

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY  
COMMISSION OF THE CITY OF MIAMI BEACH,  
FLORIDA, URGING THE UNITED STATES CONGRESS  
TO RECOGNIZE AND SUPPORT STATES' RIGHTS WITH  
REGARD TO THE LEGALIZATION OF MEDICAL  
MARIJUANA.**

**WHEREAS**, in 2016, the people of Florida approved an amendment to the Florida Constitution authorizing the use of medical marijuana and, in 2017, the Florida Legislature enacted corresponding regulations; and

**WHEREAS**, across the country, most states have now legalized marijuana for medical use; and

**WHEREAS**, despite the growing acceptance and legalization of medical marijuana throughout the nation, marijuana is still classified as an illegal Schedule 1 drug; and

**WHEREAS**, according to the federal Drug Enforcement Agency (DEA), marijuana is categorized as a Schedule I drug, along with heroin and LSD, and is deemed to have no currently accepted medical use; and

**WHEREAS**, despite efforts in recent Congressional sessions to decriminalize marijuana and to recognize the will of a majority of states that have legalized and regulate medical marijuana, Congress has failed to act; and

**WHEREAS**, the failure to legitimize the use of medical marijuana by the federal government is harmful to the public health and welfare, particularly affecting those to whom medical marijuana provides relief from debilitating illnesses and conditions, such as epilepsy, glaucoma, and cancer, who must incur significant out-of-pocket costs because health insurance companies will not cover the expense of such treatments due to their continued illegal status under federal law; and

**WHEREAS**, the expense of medical marijuana treatments can be many hundreds of dollars a month, which negatively impacts all patients, and especially those in lower income brackets; and

**WHEREAS**, there are several Congressional bills that have been introduced, or are slated to be reintroduced from the last session of Congress, which would, among other things, remove marijuana from the U.S. Controlled Substance Act drug schedule, enable financial institutions to enter the legal marijuana market, expand research for medical marijuana, and provide access to medical marijuana for military veterans; and

**WHEREAS**, great uncertainty surrounds the regulation and enforcement of medical marijuana in the nation due to the 2018 rescission of the prior policy of the U.S. Department of Justice to generally not interfere with the medicinal use of marijuana under state law; and

**WHEREAS**, for the benefit of countless Americans who use medical marijuana for a host of debilitating conditions and illnesses, and to resolve the uncertainty created by the dichotomy between federal law and the laws in a majority of the states in the union, Congress should act in its 2019 session to enact legislation to legalize medical marijuana.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby urge the United States Congress to recognize and support states' rights with regard to the legalization of medical marijuana.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of February, 2019.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

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Rafael E. Granado, City Clerk

(Sponsored by Vice-Mayor Michael Góngora)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

R. E. Granado 2-12-19  
City Attorney                      Date