

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE MEMORIAL 72

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Keith J. Gardner

A MEMORIAL

REQUESTING THE BOARD OF PHARMACY TO STUDY THE USE AND ABUSE OF  
SALVIA DIVINORUM IN NEW MEXICO AND DETERMINE IF THE SUBSTANCE  
HAS ANY RECOGNIZED MEDICAL USE.

WHEREAS, the plant *Salvia divinorum* is a perennial herb in  
the mint family and is native to certain areas of the Sierra  
Mazateca region of Oaxaca, Mexico; and

WHEREAS, *Salvia divinorum* is generally abused due to its  
hallucinogenic effects, which are similar to those of other  
scheduled hallucinogenic substances; and

WHEREAS, it is estimated that more than one million eight  
hundred thousand people in the United States have used *Salvia*  
*divinorum* in their lifetimes, and about seven hundred fifty  
thousand people have used it in the past year; and

WHEREAS, the most common users of the substance are young

underscoring material = new  
~~[bracketed material] = delete~~

underscoring material = new  
[bracketed material] = delete

1 adults between the ages of eighteen and twenty-five years, with  
2 use by males more common than use by females; and

3 WHEREAS, the federal drug enforcement administration  
4 recognizes Salvia divinorum as a drug and chemical substance of  
5 concern; and

6 WHEREAS, more than thirteen states have placed regulatory  
7 controls on Salvia divinorum; and

8 WHEREAS, several other states have placed Salvia divinorum  
9 into controlled substance schedule I of state law; and

10 WHEREAS, the New Mexico board of pharmacy has the  
11 statutory authority under the Controlled Substances Act to add  
12 a substance by regulation to the list of controlled substances  
13 enumerated in Schedules I through IV pursuant to the procedures  
14 of the Uniform Licensing Act;

15 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
16 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the board of  
17 pharmacy be requested to study the use and abuse of Salvia  
18 divinorum in this state and determine if the substance has any  
19 recognized medical use; and

20 BE IT FURTHER RESOLVED that during the study the board of  
21 pharmacy consider adding Salvia divinorum, and any derivatives  
22 of Salvia divinorum, to the appropriate schedule of state law;  
23 and

24 BE IT FURTHER RESOLVED that the board of pharmacy report  
25 its findings and recommendations to the appropriate interim

.178158.1

underscored material = new  
~~[bracketed material]~~ = delete

1 legislative committee no later than October 2009; and

2 BE IT FURTHER RESOLVED that a copy of this memorial be  
3 transmitted to the board of pharmacy.

4 - 3 -  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25