT AND WHAT THEY DID.

ALLOWS MEDICAL USE.

DIDN'T SAY LEGALIZED MEDICAL USE OF MARIJUANA ANYWHERE IN THE AMENDMENT.

IT DIDN'T USE THOSE WORDS BUT THAT IS ESSENTIALLY WHAT IT DID. IN THAT AMENDMENT THEY DID THE SAME TYPE OF THING IN REGARDS TO NUMBER ONE, THEY GAVE IT TO THE DEPARTMENT OF HEALTH AND PROVIDED OVERSIGHT BY THAT DEPARTMENT OF HEALTH, CREATED A SYSTEM WHERE DOCTORS COULD LEGALLY RECOMMEND TO QUALIFIED PATIENTS MEDICAL MARIJUANA AND ALSO CREATED OBVIOUSLY A SYSTEM OF CULTIVATION AND CHECKS AND BALANCES.

THAT AMENDMENT WAS FOUND TO BE -- ALL THOSE THINGS WERE ONENESS OF PURPOSE AND DIRECTLY CONNECTED TO IT.

THE CASE LAW OF THIS COURT SPECIFICALLY STATES JUST BECAUSE YOU REQUIRE IN THE 2016 MEDICAL MARIJUANA AMENDMENT THE JUST BECAUSE YOU REQUIRE AN AGENCY TO ACT OR DO CERTAIN THINGS, TO COMPLY WITH THE AMENDMENT THAT DOESN'T SIGNIFICANTLY ALTER THE FUNCTIONS OF GOVERNMENT AND THAT IS EXACTLY WHAT THIS AMENDMENT DOES.

IT IS NO DIFFERENT THAN THAT. IT DOES NOT ALTER THE FUNCTIONS OF GOVERNMENT.

AND AGAIN, THAT OPINIONS EVEN THOUGH IT COMBINES SEPARATE SUBJECT BECAUSE THEY HAD A LOGICAL NATURAL ONENESS OF PURPOSE, WHETHER FLORIDIANS WANT A PROVISION IN THE STATE WITH AUTHORIZED USE OF MARIJUANA, IT IS WHETHER OR NOT FLORIDIANS WANT TO AUTHORIZE THE ADULT USE FOR PEOPLE 21 PLUS OF MARIJUANA.

MEDICAL MARIJUANA DID SIMILAR THINGS, MOVES PENALTIES FOR THOSE INVOLVED IN THE AUTHORIZED MEDICAL USE OF MARIJUANA.

ONE OF THE THINGS THEY ADDRESS ABOUT OUR AMENDMENT IT DOESN'T GIVE A FAIR AND ACCURATE DESCRIPTION OF IMMUNIZATION FROM FEDERAL LAW, WE BELIEVE BOTH THE PAST 2014-2016 MEDICAL MARIJUANA AMENDMENT HAD SIGNIFICANT OR SUBSTANTIALLY SIMILAR LANGUAGE AND DOES NOT IMMUNIZE FEDERAL LAW VIOLATIONS AND THIS ONE DOES THE SAME, NOR DOES IT IMMUNIZE. IMMUNIZE?

IMMUNIZE FEDERAL LAW VIOLATIONS SO I THINK IT IS CONSISTENT. THE BALLOT SUMMARY AND TITLE MUST ADVISE SUFFICIENTLY SO THEY CAN CAST A BALLOT.

IT CANNOT ISOLATE ONE PHRASE AND CLAIM IT IS FATAL, IT MUST BE READ TOGETHER.

THE COURT RESPONSIBLY IS TO DETERMINE SERVING THE TITLE IS REPRESENTED MISLEADS THE PUBLIC AND ADVISORY OPINION THE RIGHT OF CITIZENS TO CHOOSE HEALTHCARE PROVIDERS, 563, CITY DIDN'T BECAUSE IT CREATED CONFLICTS THAT USE CITIZEN VERSUS NATURAL PERSON DOESN'T PASS BECAUSE THE STATE'S RIGHT TO CHOOSE WAS FAIRLY LIMITED ABILITY TO ENTER HEALTHCARE CONTRACTS AND INDIVIDUAL CONTRACTS AND THE INDEPENDENT NONPARTISAN COMMISSION WHICH REPRESENTED THEIR BRIEF, 926-1218, THAT SUMMARY WAS MISLEADING BECAUSE IT STATES NONPARTISAN COMMISSION BUT ALLOWS PARTIES TO ELECT PRETTY MUCH EVERYTHING BUT THREE SEAT SO THAT WAS MISLEADING, NOTHING IN THIS BALLOT SUMMARY IS MISLEADING, PEOPLE UNDERSTAND WHAT REGULATE MARIJUANA LIKE ALCOHOL.

IT IS THE COMMON TERM THAT HAS

BEEN USED IN THESE BALLOT INITIATIVES AND THEY UNDERSTAND THE ESSENCE OF WHAT REGULATED ALCOHOL USE LOOKS LIKE, THE RESPONSIBILITY OF THAT ARE THE MAIN ISSUES ARE ID 21 PLUS, NO DIVERSION TO MINORS AND NOW DRIVING UNDER THE INFLUENCE AND THIS INITIATIVE IS SIMILAR TO THAT, CLEARLY AND AMBIGUOUSLY PROVIDES ITS PURPOSE, DOES NOT IN GAUGE IN LOGROLLING SO THANK YOU VERY MUCH.

>> I KNOW I ONLY HAVE A MINUTE. I WOULD LIKE TO GET YOUR VOTE ON LIMITED USE.

YOU ASKED MY FRIEND ON THE OTHER SIDE A FAIR QUESTION.

ISN'T IT POSSIBLE EVEN IF THE AMENDMENT PASSES THE LEGISLATURE OR PRIVATE BUSINESSES WILL CREATE LIMITATIONS ON USE?

THE PROBLEM WITH THAT ARGUMENT IS THE SUMMARY SAYS IT AFFIRMATIVELY LIMITS USE SO I THINK WE KNOW IT DOESN'T.

IT MAY LEAVE OPEN AVENUES RELATE LIMITATIONS BUT IT AND OF ITSELF IT DOESN'T AFFIRMATIVELY LIMIT USE WHICH BRINGS THIS CASE IN LINE WITH YOUR RECENT DECISION IN THE ENERGY CHOICE AMENDMENT CASE BECAUSE THE AMENDMENT WAS NEUTRAL ON ITS RIGHT TO SELL ENERGY, LET'S OPEN THE POSSIBLY THERE WOULD BE A STATUTORY RIGHT TO SELL ENERGY.

THE PROBLEM THIS COURT POINTED OUT WAS THE SUMMARY SUGGESTED AN AFFIRMATIVE RIGHT CREATED BY THE AMENDMENT SO THEY CAN POINT YOU TO SOME LIMITATIONS ON USE AS TO TRANSFER GROWING POSITION THEY ARE BAKED INTO THIS AMENDMENT, THEY HAVEN'T ESTABLISHED LIMITED USE.

>> WE THANK YOU FOR YOUR ARGUMENTS.