



1 SENATE RESOLUTION

2 WHEREAS, Modern research suggests that marijuana is a
3 valuable aid in the treatment of a wide range of clinical
4 applications, including pain relief; controlling nausea and
5 vomiting; stimulating appetite in patients suffering from HIV,
6 AIDS wasting syndrome, or the side effects of chemotherapy; and
7 reducing spasticity and other symptoms of movement disorders;
8 and

9 WHEREAS, Research also shows that marijuana is a powerful
10 appetite stimulant for patients suffering from HIV, AIDS
11 wasting syndrome, chronic pain, or the side effects of
12 chemotherapy; and

13 WHEREAS, Many medical organizations, including the
14 American Public Health Association, the National Academy of
15 Sciences' Institute of Medicine, the U.S. National Institutes
16 of Health Workshop on Medical Marijuana, the American Nurses
17 Association, and the Illinois Nurses Association have
18 investigated the medical use of marijuana and issued favorable
19 findings; and

20 WHEREAS, Voters in eight states and the legislatures of two
21 states have recognized the importance of the medical use of
22 marijuana by adopting laws exempting patients who use marijuana
23 under their physicians' supervision from state criminal
24 penalties; and

25 WHEREAS, The State of Illinois has recognized the
26 legitimacy of the medicinal use of marijuana by enacting
27 Section 11 of the Cannabis Control Act, which establishes
28 procedures for the possession, production, manufacture, and
29 delivery of substances containing marijuana by persons engaged
30 in research and when the authorization is requested by a
31 licensed physician for the treatment of conditions that may

1 benefit from the medicinal use of marijuana; therefore, be it

2 RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL
3 ASSEMBLY OF THE STATE OF ILLINOIS, that we find that State law
4 should make a distinction between the medical and non-medical
5 use of marijuana; and be it further

6 RESOLVED, That the Director of Public Health shall
7 establish a committee to investigate and assess options for
8 legal protection that would allow seriously ill patients to use
9 medical marijuana without facing criminal prosecution under
10 State law; and be it further

11 RESOLVED, That the committee shall consist of the following
12 members: (i) one representative of the Department of Public
13 Health; (ii) one representative of the Department of Human
14 Services; (iii) two members from the Senate, one chosen by the
15 President of the Senate and the other by the Minority Leader;
16 (iv) one member of the judiciary; (v) one representative of
17 public defenders; (vi) one representative of the Department of
18 State Police; (vii) two physicians, one of whom shall be a
19 physician specializing in pain management; (viii) one nurse;
20 (ix) one representative of an AIDS advocacy organization; (x)
21 one representative from a health care advocacy organization;
22 (xi) one person living with a serious illness, or the person's
23 representative; (xii) one person experienced in palliative
24 care; and (xiii) one representative of a seriously ill
25 patient's family who serves or who has served as the patient's
26 caregiver; and be it further

27 RESOLVED, That the Director of Public Health may appoint
28 other non-voting members to ensure that the committee has the
29 necessary expertise and experience to perform its duties; and
30 be it further

31 RESOLVED, That all agencies and instrumentalities of the

1 State shall assist and cooperate with the committee by
2 providing the committee the information and analysis that the
3 committee deems necessary for the performance of its duties,
4 subject to applicable laws of privilege and confidentiality;
5 the committee shall have all powers necessary to carry out its
6 purposes; and be it further

7 RESOLVED, That at its first meeting, the committee shall
8 choose a chairperson from among its membership; the Department
9 of Public Health shall provide professional and administrative
10 support for the committee; committee members who are not
11 full-time employees of the State shall be entitled to travel
12 expenses; and be it further

13 RESOLVED, That the committee must report its findings and
14 recommendations to the Governor and to the General Assembly on
15 or before February 1, 2006; the report shall:

16 (1) make findings regarding the value of using
17 marijuana to ameliorate symptoms associated with severe
18 illnesses and the treatment of those illnesses, comparing
19 marijuana to related prescription counterparts currently
20 available in the United States or Canada;

21 (2) summarize the experiences of medical providers,
22 members of the criminal justice system, medical marijuana
23 program administrators, and medical marijuana patients in
24 states that permit the medical use of marijuana;

25 (3) summarize the effects of the prohibition of
26 medical marijuana on patients in states that currently
27 prohibit it and include in the summary: (i) testimony of
28 persons arrested for using or growing medical marijuana;
29 and (ii) the effects of their experience on their mental
30 and physical health;

1 (4) identify the methods of providing and procuring
2 marijuana for medical use that (i) reduce the risk of
3 stigma and danger of prosecution for patients; (ii) reduce
4 the risk that marijuana intended for medical uses will be
5 obtained and used for non-medical purposes; and (iii)
6 implement quality control measures that ensure that
7 patients are not harmed by the medical use of marijuana;
8 (iv) ensure proper State regulation of access to medical
9 marijuana that establishes patient access to medical
10 marijuana; and

11 (5) identify the range of daily marijuana use
12 necessary to accomplish an ameliorative result and what
13 plant limit is needed to cover that range per an individual
14 patient, including in the summary testimony of patients in
15 states where medical marijuana is legal regarding the
16 sufficiency of other states' plant limits; and be it
17 further

18 RESOLVED, That a copy of this resolution be delivered to
19 the Director of Public Health.