

CITY OF LOS ANGELES

CALIFORNIA



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When making inquiries relative to
this matter, please refer to the
Council File No.

May 16, 2014

To All Interested Parties:

The City Council adopted to RECEIVE AND FILE the action(s), as attached, under
Council File No. 13-0002-S35, at its meeting held May 13, 2014.



City Clerk
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RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to establishing the City's position to oppose H.R. 689 (Blumenauer).

SUBMITS WITHOUT RECOMMENDATION, Resolution (Parks - Perry), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2013-14 Federal Legislative Program OPPOSITION to H.R. 689 which would provide for the rescheduling of marijuana, and for the medical use of marijuana, in accordance with the law of various states.

Community Impact Statement: None submitted.

Summary:

At its regular meeting of August 16, 2013, the Rules, Elections and Intergovernmental Relations Committee considered a Resolution and Chief Legislative Analyst report relative to establishing the City's position to oppose H.R. 689 which would provide for the rescheduling of marijuana, and for the medical use of marijuana, in accordance with the law of various states. The CLA report, attached to the Council file, provides a summary of the Resolution and additional background information.

After consideration and having provided an opportunity for public comment, the Committee recommended to submit to Council without recommendation. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE



MEMBER	VOTE
WESSON:	YES
HUIZAR:	YES
LABONGE:	YES

-NOT OFFICIAL UNTIL COUNCIL ACTS-

MAY 13 2014

Received and Filed

MAR 06 2013

13-0002-535

RESOLUTION

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, H.R. 689 (Blumenauer), otherwise known as the "States' Medical Marijuana Patient Protection Act," would require the Secretary of Health and Human Services to submit to the Drug Enforcement Agency (DEA) and Food and Drug Administration (FDA), a recommendation related to marijuana within the Controlled Substances Act, other than Schedule I or Schedule II, and would prohibit the restriction of medical prescriptions and use of marijuana in states in which it is legal, per state law; and

WHEREAS, Schedule I and II contain listings of the most high risk substances, which either have no accepted medical uses in the United States (Schedule I) or have few accepted medical uses under highly restricted circumstances (Schedule II); and

WHEREAS, substances which are listed under Schedule I-V must meet certain criteria for classification, and although the decision of the DEA has been appealed in the past, cannabis is currently listed under Schedule I of the Controlled Substances Act, substances of this type are prohibited per Federal law; and

WHEREAS, H.R. 689 seeks to reschedule marijuana under Schedule III or lower, which would, in essence, permit States (not the DEA/FDA) to regulate the possession and distribution of marijuana, thus eliminating Federal control, a practice which would be opposite of the standard procedures of other prescription drugs in the United States (see attachment); and

WHEREAS, among the reasons that enactment of this legislation would be problematic, one is that a Federal department would be asked to legally find that marijuana does not meet the criteria of Schedule I or II drugs/chemicals, despite any evidence to the contrary; and

WHEREAS, since this bill would consequently create further loopholes and ambiguity, and would create a different regulatory framework which is inconsistent with any other pharmaceutical drug in the United States, it is important that local jurisdictions, such as the City of Los Angeles, oppose any measures, such as this bill, which would treat marijuana differently from an ordinary prescription drug and exempt any regulation, testing, etc., from DEA/FDA oversight;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-2014 Federal Legislative Program, OPPOSITION to H.R. 689 which would provide for the rescheduling of marijuana, and for the medical use of marijuana, in accordance with the laws of various states.

PRESENTED BY: Bernard C. Parks
BERNARD C. PARKS
Councilmember, 8th District

SECONDED BY: [Signature]

[Signature]

cc MAR 06 2013

MAY 13 2014

Received and Filed

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