Referred by Mayor Daniels

REQUESTING SUSPENSION OF THE BOARD RULES FOR IMMEDIATE CONSIDERATION UNDER NEW BUSINESS L-02b

Miscellaneous Resolution #

BY: Commissioner Bill Dwyer, District #14

RE: **Board of Commissioners – Support for Federal and State Legislation Criminalizing the Sale, Display for Sale, and/or Possession of Synthetic Marijuana**

TO: Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS synthetic marijuana/cannabinoids and products containing synthetic marijuana/cannabinoids are chemically engineered substances, similar to tetrahydrocannabinol (THC)—the active ingredient in marijuana—that, when smoked or ingested, can produce a high similar to marijuana. These substances have recently become a popular alternative to marijuana; and

WHEREAS synthetic marijuana/cannabinoids and products containing synthetic marijuana/cannabinoids, such as those marketed under the names K2, Spice, Blonde, Summit, Standard, Citron, Genie, Zohai, and Fire and Ice, are often more potent than THC; and

WHEREAS the health dangers associated with the ingestion and/or smoking of synthetic marijuana/cannabinoids and products containing synthetic marijuana/cannabinoids have prompted the banning and/or strict regulation of some or all marijuana/cannabinoids in the several countries, states and local jurisdictions; and

WHEREAS Michigan Senate Bill 1082 proposes to address this issue by amending the Public Health Code to prohibit and prescribe a criminal penalty for selling a named product that currently or previously contained a Schedule 1 controlled substance, without disclosing that it no longer contains the schedule ingredient or while representing that it currently contains the scheduled ingredient or a similar ingredient. A violation would be a misdemeanor punishable by up to 93 days' imprisonment, a maximum fine of $5,000, or both; and

WHEREAS Michigan House Bill 5714 proposes to amend Section 48 of the Administrative Procedures Act to allow for the promulgation of emergency rules to schedule or reschedule a substance as a controlled substance under certain conditions.

WHEREAS, the sale and possession of synthetic marijuana/cannabinoids and products containing synthetic marijuana/cannabinoids present a serious health and safety danger to Oakland County's residents wherein local law enforcement need effective and consistent tools, such as federal or state legislation, in order to effectively suppress the spread of these insidious drugs; and

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby supports Senate Bill 1082, House Bill 5714 and any other federal or state legislation that proposes to criminalize the sale, display for sale, and/or possession of synthetic marijuana/cannabinoids; and

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners requests that, if the Oakland County Health Department deems it appropriate and advisable, the Oakland County Health Department draft a proposed regulation on this subject and present it to the Oakland County Board of Commissioners for approval in accordance with MCL 333.2441 and MCL 333.3442.

Chairperson, we move the adoption of the foregoing Resolution.

O.C.C. PASSED: 6-7-12 11:25 AM 25 TO 0

Commissioner Bill Dwyer
District #14