



April 25, 2019

Honorable Phillip Ting  
California State Assembly  
State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-001

**RE: AB 1356 (Ting) Local Jurisdictions: Retail Commercial Cannabis Activity  
Notice of **OPPOSITION** (As Amended 4/23/19)**

Dear Assembly Member Ting:

On behalf of the Los Angeles County Division of the League of California Cities® (Division), representing 86 cities in the county, I regret to inform you of our opposition to your AB 1356. Under this bill, if more than 50 percent of the voters of a local jurisdiction voted in favor of Proposition 64, these local jurisdictions would be required to adopt a local licensing structure for retail commercial cannabis activity. More specifically, the bill requires these cities to issue a minimum of one retail cannabis license for every four liquor licenses.

The Division believes that AB 1356 fundamentally erodes the local regulatory authority of cities and counties, which is explicitly provided for in Proposition 64. In seeking to remove, a local government's ability to either approve retail cannabis shops at a different concentration level or prohibit them within its jurisdiction, this bill completely subverts the intent of the voters who approved Proposition 64. In essence, attempting to require cities to establish a 1 to 4 ratio of local retail cannabis licenses to liquor licenses removes the ability for locals to decide what is appropriate for their communities. By obligating such a ratio, AB 1356 proposes an arbitrary land use standard for individual cities and counties based on the results of a statewide ballot measure. Ultimately, it is questionable at best as to whether, under Proposition 64, the state even has the unilateral authority to impose such a requirement without voter approval.

It should also be noted that the Legislature created a regulatory framework for medical cannabis more than a year prior to the enactment of Proposition 64. That legislatively-enacted framework serves as the basis of regulatory structure provided for in the adult-use scheme. In the construction of both frameworks, the crafters recognized the need for local control, primarily as part of cities' and counties' land use authority. In crafting Proposition 64, stakeholders took note of and purposely avoided the local control model within Oregon's licensing scheme, which ties the ability to permit commercial cannabis to the level of the 'yes' vote the county received in that statewide election.

This heavy-handed approach is similar to the recent regulatory effort to force the allowance of cannabis deliveries anywhere in the state, despite any local limiting ordinance or prohibition that would otherwise restrict this commercial activity. While that provision

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is being litigated and will likely be overturned as a violation of Proposition 64, AB 1356 is likely to bring about more even litigation and confusion to an already fraught industry, which we view as counter-productive to the overall goals put forth by those who wish to promote further access.

For these reasons, the Division opposes AB 1356. If you have any questions, please feel free contact Kristine Guerrero at [kguerrero@cacities.org](mailto:kguerrero@cacities.org).

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Garza', with a long horizontal flourish extending to the right.

Juan Garza  
President  
Los Angeles County Division  
League of California Cities®

cc: Assembly Appropriations Committee  
Los Angeles County Legislative Delegation