

# SENATE BILL REPORT

## SJM 8005

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As Reported By Senate Committee On:  
Health & Long-Term Care, March 1, 1999

**Brief Description:** Urging Congress to downgrade marijuana to a Schedule II controlled substance.

**Sponsors:** Senators Kohl-Welles, Thibaudeau, Kline, Wojahn, Spanel, McCaslin, Franklin, Winsley, Prentice, Fairley and Finkbeiner.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/24/99, 3/1/99 [DP].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

Signed by Senators Thibaudeau, Chair; Wojahn, Vice Chair; Costa, Franklin and Winsley.

**Staff:** Christopher Blake (786-7446)

**Background:** Marijuana is regulated by both the state and federal government. Marijuana is classified as a Schedule I substance. Schedule I substances are characterized as having a high potential for abuse, no currently accepted medical use, and no accepted safe means for using the drug under medical supervision. While Schedules II through V have varying degrees of potential for abuse, they have a currently accepted medical use.

Some physicians have recommended the therapeutic use of marijuana for patients suffering from certain illnesses. While there is disagreement, there is research that appears to show that marijuana, although unable to cure underlying medical conditions, is useful for the treatment of certain symptoms. Some patients have reported the beneficial use of marijuana to treat chemotherapy-induced nausea and vomiting, AIDS-related weight loss, glaucoma, muscle spasms associated with epilepsy and multiple sclerosis, and some forms of intractable pain.

The passage of Initiative 692 last November legalized the use of marijuana in Washington State for medicinal purposes. Currently, seven states and the District of Columbia allow the use of medical marijuana. While Washington law now permits the possession and use of marijuana for qualifying patients, federal law still prohibits the use of this substance. Unless the federal government schedules it as a Schedule II substance, marijuana possession subjects the user to potential federal prosecution and physicians will not be able to prescribe it to qualifying patients.

**Summary of Bill:** The Washington State Legislature requests that the President and Congress remove marijuana from the list of Schedule I controlled substances and list it as a Schedule II controlled substance.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Testimony For:** Despite the passage of Initiative 692, physicians are still at risk for discussing the use of marijuana as an option for their patients because of its listing as a Schedule I substance. Listing marijuana as a Schedule II substance would make the drug available, but still regulated.

**Testimony Against:** None.

**Testified:** Senator Kohl-Welles, prime sponsor; Dr. Robert Killian, sponsor I-692 (pro); Dr. J. M. Black-Ferguson, Washington Hemp Education Network (pro).