



County of Tulare

September 10, 2013

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Chief Clerk

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2800 West Burrel
Visalia, CA 93291

TEL: (559) 636-5000
FAX: (559) 733-6898

The Honorable Ted Lieu
Chair, Senate Business, Professions and
Economic Development
State Capitol, Room 2053

The Honorable Loni Hancock
Chair, Senate Public Safety
State Capitol, Room 2031

Re: Opposition to AB (604) Ammiano

Dear Senator Lieu and Senator Hancock:

The Tulare County Board of Supervisors is strongly opposed to the last minute "gut and amend" of AB 604 (Ammiano). The bill proposes the commercial, for-profit legalization of the cultivation, manufacture, distribution, storage, transportation, and sale of medical marijuana which constitutes a sweeping change from existing law and interpretations of the Compassionate Use Act. The bill proposes these changes without sufficient safeguards to ensure public safety and local jurisdictions' rights to regulate and control medical marijuana activities. In fact, the bill limits local jurisdictions ability to ban all but narrowly defined "dispensaries" and adds vague and ambiguous language to local zoning regulation rights. Instead, the bill proposes that the development of regulations be entirely under the jurisdiction of a new Division within the Department of Alcoholic Beverage Control.

Immunity from criminal prosecution is expressly granted to a "mandatory commercial registrant, its employees and its agents" and the definition of a registrant is so broad as to include all forms of entities and individuals. On the other hand, safeguards for the general public are not defined and local law enforcement would be prevented from enforcing regulations or investigating violations as those activities would only be conducted by the newly formed State Division.

Although we support language to curtail the abuse frequently encountered in the issuance of medical marijuana recommendations, the language proposed in the bill is inadequate because there are too many exceptions to the prescribed recommendation process and there are not sufficient enforcement measures included to ensure compliance.

The Compassionate Use Act was enacted with the purpose of ensuring that seriously ill Californians have the right to obtain and use marijuana for medical purposes; however there is no indication that the intent of the Act or the subsequent Medical Marijuana Program Act was to allow for widespread, commercial for-profit activities that have the potential to endanger public health and safety.

Thank you for your consideration of this matter. Should you have any questions, please contact Jean M. Rousseau, County Administrative Office at (559) 636-5005 or jrousseau@co.tulare.ca.us.

Sincerely,



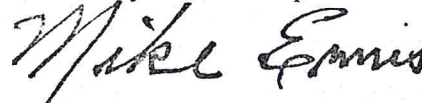
Pete Vander Poel, Chairman
Tulare County Board of Supervisors



Phillip A. Cox, Vice-Chairman
Tulare County Board of Supervisors



J. Steven Worthley, District Four
Tulare County Board of Supervisors



Mike Ennis, District Five
Tulare County Board of Supervisors



Allen Ishida, District One
Tulare County Board of Supervisors

cc: Senator Darrell Steinberg, President Pro Tempore
Senator Mark Leno
Senator Bill Emmerson, Vice-Chair, Senate Business, Profession &
Economic Development Committee
Senator Joel Anderson, Vice-Chair, Senate Public Safety Committee
Senator Jean Fuller
Senator Andy Vidak
Assembly Member Tom Ammiano
Members and Consultants, Senate Public Safety Committee
Members and Consultants, Senate Business, Profession & Economic
Development Committee