

COUNTY OF EL DORADO

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8/21/2018

Lori Ajax, Chief Bureau of Cannabis Control
P.O. Box 419106
Rancho Cordova, CA 95741

RE: Cannabis Delivery Services without Local Approval Is Opposed by El Dorado County

Dear Ms. Ajax:

El Dorado County opposes the proposed changes to the Bureau of Cannabis Control's regulations that seek to force local jurisdictions to allow cannabis deliveries within their borders. These changes in the regulations go against the intent of voters who passed Proposition 64 by indirectly removing a local jurisdiction's ability to allow or ban cannabis deliveries.

Advanced by the cannabis industry, the proposed regulation seeks to usurp local communities' right to decide what is appropriate for their communities by removing their authority to ban deliveries. This is contrary to the framework understood by the voters when approving Proposition 64 in which the voters elected to protect local jurisdiction's ability to regulate and ban all commercial cannabis activities. Any change to the cannabis delivery law hoisted upon local jurisdictions through regulations would be in direct conflict with the letter and intent of the Medicinal Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Proposition 64 and exceed the Bureau of Cannabis Control's rulemaking authority.

The only limit on local control in existing law provides that a local jurisdiction cannot prevent transportation of cannabis or cannabis products on public roads by a licensee acting in compliance with local and existing law. This provision balanced a licensee's need to use public roads to transport cannabis while preserving local jurisdiction's right to decide if cannabis deliveries should be allowed in their communities.

The proposed change in regulation would also negate the work that El Dorado County citizens have achieved to put commercial cannabis use local measures on the November 2018 ballot. These measures were crafted with public input, from both sides of the issue, over the course of 30 public meetings. The measures will give El Dorado County citizens the ability to decide what they want to allow and not allow in regards to commercial cannabis. By changing the cannabis delivery regulations and taking away local control, the state will be taking away the voice of El Dorado County citizens.

There are also far reaching fiscal implications for jurisdictions that would be required to allow deliveries despite a local ban. With the influx of cannabis deliveries, there would be associated public safety costs for enforcement and safety of the public. Local jurisdictions that have exercised their rights under Proposition 64 to ban commercial cannabis activities would not receive any portion of the state cannabis tax, but would nonetheless be saddled with the public safety burdens and cost from deliveries.

As California's experiment with legalizing cannabis unfolds, many jurisdictions that opted not to allow sales and distribution within their jurisdiction are observing the experience in other jurisdictions. In time,

as the successful examples of local implementation emerge, more jurisdictions can be expected to alter their policies to reflect what has worked in other jurisdictions. Moreover, until track and trace has proven effective and the black market has entered the regulated market, expansion of the state's program is imprudent.

For these reasons, El Dorado County opposes any changes to the regulations that would remove the control of local jurisdictions to allow or ban cannabis delivery services.

Sincerely,

Michael Ranalli
Chairman, El Dorado County Board of Supervisors and District 4 Supervisor
El Dorado County

cc. State Assembly Member, Kevin Kiley
State Assembly Member, Frank Bigelow
State Senator, Ted Gaines
CSAC Executive Director, Graham Knaus