

1 A MEMORIAL

2 REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION TO URGE  
3 EXPANSION OF THE FEDERAL ROHRBACHER-BLUMENAUER AMENDMENT TO  
4 PROTECT THE RIGHTS OF NEW MEXICANS WHO ARE MEMBERS OF INDIAN  
5 NATIONS, TRIBES OR PUEBLOS AND OTHERS WHO LIVE ON FEDERAL  
6 TRUST LAND TO SAFELY PARTICIPATE IN THE NEW MEXICO MEDICAL  
7 CANNABIS PROGRAM.

8  
9 WHEREAS, the use of cannabis for medical purposes has  
10 been legal under New Mexico state law since the passage in  
11 the year 2007 of the Lynn and Erin Compassionate Use Act; and

12 WHEREAS, currently, there are more than forty-seven  
13 thousand patients in the state who use cannabis for ailments  
14 like cancer and posttraumatic stress disorder; and

15 WHEREAS, there are members of Indian nations, tribes and  
16 pueblos and others living on federal trust land who are  
17 New Mexico residents who are enrolled in the New Mexico  
18 medical cannabis program as qualified patients and who hold  
19 personal production licenses issued by the department of  
20 health allowing them to grow their own medicine; and

21 WHEREAS, members of Indian nations, tribes and pueblos  
22 and others who reside on federal trust land are under threat  
23 of prosecution under federal law for possessing, consuming  
24 and growing medicine on tribal land; and

25 WHEREAS, members of Indian nations, tribes and pueblos

1 and others who reside on federal trust land who are qualified  
2 patients need a safe place to be able to consume, possess and  
3 grow medical cannabis; and

4 WHEREAS, in January 2018, United States attorney general  
5 Jeff Sessions rescinded the Cole memorandum and the Wilkinson  
6 policy statement that provided specific guidelines to  
7 United States attorneys regarding prosecution of medical  
8 cannabis patients and producers in states with medical  
9 cannabis laws and in Indian country; and

10 WHEREAS, many members of Indian nations, tribes and  
11 pueblos and others who reside on federal trust land who  
12 qualify for medical cannabis do not even apply to participate  
13 in the medical cannabis program due to fear of harassment and  
14 prosecution by the United States department of justice; and

15 WHEREAS, in public surveys, a significant majority of  
16 New Mexicans have been shown to support medical cannabis use;

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE  
18 STATE OF NEW MEXICO that the New Mexico congressional  
19 delegation be requested to expand the provisions of the  
20 Rohrbacher-Blumenauer amendment to protect all medical  
21 cannabis patients participating in state medical cannabis  
22 programs, including those living on federal trust land, from  
23 the threat of harassment or prosecution by the United States  
24 department of justice; and

25 BE IT FURTHER RESOLVED that copies of this memorial be

1 transmitted to the members of the New Mexico congressional

2 delegation. \_\_\_\_\_

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