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HOUSE MEMORIAL 66

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Antonio "Moe" Maestas

A MEMORIAL

ENCOURAGING THE GOVERNOR AND THE DEPARTMENT OF HEALTH TO
IMPLEMENT FULLY THE LYNN AND ERIN COMPASSIONATE USE ACT;
ENCOURAGING THE NEW MEXICO CONGRESSIONAL DELEGATION TO SUPPORT
FEDERAL LEGISLATION TO ALLOW THE USE OF MEDICAL CANNABIS.

WHEREAS, New Mexico's medical cannabis law took effect on
July 1, 2007, after enactment of the Lynn and Erin
Compassionate Use Act; and

WHEREAS, in December 2010, the department of health
amended rules governing production, distribution and use of
medical cannabis under state law, affording legal protection to
people with serious, debilitating medical conditions, including
posttraumatic stress disorder, for possession and use of
medical cannabis; and

WHEREAS, despite the law and the rules, as of February 1,

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1 2011, there are only twenty-five licensed producers for more
2 than three thousand six hundred legally registered patients,
3 thousands of whom are military veterans; and

4 WHEREAS, it is the intent of the legislature that the New
5 Mexico medical cannabis program provide legal access to medical
6 cannabis for all patients enrolled in the program; and

7 WHEREAS, in 2010, the United States department of veterans
8 affairs issued a policy allowing veterans in states where
9 medical cannabis is legal to use their medicine under
10 supervision of a veterans health administration physician
11 without fear of repercussion; and

12 WHEREAS, New Mexico is among fifteen states that have
13 passed laws permitting veterans and private citizens living
14 with a serious or chronic illness to use medical cannabis as
15 recommended by a licensed physician according to state and
16 local regulation; and

17 WHEREAS, in New Mexico, it is recognized that state law
18 protects the veterans and private citizens who have registered
19 with the department of health for the medical cannabis program
20 for possession and use of medical cannabis;

21 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
22 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the office of
23 the governor and the department of health immediately move
24 forward with the full implementation of the Lynn and Erin
25 Compassionate Use Act to protect the veterans and private

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1 residents of New Mexico who are legally registered patients
2 with the department of health; and

3 BE IT FURTHER RESOLVED that the house of representatives
4 urge the New Mexico congressional delegation to support any
5 federal legislation to remove medical cannabis from Schedule I
6 of the federal Controlled Substances Act, thereby allowing
7 greater federal and state oversight of the use of medical
8 cannabis; and

9 BE IT FURTHER RESOLVED that the house of representatives
10 urge the New Mexico congressional delegation to support any
11 federal legislation that supports and recognizes the
12 protections in the Lynn and Erin Compassionate Use Act under
13 federal law or that otherwise protects medical cannabis
14 patients and providers; and

15 BE IT FURTHER RESOLVED that copies of this memorial be
16 transmitted to the secretary of health, the governor and the
17 members of the New Mexico congressional delegation.