



Legislation Text

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Res. No. 756

Resolution calling upon the New York State Legislature to adopt A.5796 which would legalize the possession, manufacture, sale, administration, delivery, dispensing and distribution of marijuana in connection with medical use for certified patients.

By Council Members Reed, Quinn, Jackson, Barron, Felder, Gerson, Seabrook, Vann, Brewer, Espada, Jr., Comrie and Perkins

Whereas, New Yorkers suffering from AIDS, glaucoma, cancer, multiple sclerosis, epilepsy, chronic pain, and other illnesses have long sought the right to use marijuana to treat their symptoms; and
Whereas, The National Academy of Sciences' Institute of Medicine has determined that "the accumulated data indicate a potential therapeutic value for cannabinoid drugs, particularly for symptoms such as pain relief, control of nausea and vomiting, and appetite stimulation . . . For patients, such as those with AIDS or undergoing chemotherapy, who suffer simultaneously from severe pain, nausea, and appetite loss, cannabinoid drugs might thus offer broad spectrum relief not found in any other single medication."; and
Whereas, The National Commission of Marijuana and Drug Abuse reports that marijuana "has been used therapeutically from the earliest records, nearly 5,000 years ago . . . and its products have been widely noted for their effects, both physiological and psychological, throughout the world."; and
Whereas, The New England Journal of Medicine has stated that prohibiting "physicians from alleviating suffering by prescribing marijuana for seriously ill patients is misguided, heavy-handed, and inhumane"; and
Whereas, On May 25, 2002, The New York Times Editorial Board declared that "Medical marijuana can be a legitimate treatment for cancer patients who are nauseated by chemotherapy, AIDS patients who lose their appetites and other seriously ill people. In cases where a patient is considering stopping treatment because of the agony, or cannot keep food down, medical marijuana can be life-saving."; and
Whereas, The New York State Nurses Association has endorsed the therapeutic use of marijuana, noting that "Concerns about the safety of marijuana are...misplaced, because the drug is remarkably non-toxic. Overdosing on marijuana in its natural state is virtually impossible"; and
Whereas, The New York State Nurses Association has also argued that prohibiting the use of medical marijuana, "has led many desperate patients and their families to break the law to obtain marijuana when prescribed medications proved ineffective or too toxic. This not only puts patients at risk for criminal charges, it makes them vulnerable to contaminated drugs because there is no quality control in the contraband market."; and
Whereas, A Zogby public opinion poll conducted in April 1999 found that 80% of New Yorkers support a policy that would allow physicians "to prescribe marijuana for medical purposes to seriously and terminally ill patients, and to alleviate symptoms of diseases and side effects associated with treatments."; and
Whereas, Legal advocates for medicinal marijuana report that federal law does not hinder a state's right to pass laws allowing patients to grow, possess, and use medical marijuana; and
Whereas, Eight (8) states currently have effective medical marijuana laws and fourteen (14) states, including New York, currently allow for therapeutic research programs; and
Whereas, In enacting New York's Antonio G. Olivieri Controlled Substances Therapeutic Research Program in 1980, the New York State Legislature found that "the use of marijuana may alleviate the nausea and ill-effects of cancer chemotherapy, may alleviate the ill-effects of glaucoma and may have other therapeutic uses"; and
Whereas, On February 28, 2003, Assembly Member Richard Gottfried (D-Manhattan), Chair of the State Assembly's Health Committee, introduced A.5796, a comprehensive medical marijuana bill which would legalize the possession, manufacture, sale, administration, delivery, dispensing and distribution of marijuana in connection with medical use thereof for certified patients; now, therefore, be it
Resolved, That the Council of the City of New York calls upon the New York State Legislature to adopt A.5796 which would legalize the possession, manufacture, sale, administration, delivery, dispensing and distribution of marijuana in connection with medical use for certified patients.

JM
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