



September 9, 2015

The Honorable Kevin de Leon
President Pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Toni Atkins
Speaker of the Assembly
California State Assembly
State Capitol, Room 219
Sacramento, CA 95814

RE: Medical Cannabis Legislation in 2015

Dear Mr. President and Madame Speaker:

Our organizations are writing to you to express our deep concern over the difficulty the two houses of the Legislature are experiencing in reaching consensus on how to proceed with medical cannabis legislation, with a view toward getting a regulatory structure enacted this year.

Cities, counties, law enforcement, and organized labor have uniformly reached broad consensus on the regulatory framework that in our view will serve Californians well, with or without the legalization of cannabis. This accomplishment is impressive given the overlapping but sometimes divergent interests we collectively represent; it is a matter of public record that we were not in agreement this time last year when the bill under consideration by the Legislature was Senate Bill 1262 (Correa). *Today, the relevant arms of local government that will have to implement a regulatory framework for the medical cannabis industry, and the two major labor unions that will likely represent the bulk of its workers, are unified in the kind of regulatory approach we believe the state should pursue.* This is unprecedented in the area of cannabis regulation.

Still more impressive is the fact that although they are not signatories to this letter, significant components of the cannabis industry are in agreement with our organizations on the broad strokes of the regulatory framework, as evidenced by the degree of support that the two bills on this topic have accumulated in the course of their progress through the Legislature.

In addition, in yet another unprecedented development, the Governor's office has directly engaged in this process in recent weeks, crafting their own draft of the legislation after examining the Senate and Assembly versions, in an effort to help forge consensus.

Our organizations are in collective and unanimous agreement on the components that any regulatory structure must contain. Broadly speaking, the Senate, Assembly, and Administration versions each contain these critical components. They are:

- 1) Unconditional protection of local control, as well as the legal force of local ordinances and local police power, including the requirement for both state and local licensing of cannabis businesses, as well as a provision terminating a business' ability to operate upon revocation of a local license or permit;
- 2) A well-defined set of provisions on suitability for state licensing, specifying with clarity a universe of disqualifying felonies and a framework for the vetting of license applicants, including certificates of rehabilitation and exclusion of specified transportation felonies in which the underlying activities would not be classified as a felony under Health and Safety Code Sections 11352 and 11379;
- 3) Protection of public health by establishing health and safety standards, backed up and enforced by a framework for product testing and a protocol for certifying testing laboratories;
- 4) Additional provisions to ensure public safety, including criminal background checks, security standards at physical businesses, and for transport and delivery of cannabis over a certain threshold amount, requirements for electronic cargo manifests, and seed-to-sale tracking;
- 5) Inclusion of a labor peace agreement as well as the establishment of an apprenticeship program for the protection and professionalization of industry employees;
- 6) State minimum standards in the areas of health and safety, security standards, testing standards, and worker protections.

We note, respectfully, that there are no significant policy differences between the two houses of the Legislature on this issue, based on the latest versions of the language that each have produced and made available for distribution. The two versions are very similar. The existing differences between the houses on this issue therefore appear to reside elsewhere.

California is now poised at a moment of significant and historic opportunity. Against great odds, multiple major stakeholders with divergent and at one point in time, seemingly opposing interests on the thorny and most controversial issue of medical cannabis legislation, have reached consensus on what that legislation should look like. After two decades of false starts, stakeholder opposition, federal enforcement efforts, and waves of litigation, a regulatory structure for medical cannabis is within our grasp.

As you know, any ballot initiative purporting to legalize the use of cannabis is likely to contain few if any meaningful regulatory provisions to give state and local government sufficient guidance in terms of implementation. Should we fail to act this year, and a legalization initiative succeeds in 2016, we can look forward to regulatory chaos, a renewed wave of litigation, some of it perhaps against the state itself, and yet more federal enforcement efforts, depending on the

working of the ballot measure. If no state regulatory structure is in place prior to legalization, it will conservatively take years to sort out the difficulties such an outcome will produce.

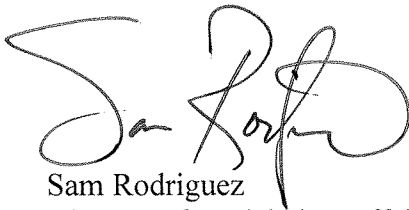
The single most pressing reason to enact regulation this year may be the public health hazard posed by edible cannabis products. Any legalization initiative will only make edibles, which are totally unregulated under current law, more readily available. It is therefore critical to get regulations in place for the following reasons:

- 1) Cannabis in its natural state is often at least 2-3 times more potent today than cannabis that was available 30 years ago;
- 2) Edibles are often infused with cannabis concentrates, making them significantly more potent than conventional cannabis;
- 3) Currently there are no legal limits on potency;
- 4) Since edibles are ingested orally rather than inhaled, there is usually a delay of 2 – 4 hours before the intoxicating, concentrated THC in the edibles hits the bloodstream – this can have very dangerous effects, including paranoia and hallucinations
- 5) Edibles are especially appealing to minors when in the form of cookies, candies, brownies, etc.

For these reasons, we respectfully urge you to press for an agreement between the houses to move a bill or bills forward to the Governor this week.

Again, we respectfully urge your serious consideration of this request.

Sincerely,



Sam Rodriguez
Director of Legislative Affairs
UFCW Western States Council



Barry Broad
Director of Legislative Affairs
California Teamsters Public Affairs Council



Lauren Michaels
Legislative Affairs Manager
California Police Chiefs Association



Tim Cromartie
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Legislative Representative
California College & University Police Chiefs Association
California Association of Code Enforcement Officers

cc: Camille Wagner, Legislative Affairs Secretary, Office of Governor Edmund G. Brown, Jr.
Graciela Castillo-Krings, Deputy Legislative Secretary, Office of Governor Edmund G.
Brown, Jr.
Senator Mike McGuire
Assembly Member Rob Bonta
Assembly Member Ken Cooley
Assembly Member Reginald Jones-Sawyer
Assembly Member Tom Lackey