



June 14, 2012

- Campbell
- Cupertino
- Gilroy
- Los Altos
- Los Altos Hills
- Los Gatos
- Milpitas
- Monte Sereno
- Morgan Hill
- Mountain View
- Palo Alto
- San Jose
- Santa Clara
- Saratoga
- Sunnyvale

Assembly Member Tom Ammiano  
 State Capitol  
 P.O. Box 942849  
 Sacramento, CA 94249-0013

**RE: AB 2312 (AMMIANO). CONTROLLED SUBSTANCES  
 NOTICE OF OPPOSITION**

Dear Assembly Member Ammiano:

On behalf of the Board of Directors, I write to inform you that the Cities Association of Santa Clara County opposes Assembly Bill 231. The Cities Association of Santa Clara County represents the mutual interests of the diverse 15 cities of Santa Clara County and advocates for positive action to enhance the quality of life for the people of our county. The Cities Association recognizes that the effort intended with AB 2312 is premature and would create additional costs to our cities. We urge you to oppose this bill until the California Supreme Court delivers its decision on three important medical marijuana regulation cases later this year, including *Pack v. City of Long Beach*.

Medical marijuana regulation is a complex issue. Potential conflicts between state and local authority have been the source of many lawsuits with varying outcomes. It simply makes more sense to understand the extent of both local and state powers in this area following the Supreme Court rulings before the Legislature establishes a new statewide regulatory scheme.

In addition to being premature, AB 2312 would require cities to permit a minimum number of dispensaries based on the total population in the jurisdiction. For cities of all sizes, this bill creates an additional burden should a city wish to establish a different standard to meet the needs of their community. Our resources would be better spent on providing services to our community in all areas of need, not just medical marijuana regulation.

In 2010, the Cities Association of Santa Clara County formed the Subcommittee on Medical Marijuana Dispensaries (MMDs) to address the increasing problems that our membership municipalities had experienced as a result of MMDs operating within our jurisdictions.

In 2011, the Cities Association authored a Resolution on Medical Marijuana Dispensaries calling for consistent federal and state regulation of medicinal marijuana, including re-classifying the drug within the schedules set forth in § 812 of

the federal Controlled Substances Act. The resolution calls for the Federal government to regulate marijuana, just as it regulates other drugs that have medicinal purpose, through licensed, regulated pharmacies, if distribution should occur at all within the State of California. Since May of 2011, 10 of the 15 cities of Santa Clara County have endorsed the resolution and include: Campbell, Los Altos, Los Gatos, Monte Sereno, Morgan Hill, Mountain View, San Jose, Saratoga, Santa Clara, and Sunnyvale.

For all of these reasons, the Cities Association of Santa Clara County opposes AB 2312. Though we appreciate your effort to provide clarity under the state medical marijuana laws, given the current uncertainty related to regulation at both the state and local levels, AB 2312 is premature and could further confuse the issues at hand rather than resolve them.

If you have questions regarding our position, please contact me at (408) 535-4903 or our Executive Director Raania Mohsen at (408) 730-7770.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Sam Liccardo". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sam Liccardo  
President, Cities Association of Santa Clara County  
Council Member, City of San Jose

cc: Senator Elaine Alquist, CA State Senate, District 13  
Senator Sam Blakeslee, CA State Senate, District 15  
Senator Ellen Corbett, CA State Senate, District 10  
Senator Joe Simitian, CA State Senate, District 11  
Jessica Stanfill, Peninsula Division Regional Public Affairs Manager,  
League of California Cities