

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2018-75**

3 **INTRODUCED BY:**

4  
5 Mayor Alan M. Webber

6 Councilor Peter N. Ives

7 Councilor Joanne Vigil Coppler

8 Councilor Mike Harris

9  
10 **A RESOLUTION**

11 **URGING THE NEW MEXICO STATE LEGISLATURE TO SUPPORT AND ENACT**  
12 **LEGISLATION RELATED TO THE LEGALIZATION, DECRIMINALIZATION,**  
13 **AND/OR REGULATION OF CANNABIS AND CANNABIS-RELATED PRODUCTS**  
14 **FOR RECREATIONAL USE.**

15  
16 **WHEREAS**, marijuana is classified as a Schedule I drug by the Food and Drug  
17 Administration (FDA); and

18 **WHEREAS**, Schedule I drugs are defined as drugs with “no currently accepted medical  
19 use and a high potential for abuse”; and

20 **WHEREAS**, two recent studies in the Journal of the American Medical Association  
21 (JAMA) Internal Medicine report an association between access to marijuana via medical  
22 marijuana laws and protected access to dispensaries with a decrease in Medicare Part D  
23 prescriptions filled for opioids, with one study showing a 5.88% decrease and another showing a  
24 6.38% decrease; and

25 **WHEREAS**, the National Institute of Drug Abuse (NIDA) funded two studies that

1 explored the relationship between marijuana legalization and adverse outcomes associated with  
2 prescription opioids that found an association between medical marijuana legalization and a  
3 reduction in overdose deaths from opioid pain relievers, lower levels of opioid prescribing, lower  
4 self-report of nonmedical prescription opioid use, and lower treatment admissions for prescription  
5 opioid use disorders; and

6 **WHEREAS**, while the FDA has not recognized or approved marijuana as medicine, the  
7 scientific study of cannabinoids some of the chemicals found in marijuana, has led to two FDA-  
8 approved medications that contain cannabinoid chemicals in pill form; and

9 **WHEREAS**, ongoing research may lead to future medications that treat a wider array of  
10 ailments that Americans suffer from; and

11 **WHEREAS**, on August 27th, 2014 the Governing Body adopted Ordinance No. 2014-29  
12 to decriminalize marijuana possession in the City of Santa Fe by establishing possession of one  
13 ounce or less of marijuana as the lowest law enforcement priority and subjecting a person in  
14 possession of one ounce or less of marijuana or paraphernalia intended for the use of marijuana to  
15 a fine of no more than twenty-five dollars; and

16 **WHEREAS**, 10 states (Alaska, California, Colorado, Massachusetts, Maine, Michigan,  
17 Nevada, Oregon, Vermont, and Washington) and the District of Columbia have, to varying  
18 degrees, legalized marijuana; and

19 **WHEREAS**, 31 states, including New Mexico, have medical marijuana programs, and  
20 13 states have decriminalized possession of small amounts of marijuana (nine of which have  
21 medical marijuana programs); and

22 **WHEREAS**, New Mexico's northern neighbor legalized marijuana in 2012 and began  
23 recreational sales in February, 2014; and

24 **WHEREAS**, from February, 2014 to August, 2018 the Colorado Department of Revenue  
25 has reported total revenue (taxes, licenses, and fees) related to the recreational sale of marijuana

1 at \$816,919,037; and

2 **WHEREAS**, Colorado collects three taxes on the sale of marijuana products: a 2.9%  
3 regular state sales tax, a 15% special sales tax (10% of which is allocated to local governments  
4 based on sales within the boundaries of the municipality), and a 15% excise tax; and

5 **WHEREAS**, the revenue generated from the legalization of recreational marijuana has  
6 been used to provide significant funding to the State Public School Fund, including a minimum  
7 annual allocation of \$40 million to the Public School Capital Construction Assistance Fund and  
8 additional funds allocated to the Public School Fund; and

9 **WHEREAS**, Representative Bill McCamley (D- Doña Ana) introduced HB 312 at the  
10 2018 Legislative Session, titled the “Cannabis Taxation and Regulation Act” (along with four  
11 cosponsors); and

12 **WHEREAS**, in a March, 2018, a poll conducted by Research & Polling, Inc. found that  
13 63% of New Mexicans (420 respondents to the poll) would support a bill to legalize, tax, and  
14 regulate sales of marijuana to adults age 21 and over; and

15 **WHEREAS**, the number of New Mexicans who “strongly support” legalization, 46%,  
16 had grown by 6% since the last poll was conducted in 2016.

17 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
18 **CITY OF SANTA FE** that the New Mexico Legislature is urged to support and enact legislation  
19 related to the legalization, decriminalization and/or regulation of cannabis and cannabis-related  
20 products for recreational use.

21 **BE IT FURTHER RESOLVED** that a copy of this Resolution be forward to the Santa  
22 Fe Legislative Delegation and be included in the Governing Body’s annual Legislative Priorities  
23 resolution.

24 PASSED, APPROVED, AND ADOPTED this 12th day of December, 2018.  
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ALAN M. WEBBER, MAYOR

ATTEST:

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YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

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ERIN K. McSHERRY, CITY ATTORNEY