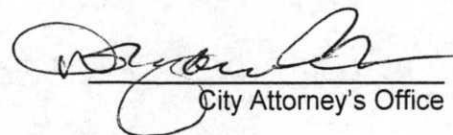


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Approved as to Form and Legality

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember Libby Schaaf

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**RESOLUTION TO SUPPORT THE POLICY DIRECTION OF THE ROHRABACHER AMENDMENT INCLUDED IN THE COMMERCE AND JUSTICE DEPARTMENTS' APPROPRIATION BILL TO PROHIBIT THE USE OF FUNDS TO PREVENT CERTAIN STATES FROM IMPLEMENTING THEIR OWN STATE LAWS THAT AUTHORIZE THE USE, DISTRIBUTION, POSSESSION, OR CULTIVATION OF MEDICAL MARIJUANA**

**WHEREAS**, on November 2, 2004, the Oakland electorate passed ballot Measure Z, a voter initiative entitled "Oakland Cannabis Regulation and Revenue Ordinance"; and

**WHEREAS**, Measure Z requires the City of Oakland, make investigation, citation and arrest for private adult marijuana offenses the City's lowest law enforcement priority; and advocate through its lobbyist and City officers for changes in state and other laws to allow and authorize taxation and regulation of marijuana for adults and eliminate criminal penalties for private, adult cannabis use; and

**WHEREAS**, Measure Z also creates a committee to oversee the ordinance's implementation and disbursement of revenue from licensing and taxation of businesses that sell cannabis; and

**WHEREAS**, the Federal Government has not always exercised the level of lowest law enforcement priority related to medical marijuana usage and dispensaries; and

**WHEREAS**, Congressman Dana Rohrabacher's (CA-48) amendment included in the commerce and justice department appropriation bill falls in line with the intentions of Oakland's Measure Z Ordinance; and

**WHEREAS**, the Rohrabacher amendment would bar the Justice Department from preventing states' including California from implementing their own medical marijuana laws; and

**WHEREAS**, the Rohrabacher amendment also denies funding to Drug Enforcement Administration raids against dispensaries operating in accordance with state law; now be it therefore

**RESOLVED:** That the Oakland City Council supports the policy direction of the Rohrabacher Amendment numbered 25 printed in the Congressional Record to prohibit the use of funds to prevent certain States from implementing their own State laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT  
KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California