

From: Don Duncan don@safeaccessnow.org
Subject: AB 266 in Senate Health Committee - SUPPORT, SUGGESTED CHANGES
Date: July 6, 2015 at 8:55 PM
To: lynne.andres@sen.ca.gov, Melanie.Moreno@sen.ca.gov



Dear Lynne and Melanie,

Americans for Safe Access (ASA), the nation's leading medical cannabis patients' advocacy organization, strongly supports statewide regulations and licensing for commercial medical cannabis activity. Our research and experience show that sensible regulations preserve safe and legal access for medicine for patients, while reducing crime and complaints in neighborhoods (Medical Cannabis Dispensing Collectives and Local Regulation, 2010, Americans for Safe Access). California voters legalized medical cannabis when they approved the Compassionate Use Act (Proposition 215) in 1996, but the state legislature has fallen behind in fulfilling the voters' intent "to implement a plan to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana."

ASA supports AB 266, because this bill is our best chance to finally adopt reasonable regulations and licensing for commercial medical cannabis activity in California. Patients, caregivers, industry workers, and other stakeholders have waited too long for the proven benefits of regulation in California. Medical cannabis advocates, law enforcement, local government, and the emerging medical cannabis industry have all come to the table to support licensing and regulating medical cannabis. We must not waste this historic opportunity to move forward with implementing Proposition 215 in California.

Like all legislation built on compromise, AB 266 is imperfect. ASA is standing in solidarity with other stakeholders in supporting this bill, but we have serious concerns about some of the provisions. I have attached a memo detailing our most pressing concerns, in hopes the Author and his colleagues will make important changes in the bill before approving it. ASA is concerned that the licensing provisions of AB 266, especially as they related to cultivation, will severely limit the supply of legal medical cannabis. We are also concerned that the absolute reliance on dual licensing (state and local approval) will prove to be a serious impediment to licensing a sufficient number of cultivators and dispensers to serve the needs of legitimate patients in California.

Adopting a bill that does not meet the needs of legal patients may force more than 1.4 million Californians who have used medical cannabis to treat the symptoms of chronic pain, arthritis, migraines, cancer, and other serious conditions to do without doctor-recommended medical cannabis or to obtain that medicine in the unregulated illicit market ("Prevalence of medical marijuana use in California, 2012," Drug and Alcohol Review, 2014, DOI: 10.1111/dar. 12207). ASA suggests the following changes to ensure that AB 266 meets the needs of legal medical cannabis patients in California:

- ASA recommends removing the arbitrary limits on the square footage allowed for cultivation.
- ASA recommends changing the restrictions to accommodate applicants holding multiple licenses – especially those licenses related to cultivation.
- ASA strongly recommends that the bill be amended to allow for state licenses to be issued to applicants without explicit local approval under limited circumstances.
- Other changes, as described in our attached memo.

ASA is confident that statewide licensing and regulations will be beneficial to medical cannabis patients and other stakeholders over the long term. We are looking forward to seeing cities and counties move forward with permitting medical cannabis activity after AB 266 is adopted. We also hope to see better protection for medical cannabis patients, providers, and industry workers. ASA is confident that AB 266 will help to prevent some forms federal interference and intimidation between now and the time that we finally succeed in harmonizing federal law with the laws of California and other states that permit medical cannabis use.

ASA encourages you and your colleagues to support AB 266 in the Senate Committee on Health, in hopes that we can continue improving the bill to protect medical cannabis patients and other stakeholders.

Thank you,

Don Duncan



Suggested changes to
AB 266 06 30 2015.pdf

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