



Legislation Text

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL R
(Resolution)

Introduced by: Councilmember Conaway

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning
A Request for State Legislation - To Prohibit the Possession and Use of Salvia Divinorum in Maryland

FOR the purpose of requesting the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2008 session of the Maryland General Assembly to introduce legislation to prohibit the possession and use of any form of Salvia divinorum in Maryland, urging the Honorable Chairs and Members of the Committees to which the bills are assigned to pass the legislation, and entreating the Governor to sign the legislation into law.

Recitals

The National Institute on Drug Abuse reports that Salvia divinorum, popularly known as Salvia, is a herb common to southern Mexico and Central and South America in which the main active ingredient, salvinorin A, is a potent activator of kappa opiod receptors in the brain. These receptors differ from those activated by the more commonly known opioids, such as heroin and morphine.

Salvia divinorum has traditionally been ingested by chewing fresh leaves or by drinking their extracted juices. The dried leaves can also be smoked as a joint, consumed in water pipes, or vaporized and inhaled. Although not currently regulated by the Controlled Substances Act, the Drug Enforcement Agency has listed Salvia as a drug of concern and is considering classifying it as a Schedule I drug, like LSD or marijuana.

People who abuse Salvia generally experience hallucinations or delusional episodes that mimic psychosis. Effects include psychedelic-like changes in visual perceptions, mood, body sensations; emotional swings; feelings of detachment; and importantly, a highly modified perception of external reality and the self, which leads to a decreased ability to interact with one's surroundings - prompting concerns about the dangers of driving under the influence of salvinorin.

The herb, sometimes called "Magic Mint", "Ska Maria Pastora", or "Sally D", is widely available on the Internet and at some tobacco shops, head shops, and stores selling herbal remedies. Those concerned with its use say Salvia is being marketed and sold misleadingly as producing a high when, in reality, it induces an intense, dreamlike experience that can be unpleasant and frightening to first-time users.

Several countries have enacted laws that prohibit the possession and/or sale of *Salvia divinorum* including Australia, Denmark, Finland, Sweden, Spain, and Italy. In the United States, the following states have either passed or are currently considering legislation to prohibit its use: Alaska; California; Delaware; Iowa; Louisiana; Maine; Missouri; New Jersey; New York; North Dakota; Oklahoma; Oregon; Pennsylvania; Tennessee; Utah; and Wyoming. Most recently, on New Year's Day, in Illinois a law took effect making possession or sale of *Salvia divinorum* a felony.

Baltimore City has historically struggled with a substance abuse problem and associated social ills. According to Baltimore City Health Department statistics, in 2005, deaths due to drug intoxication reached there lowest point in 10 years. Deaths due to illicit substances peaked in 1999, with 328 deaths. Deaths decreased by 33.5% to 218 in 2005. Deaths decreased 11%, from 244 in 2004 to 218 in 2005.

Currently, Baltimore Substance Abuse Systems (bSAS), the designated substance abuse treatment and prevention authority for Baltimore City, oversees a network of 40 providers that treat 23,000 persons annually. Even so, there remains a substantial unmet need for drug treatment, and persons are often turned away for lack of treatment slots. To meet this demand and to reduce the costly health, crime, and social problems that addiction causes, bSAS calculates that an additional \$15 million a year is needed.

Although a significant problem with *salvia divinorum* has yet to surface in Baltimore City, banning the herb in Maryland would be a proactive step in preventing our already staggering drug abuse problem from encompassing yet another avenue to the destruction of personal lives and community well-being.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body respectfully urges the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2008 session of the Maryland General Assembly to introduce legislation to prohibit the possession and use of any form of *Salvia divinorum* in Maryland, requests the Honorable Chairs and Members of the Committees to which the bills are assigned to pass the legislation, and entreats the Governor to sign the legislation into law.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Governor, the Chairs and Members of the Baltimore City Senate and House Delegations to the 2008 Maryland General Assembly, the Executive Director of the Mayor's Office of State Relations, the Baltimore City Commissioner of Health, and the Mayor's Legislative Liaison to the City Council.

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