

## Co. Attorney: DUI prosecution stymied under marijuana prop

By Barb Charzuk  
Times Reporter

Maricopa County Attorney Bill Montgomery told Chamber of Commerce members that a single paragraph in the marijuana initiative would tie his hands as far as prosecuting motorists driving under the influence of the substance.

Montgomery spoke Sept. 15 at the Chamber's breakfast meeting at Eagle Mountain Golf Club.

He opposes the voter-initiative Prop 205 on the Nov. 8 ballot. The Fountain Hills Chamber of Commerce's board of directors voted unanimously in February not to support the initiative, following the lead of the state chamber.

If voters approve the initiative, it would legalize the use of marijuana for anyone 21 years and older. Arizonans would be allowed to have six marijuana plants per house, and marijuana sales would be subject to a 15 percent tax with the revenue directed to education and health care.

Although proponents say the initiative would regulate marijuana the

same as alcohol, Montgomery said that argument is false.

Unlike the drunk driving law, Montgomery said the proposed legislation does not say at what level blood level of marijuana would constitute impairment.

He referred to a paragraph in the 19-page document that stipulates: "A person may not be penalized by this state for an action taken under the influence of marijuana or a marijuana-product solely because of the presence of metabolites or components of marijuana in the person's body or in the urine, blood, saliva, hair or other tissue or fluid of the person's body."

He further explained that meant that THC in a motorist's blood alone would not be sufficient to convict the individual of driving under the influence. Investigators would have to prove impairment through observations, such as a voluntary sobriety test.

The Arizona Regulation and Taxation of Marijuana Act initiative does not set any established level, he said. In Colorado and



Maricopa County Attorney Bill Montgomery

Washington, where legalized recreation marijuana measures have been approved, a level of 5 ng/ml of THC in a person's blood has been determined to be marijuana impairment.

The cost for state to implement the Regulation and Taxation of Marijuana Act has not been announced, said Montgomery. The initiative would create a Department of Marijuana Licenses and Control to regulate the five different businesses which may be under one entity at one location: cultivation, manufacturing, testing, transportation, and sale of marijuana.

Currently 75,000 individuals have medical marijuana cards. The number of marijuana users has been estimated at 580,000 if

the initiative passes, said Montgomery.

"We say we want to eliminate the illicit market," said Montgomery, but he contends there will be a black market. He contends that Mexican cartels became involved in establishing illegal businesses shortly after Colorado approved recreational usage.

"Colorado is now an exporter of marijuana," said Montgomery. "I have read that some shipments from Colorado have ended up in Mexico...Criminal organizations do not go away."

Administrative overhead will include hiring of hundreds of "pot police," believes Montgomery to regulate and investigate businesses growing and selling the substance.

This beautiful 2,154 SF custom condo in very desirable Casa Ladera has it all, 3 BR split, 3 BA, great room, FP, breakfast room, large kitchen, +loft, 3 private balconies, 2 CG, views, steps to pool, luxury living at its best. MLS#5499903. Offered at \$369,000.

**Maureen Pignataro**  
Direct: 602-680-3332  
E-mail: moellen11@aol.com

**MCO REALTY**

THERE IS NO SUBSTITUTE FOR EXPERIENCE

## Art League holds meeting Oct. 3

Fountain Hills Art League begins its fall meeting schedule Monday, Oct. 3, at 6:30 p.m. at Fountain Hills Community Center.

Members and the public are invited to a lively presentation and demonstration by Cave Creek ceramic artist and painter, Robin Ray. Ray has a Master's degree in ceramics and her art works are functional and non-functional forms, often featuring an animal theme. Her work is intuitive and whimsical in nature. She uses striking color, simple shapes and repetitive pattern to create energy in her work.

Ray is a third generation artist who grew up surrounded by the process of making art.

As she matured she knew she wanted to share that process with others Teaching became the medium with which Ray could share her art experience.

Additionally she has worked for many years creating murals with latex house paint. Her murals have brightened up people's gardens, homes and businesses in Cave Creek.

Recently retired from teaching visual art for 25 years at Mountain Shadows High School in Cave Creek, Ray plans to devote her new free time to cre-

ate art in her home studio called "Robin's Nest."

She said, "I love universal themes that have nature and animals as subject matter. Simple forms, vibrant color and texture animate my whimsical styles."

Ray's presentation will feature hand-building and decorating her ceramics during the Oct. 3 Art League meeting.

When "That will never happen to me" happens.

I'm ready to help.

There's never a good time for an accident to happen. But when it does, you can count on me to be there quickly so you can get your life back to normal. GET TO A BETTER STATE. CALL ME TODAY.



Jon Klesner, Agent  
16921 E. Palisades Blvd.  
Fountain Hills, AZ 85268  
Bus: 480-837-1616  
jon.klesner.b60a@statefarm.com



State Farm, Home Office, Bloomington, IL 1101204.1

**STERNFELS & WHITE PLLC**  
ATTORNEYS AT LAW

16803 E. Palisades, Fountain Hills, AZ  
Tel. 480.816.9985  
Fax. 480.816.5342  
www.sternfelslaw.com

Looking to Buy or Sell call Karen Today!  
**Don't Make A Move Without Me!**

**Karen DeGeorge, ABR, SFR**  
480-225-3766  
kdegeorge@aol.com  
www.karendeGeorge.com

A NAME YOU CAN TRUST  
**COLDWELL BANKER**  
Residential Brokerage  
Owned and operated by NRT LLC.

