

**Assembly Concurrent Resolution**

**No. 55**

**Introduced by Assembly Member Migden**

April 16, 2001

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Assembly Concurrent Resolution No. 55—Relative to HIV and AIDS drug treatments.

LEGISLATIVE COUNSEL'S DIGEST

ACR 55, as introduced, Migden. HIV and AIDS drug treatments: pharmaceutical companies: Public Employees' Retirement System.

This measure would urge the Public Employees' Retirement System, in its capacity as a shareholder of specified pharmaceutical companies, to introduce a shareholder resolution to develop and implement a policy, as specified, to provide HIV and AIDS drug treatments to less developed countries.

Fiscal committee: no.

- 1 WHEREAS, Human immunodeficiency virus (HIV) and  
2 acquired immune deficiency syndrome (AIDS) is the leading  
3 killer in sub-Saharan Africa, home to 10 percent of the world's  
4 population but 70 percent of the world's HIV and AIDS cases, and  
5 the United Nations reports that in 1998, alone, more than  
6 2,000,000 people in Africa died of HIV and AIDS; and  
7 WHEREAS, A recent study by Doctors Without Borders  
8 concluded that, in industrialized countries where HIV and AIDS  
9 patients can afford to pay for drug therapy, AIDS-related mortality  
10 has decreased by more than 70 percent; and

1 WHEREAS, Unfortunately, these life-prolonging treatments  
2 remain largely out of reach for most of Africa's population due to  
3 the high prices of these drugs; and

4 WHEREAS, Certain companies' reaction to the HIV and AIDS  
5 epidemic in developing countries has been insufficient and  
6 significant restrictions have been imposed on the donation of  
7 critical drugs to HIV and AIDS patients in South Africa; and

8 WHEREAS, For example, Pfizer attempted to impose time  
9 limits on the use of fluconazole, a drug used to treat potentially  
10 fatal fungal infections and a type of meningitis common among  
11 HIV and AIDS patients, even though fluconazole must be used  
12 over a patient's entire lifetime; these restrictions were  
13 unacceptable to the South African Government and the South  
14 African Medicines Control Council has recently given permission  
15 for the importation of a generic equivalent of fluconazole; and

16 WHEREAS, The California Public Employees' Retirement  
17 System has invested nearly 6 billion dollars in the major  
18 manufacturers of HIV and AIDS drug treatments that can prolong  
19 the lives of individuals living with this disease; now, therefore, be  
20 it

21 *Resolved by the Assembly of the State of California, the Senate*  
22 *thereof concurring,* That the Legislature and the State of California  
23 urges the Public Employees' Retirement System, in its capacity as  
24 a shareholder of pharmaceutical companies that develop HIV and  
25 AIDS drug treatments, to introduce a shareholder resolution to  
26 develop and implement a policy, in consultation with the  
27 appropriate United Nations agencies and independent  
28 nongovernmental organizations, to provide HIV and AIDS drug  
29 treatments in a manner that would make those treatments  
30 affordable to the majority of those infected with HIV and AIDS in  
31 less developed countries; and be it further

32 *Resolved,* That the Chief Clerk of the Assembly transmit a copy  
33 of this resolution to each member of the Board of Administration  
34 of the Public Employees' Retirement System.

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