



1           WHEREAS, Under *Gonzales v. Raich*, states may not prohibit the  
2 federal government from prosecuting medical marijuana patients under  
3 federal law; and

4           WHEREAS, The California law dealt with the intrastate,  
5 noncommercial cultivation and possession of cannabis for personal  
6 medical purposes as recommended by the patient's physician; and

7           WHEREAS, There are currently at least eleven states, including  
8 Washington, that authorize the use of marijuana for medicinal purposes;  
9 and

10          WHEREAS, Congress's Commerce Clause authority should be exercised  
11 in a way that protects historic spheres of state sovereignty from  
12 excessive federal encroachment and maintains the distribution of power  
13 fundamental to our federalist system of government; and

14          WHEREAS, One of federalism's chief virtues is that it promotes  
15 innovation by allowing for the possibility that a single state may, if  
16 its citizens choose, serve as a laboratory to try novel social and  
17 economic experiments -- "experiments in liberty" -- without risk to the  
18 rest of the country, and our federalist system, properly understood,  
19 should allow the growing number of states providing for medicinal  
20 marijuana to decide for themselves how to safeguard the health and  
21 welfare of their citizens; and

22          WHEREAS, State legislation limits the number of medical marijuana  
23 users and isolates activities relating to medicinal marijuana from the  
24 illicit market, and medical marijuana has not created a social or  
25 criminal problem in any of the states that authorize the use of  
26 marijuana for medicinal purposes; and

27          WHEREAS, The Supreme Court of the United States in *Gonzales v.*  
28 *Raich* noted that "perhaps even more important than legal avenues is the  
29 democratic process, in which the voices of the voters allied with these  
30 respondents may one day be heard in the halls of Congress"; and

31          WHEREAS, No one argues that permitting use of other types of drugs  
32 under medical supervision has undermined the CSA's restrictions and  
33 purposes;

34          NOW, THEREFORE, Your Memorialists respectfully request that  
35 Congress amend federal drug laws to allow the states to decide for  
36 themselves whether to allow marijuana to be used for medical purposes  
37 so long as it is for personal, medicinal use only and is not bought,  
38 sold, or transferred for interstate commerce.

1           BE IT RESOLVED, That copies of this Memorial be immediately  
2 transmitted to the Honorable George W. Bush, President of the United  
3 States, the President of the United States Senate, the Speaker of the  
4 House of Representatives, and each member of Congress from the State of  
5 Washington.

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