

SENATE BILL REPORT

SJM 8000

As Reported by Senate Committee On:
Health Care, February 7, 2013

Brief Description: Requesting that the Drug Enforcement Administration reclassify medical marijuana as a Schedule II drug.

Sponsors: Senators Kohl-Welles, Kline, Murray and Billig.

Brief History:

Committee Activity: Health Care: 2/04/13, 2/07/13 [DPS].

SENATE COMMITTEE ON HEALTH CARE

Majority Report: That Substitute Senate Joint Memorial No. 8000 be substituted therefor, and the substitute joint memorial do pass.

Signed by Senators Becker, Chair; Dammeier, Vice Chair; Bailey, Cleveland, Ericksen, Frockt, Parlette and Schlicher.

Staff: Kathleen Buchli (786-7488)

Background: Currently, the United States Drug Enforcement Administration (DEA) classifies marijuana as a Schedule I controlled substance. According to the DEA, drugs listed in Schedule I have no currently accepted medical use for treatment in the United States and, therefore, may not be prescribed, administered, or dispensed for medical use. In contrast, drugs listed in Schedules II-V have some accepted medical use and may be prescribed, administered, or dispensed for medical use, with controls.

In 1998, Washington voters approved I-692 which permitted the use of marijuana for medical purposes by qualifying patients. The Legislature subsequently amended the chapter on medical use of cannabis in 2007, 2010, and 2011. Under current law, qualified patients may grow medical cannabis for themselves or designate a provider to grow it on their behalf. Up to ten qualified patients may pool resources and grow cannabis for their personal medical use by creating and participating in collective gardens.

On November 30, 2011, Governor Christine Gregoire and Governor Lincoln Chafee of Rhode Island filed a petition with the DEA to reclassify marijuana as a Schedule II controlled substance.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Substitute): The Joint Memorial supports the 2011 petition submitted by Governor Gregoire and Governor Chafee and requests that the DEA initiate rule-making proceedings to reclassify medical marijuana as a Schedule II drug.

EFFECT OF CHANGES MADE BY HEALTH CARE COMMITTEE (Recommended Substitute): Changes a reference to the number of states that have adopted medical marijuana laws from 16 to 19.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Staff Summary of Public Testimony on Original Bill: PRO: This is part of a continued effort to address the medical use of cannabis and to help patients. Rescheduling marijuana would be good for medical marijuana users and this would help resolve issues of patient access. Rescheduling could lead to more jobs and would create tax-paying jobs.

CON: Instead of requesting the federal government to reschedule marijuana, we should be doing this on a state level. Washington can take marijuana out of Schedule I right now. The state needs to do that and then demand the federal government to take it out of Schedule I. Cannabis does not need to be rescheduled; it is not harmful. The belief that marijuana is harmful ignores peer-reviewed science. Marijuana should be descheduled, not rescheduled, to implement the will of the people and to use it in industry and in medicine.

OTHER: We should deschedule marijuana.

Persons Testifying: PRO: Senator Kohl-Welles, prime sponsor; Jeff Gilmore, citizen.

CON: Steve Sarich, Cannabis Action Coalition; Catharine Jeter, John Worthington, citizens.

OTHER: Arthur West, citizen.