Ranked in the top 1% of Agents, company-wide, and the top Agent in both Fountain Hills & Scottsdale offices!  
2015 Coldwell Banker HALL OF FAME recipient for Outstanding Sales Performance.  
2015 Real Estate Agent Person of the Year nominee by Arizona Journal of Real Estate & Business



**15749 E CACTUS DR • \$424,000**  
3BD, 2BA  
SUNRIDGE CANYON - Single level 3 on the golf course, Wood floors, granite/SS kitchen, open Great Room with gas fireplace. Covered patio, water feature, VIEW of Four Peaks & mountain vistas.



**16908 E MONTEREY DRIVE • \$859,000**  
4BD/Den/4 1/2 BA  
SPACIOUS SINGLE LEVEL custom home overlooking Desert Canyon Golf Crs on 1.5 acres n/s exposure, GRAND VIEWS of Ftn, Four Peaks & mtn vistas. Split floor plan, large kit. w/walk-in pantry, oversized gar. 1 owner home!

COMING SOON



**16417 N SCORPION DRIVE • \$529,000**  
4BD/2BA/3C Extd Garage  
Superior SANTA FE custom home in quiet cul-de-sac. Crown moulding, Hickory cabinets, solid Alder wood doors, Plantation shutters, 1830's barnwood flgr. Beautiful backyard, gas fire-pit, outdoor kitchen/grilling area, flagstone patios. RV parking & NO HOA.



**17139 E PARLIN DR • \$447,000**  
4BB/2BA  
SUPERB HOME in GREAT NEIGHBORHOOD! Recently remodeled & updated, Single level, Vaulted Cigs, Family/Great Rm., Energy Effic, Low Maintenance, backs to open natural space. Awesome FIREROCK VIEW! Don't delay, will go quickly.

Build Your Own Dream on One of These Great Lots!

\$249,500 – 10625 N Crestview Drive, Crestview Lot 78  
\$650,000 – 14031 E Coyote Way, Eagles Nest Lot 63  
\$239,000 – 15436 E Golden Eagle Blvd., Plat 505A

**FRED ASTAIRE**  
FRENCH MODERN DANCE STUDIOS

Let's Dance!

**Introductory Special**  
3 Lessons for \$29  
No experience or partner needed!

**Call now!**  
**(480) 473-0388**

Fred Astaire Dance Studios Scottsdale  
10135 E. Via Linda, Suite C116  
Scottsdale, AZ 85258  
New students only. Valid for individual or couple.

Recycle Your Stuff for Cash in the Classifieds

Call or go online to browse, buy or sell!

**THE FOUNTAIN HILLS TIMES Classifieds**

fhtimes.com • 480-837-1925

**Smaller Gets Bigger**

Home size is shrinking. Downsizing is the trend. Baby-boomers and retirees are trending toward living in smaller spaces. The McMansions of the 90's and 2000s are less desirable as the population ages.

Desirable is more freedom, more disposable income, lower utility bills, less or no landscaping expenses for land not needed or used and no maintenance expenses for empty rooms.

Builders with foresight are focusing on smaller houses. Rentals are booming. The new Park Place apartments is a perfect example of what empty-nesters are looking for. Giving up square footage makes room for a fresh new lifestyle.

Today it is about the quality of the space and a smart lay-out. Whether a home feels big or small largely depends on the design. What are your downsizing options? It all starts with the value of your current home. Call me for your "Equity Check-up" .

**Seller Representative Specialist and Certified Senior Housing Specialist**

**ERICAWEST**  
**RE/MAX**  
Serving Fountain Hills Sellers and Buyers for 32 Years  
Focusing on Sellers and Seniors  
480-837-7000  
EricaWestHomes.com • Erica@EricaWestHomes.com  
16704 E. Ave of the Fountains • Each Office Independently Owned

**Denise Dunning-Ricketts**  
Fountain Hills Resident  
Realtor

Take advantage of Russ Lyon's Collaborative Network And Multi-Million Dollar Marketing Program To Sell Your Home

480 848-3777  
denise.dunningricketts@russlyon.com  
www.denisedunningricketts.com

**MCNE**

**Estate Sales**

From listing and selling your home to liquidating its contents and downsizing... We will help you with the entire moving process.

**Call Us Today!**

Connie McCumber Shari Gay  
480-200-3088 480-231-5425

**Your Fountain Hills Realtors**  
Each office is independently owned and operated.

**LUXURY HIGHRISE CONDO OLD TOWNE SCOTTSDALE**

Granite, Stainless, Tile & Plantation Shutters!  
Wraparound Covered Patio, Concierge, City & Mountain Views!! 2 Bedrooms, 2 Baths, Walk to Downtown Scottsdale!!  
Great Investment Property!!  
Compare at \$299,900!!

Search the MLS Just Like an Agent at: www.TinaNabers.com Tina@TinaNabers.com

**CALL NOW!**  
**602-653-0142**  
**TINA NABERS**  
Your Naber in Real Estate

**Do you have a story, or idea, to submit?**

Contact us at one of the email addresses below

**Schools or Sports:**  
Ryan Winslett • ryan@fhtimes.com

**Government, Verdes or Obituaries:**  
Bob Burns • bburns@fhtimes.com

**Religion or Business:**  
Barb Charzuk • barb@fhtimes.com

**Spouts, Clubs or Entertainment:**  
Linda McThrall • linda@fhtimes.com