

RESOLUTION NO. 2007-_____
RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
SUPERSCEDING RESOLUTION NO. 2005-102 AND REVISING CALIFORNIA STATEWIDE
MEDICAL MARIJUANA IDENTIFICATION CARD FEE

WHEREAS, in response to the passage of Proposition 215 known as the *Compassionate Use Act of 1996* (Health & Safety Code sections 11362.5, *et seq.*), the Marin County Department of Health and Human Services (HHS) developed the Marin County Medical Marijuana Photo Identification (ID) Card Program and established a renewable one year ID card for individuals who statutorily qualify for the use of Medical Marijuana under Proposition 215; and

WHEREAS, the County of Marin Board of Supervisors held a hearing on the establishment of the Medical Marijuana Photo ID Card Fee on March 4, 2003, and adopted the proposed \$25 fee by Resolution No. 2003-22; and

WHEREAS, Senate Bill 420 (Chapter 875, Statutes of 2003), titled *Medical Marijuana Program* (Health & Safety Code sections 11362.7 *et seq.*), required the California Department of Health Services (CDHS) to establish and maintain a statewide voluntary program for the issuance of identification cards to qualified patients using medical marijuana who satisfy the statutory requirements and voluntarily apply to the identification card program, and

WHEREAS, CDHS established a statewide ID Card Program intended to help law enforcement and qualified patients by creating a form of identification for qualified patients that is official and uniform throughout the State; and

WHEREAS, this CDHS ID Card Program preempted any local registry and ID card programs upon implementation of the CDHS ID Card Program; and

WHEREAS, the County of Marin through Resolution 2005-102 implemented the CDHS ID Card Program in the place of its own local Medical Marijuana Photo Identification Card Program established by the enactment of Marin County Board of Supervisor's Resolution No. 2003-22 and adopted the proposed \$60 fee for non-Medi-Cal recipients (\$30 for those on Medi-Cal); and

WHEREAS, Marin County is statutorily authorized to recover its costs of implementing and conducting in its locality the state ID Card Program according to the CDHS mandated procedures and other State statutes; and

WHEREAS, the CDHS ID Card Program involves expenditures of Marin County Health and Human Services (HHS) Departmental employee time and resources, the cost of which have been studied and documented by the Marin County HHS; and

WHEREAS, in collaboration with the Auditor's Office, the Marin County Department of Health and Human Resources conducted a fee study analysis and determined that the actual cost to County of administering the State-wide Medical Marijuana Program is \$47 per card; and

WHEREAS Senate Bill 420 (Chapter 875, Statutes of 2003), titled *Medical Marijuana Program* (Health & Safety Code sections 11362.7 *et seq.*) provides for a fifty percent reduction in fees for Medi-Cal beneficiaries; and

WHEREAS, effective April 1, 2007, CDHS is increasing the State's portion of the photo ID card fee to \$33 per card for Medi-Cal Beneficiaries and \$66 per card for all others.

NOW, THEREFORE, BE IT RESOLVED that the California Statewide Medical Marijuana Identification Card fee established by Resolution No. 2005-102 shall be revised to reflect the fee increase established by the California Department of Health Services as of April 1, 2007, as \$56.50 per card for Medi-Cal Beneficiaries and \$113 per card for all others.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this ____th day of _____, 2007, by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK