

130 E. Aurora Ave.
Des Moines, Iowa 50313-3654
April 3, 2017

Kevin Koester
4207 SW Walnut St.
Ankeny, IA 50023

Re: HF 520 (formerly HSB 164 as amended)
SF 470 (formerly SF 282 as amended)

Dear Rep. Koester,

On Thursday, March 31, HF 470 (formerly HSB 164 as amended) was referred from the Regular Calendar to the Unfinished Business Calendar, H.J. 817. HF 520 is the companion to SF 470 (formerly SF 282 as amended) in the Iowa Senate.

I am opposed to this bill because it violates federalism. The bill would extend the Iowa Medical Cannabidiol Act of 2014, Acts, Chapter 1125. The Iowa Medical Cannabidiol Act requires patients to obtain cannabis products from “an out-of-state” source. Iowa Code § 124D.6(1)(b) (2017). Crossing state lines with cannabis products is expressly forbidden by federal law, and implicitly forbidden by federal enforcement guidelines.

21 U.S.C. §§ 801 et seq., Pub. L. 91–513, Oct. 27, 1970, 84 Stat. 1236.

The current federal guidelines can be found at:

<https://www.justice.gov/opa/pr/justice-department-announces-update-marijuana-enforcement-policy>

The federal guidelines specify eight (8) federal enforcement priorities. The third enforcement priority is:

Preventing the diversion of marijuana from states where it is legal under state law in some form to other states

U.S. Attorney General Jeff Sessions is indicating that he might keep Obama-era marijuana enforcement guidelines in place, perhaps with some modifications.

"The Cole Memorandum set up some policies under President Obama's Department of Justice about how cases should be selected in those states and what would be appropriate for federal prosecution, much of which I think is valid," he said in a question-and-answer session with reporters on Wednesday, March 15, 2017, following a speech in Richmond, Virginia.

Sessions added that he "may have some different ideas myself in addition to that" but indicated that the federal government would not be able to enforce its remaining marijuana prohibition laws across the board in states with legalization.

"Essentially, we're not able to go into a state and pick up the work that the police and sheriffs have been doing for decades," he said.

I would urge you to re-consider sending lowans to other states to obtain cannabis products.

Thank you very much!

Sincerely,

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