

RESOLUTION

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 first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor, and

WHEREAS, in 1996, Californians passed the Compassionate Use Act which allows for the medical use of marijuana in the treatment of cancer, anorexia, Acquired Immunodeficiency Syndrome (AIDS), chronic pain, spasticity, glaucoma, arthritis, migraines, or other illnesses for which marijuana can uniquely provide relief; and

WHEREAS, since that time, the Medical Marijuana Program Act (SB 420) was passed to provide a voluntary medical marijuana registry program for qualified patients and their caregivers and the California Attorney General has published guidelines for the security and non-diversion of marijuana grown for medical use; and

WHEREAS, despite these State regulations, the legality of medical marijuana collectives, cooperatives and other related business entities is ambiguous which results in needless arrests and prosecutions; and

WHEREAS, SB 439 would exempt medical marijuana cooperatives and collectives (as defined) from criminal liability for various activities regarding the possession, sale and distribution of medical marijuana; and


WHEREAS, the bill, however, does not allow for any individual or group to cultivate or distribute marijuana for profit; and

WHEREAS, SB 439 does not prevent a local government from adopting or enforcing local ordinances that regulate the location, operation, or establishment of medical marijuana collectives or cooperatives; and

WHEREAS, the City should support the legislation because its passage would provide the federal government and law enforcement the assurance that the State is consistent with the intent of the Compassionate Use Act, and is allowing the sale of medical marijuana only for those who truly need it for medicinal purposes;

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 2013-14 State Legislative Program SUPPORT of SB 439 (Steinberg), which would exempt medical marijuana cooperatives and collectives (as defined) from criminal liability for various activities regarding the possession, sale and distribution of medical marijuana.

PRESENTED BY:


HERB J. WESSON, Jr.
Councilmember, 10th District

SECONDED BY:

