

# City trying to clear the air on medicinal marijuana

By Kathryn Reed



The on again, off again discussion of pot dispensaries in South Lake Tahoe is on again.

The City Council plans to discuss the matter at the Nov. 3 meeting at Lake Tahoe Airport. No action is expected that day, though the council could direct staff to draft policy or an ordinance.

Three medical marijuana outlets exist within the city limits. Because state and federal law don't jive, it can create problems for local municipalities when it comes to regulating the businesses. At it stands, the three are not paying any taxes to the city – either through a business license fee or sales tax.

California and Nevada are two of the 14 states to allow medicinal marijuana use. California did so through Proposition 215, called the Compassionate Use Act of 1996.

In 2003, state Senate Bill 420 – "The Safe Access" bill that was designed to give cities and counties in California better guidelines was approved by the Legislature and took affect the next year.

Earlier this month, the Obama administration issued an edict stating federal law enforcement will not arrest people associated with or close medical marijuana establishments that are following state law.

“This is a step forward in the clarification process. Now federal law should be changed if the feds are to allow states to regulate. As long as existing federal statutes remain in place prohibiting the use, the matter is arguably muddied,” City Manager Dave Jinkens said.

On Nov. 3, the City Council is expected to discuss Proposition 215, SB420 and federal law.

“The council looks forward to receiving input from the public, medical marijuana dispensaries and any other interested party on the issue,” Patrick Enright, acting city attorney said.

Council meetings begin at 9am and are at Lake Tahoe Airport.