



SOUTH BAY CITIES
COUNCIL OF GOVERNMENTS

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August 23, 2018

Lori Ajax, Chief
Bureau of Cannabis Control
P.O. Box 419106
Rancho Cordova, CA 95741
Submitted via Email: bcc.comments@dca.ca.gov

RE: Bureau of Cannabis Control Proposed Regulations – July 2018

Dear Chief Ajax:

The South Bay Cities Council of Governments (SBCCOG) appreciates the opportunity to comment on the proposed regulations released in July 2018, which seek to codify the emergency regulations implemented in December 2017.

The SBCCOG strongly supports the inclusion of Section 5413, regarding resealable child-resistant exit packaging, in the proposed final state regulations. This Section will help ensure that consumers have a proper tool to securely store their purchases to prevent youth access - a key goal on which all stakeholders can agree. By requiring this resealable exit packaging, consumers will also be more aware of the need to prevent youth access. Additionally, by requiring this packaging to be reusable, significantly fewer bags will most likely be discarded.

However, the SBCCOG must object to two proposed changes that are in fundamental conflict with the language and intent of Proposition 64 and undermine local control: Section 5416 (d); Sections 5001 (c)(11) and 5002(c)(28).

Section 5416 (d) would drastically block local control as well as regulatory authority by removing a local government's ability to prohibit cannabis deliveries within its jurisdiction. Proposition 64 recognized the value of local control in regulating commercial cannabis activity and expressly provided that a local government had the authority to adopt and enforce local ordinances to regulate or ban all commercial cannabis activities, including both storefront and delivery services. The SBCCOG urges this section to be removed from the regulations.

Sections 5001 (c)(11) and 5002(c)(28) create a 10-day "shot clock" for cities to respond to the Bureau of Cannabis Control's (BCC) inquiry of the validity of a license before the license is deemed valid. Current law in the Business and Professions Code allows cities 60 days for their compliance review and determination. If adopted, this reduction from 60 days to 10 days will not provide a local government adequate time to verify that a license submitted to the BCC is

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valid. The SBCCOG urges that these regulations be amended from a 10-day to a 60-day period in both Sections 5001 (c)(11) and 5002(c)(28). This additional time will not only reflect current law but will ensure that cities with often limited resources have an adequate amount of time to verify whether or not these local licenses are valid.

The SBCCOG hopes the BCC understands that decriminalizing commercial cannabis activity requires patience. Many jurisdictions, including those in the South Bay, have opted to not allow sales and distribution within their boundaries while they observe the experiences of those who have. It is expected that local governments may alter their existing policies and permit the sale and/or delivery of cannabis as successful examples of local implementation emerge.

For these reasons, the SBCCOG strongly requests support of the outlined amendments to the proposed regulations. The SBCCOG also appreciates the stakeholder engagement process that the BCC is undertaking and hopes it provides valuable feedback. If you have any questions, please feel free to contact SBCCOG Executive Director, Jacki Bacharach, at (310) 271-7222.

Sincerely,

Britt Huff, SBCCOG Chair
Mayor, City of Rolling Hills Estates