



1 HOUSE JOINT 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 HOUSE OF REPRESENTATIVES OF THE
3 NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
4 SENATE CONCURRING HEREIN, that we find that State law should
5 make a distinction between the medical and non-medical use of
6 marijuana; and be it further

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

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

30 RESOLVED, That the Director of Public Health may appoint
31 other non-voting members to ensure that the committee has the
32 necessary expertise and experience to perform its duties; and

1 be it further

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

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

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

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

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

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

1 and (ii) the effects of their experience on their mental
2 and physical health;

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

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

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