N.J. medical marijuana bill now heads to Gov. Corzine's desk

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BY TRISH G. GRABER, SUSAN K. LIVIO AND BOB GROVES
STAFF AND STATE HOUSE WRITERS

New Jerseyan is poised to become the 14th state to allow the use of medical marijuana by people suffering from debilitating diseases under a bill that received legislative approval on Monday.

The Assembly approved the “Compassionate Use Medical Marijuana” bill 48-14; the Senate passed it 25-13. Governor Corzine has said he will sign the bill into law before he leaves office next Tuesday.

The bill, which sponsors declared as the toughest in the nation, is expected to take effect in six months.

The law would license “alternate treatment centers” to dispense the drug, forbid people from growing their own pot, and require designated caretakers who retrieve the drug on behalf of a severely ill person to undergo criminal background checks.

“I don’t think we should make criminals out of our very sick and terminally ill,” said Assemblyman Reed Gusciora, D-Mercer, one of the bill’s sponsors. “It does not make sense for many of New Jersey’s residents to suffer when there is a viable way to ease their pain. But this is a responsible bill with enough oversight to prevent the abuses that have been reported in other states.”

Sen. Loretta Weinberg, D-Teaneck, who co-sponsored the measure, described it as “a bill that talks about compassion.”

“How hopefully people can now get the kind of help they need to get in the state of New Jersey,” she said.

Assemblyman John Rooney, R-Northvale, urged his colleagues to allow incoming Gov. Chris Christie, the former U.S. attorney for New Jersey, to retool the measure.

“There are other drugs. There are many ways to relieve pain,” Rooney said. “The U.S. attorney is an expert in the area of drug enforcement. Let him recommend controls. There are too many loopholes.”

Once Corzine signs the bill into law, the state Department of Health and Senior Services will have 90 days to draft regulations, said Donna Leusner, a department spokeswoman.

California, which has been criticized for its liberal medical marijuana law, the first in the nation, “has not been a very good role model,” said Assemblywoman Joan Voss, D-Fort Lee.

“I don’t think there’ll be abuse as bad as other states,” she said. “It’s very heavily monitored.”

Six marijuana distribution centers will be established in New Jersey — two centers each in the northern, central and southern regions of the state, Voss said. The initial centers will be run as non-profits. Additional centers that open at a later date can be run either as non-profit or for-profit entities, according to the bill.

Marijuana purchases will be permitted only by patients with state authorization and a doctor’s prescription,

or by someone over age 18 whom they designate to pick it up, Voss said. The medicinal dose can be consumed only at home or in a hospice, she said.

The non-profit distribution centers will be privately run, but with state authorization and licensing, said Frederic DiMaria, Jr., a Lodi attorney and chairman of NORML NJ, a marijuana law reform advocacy group.

“We’re breathing a profound and literal sigh of relief,” DiMaria said in an interview on Monday. “This is the first step in a process long in coming.”

The state health commissioner will report annually the number of registered users to the governor and the state legislature. Every two years, the commissioner will report whether there are sufficient distribution centers to meet the needs of patients, Voss said.

Mike Oliveri, who suffers from muscular dystrophy, moved to California from Oradell 2008 to get access to legal marijuana. He said he inhales about a quarter pound of marijuana a month using a vaporizer, which eases the pain in his legs and back, and also calms his stomach.

“I took every medication known to man before I took weed,” said Oliveri, 25. “I knew it was a risk ... but it was a life-or-death matter.”

Members of the state Fraternal Order of Police took issue with recent changes to the bill that allow patients to obtain up to two ounces of marijuana a month instead of one ounce, and permit for-profit companies to dispense it. Those amendments made a bad bill “significantly worse,” according to the police organization.

The group predicted that dispensing sites will become crime hubs where patients will be robbed.

The bill (S119) specifies illnesses that would qualify a patient to get a marijuana prescription if traditional medicine does not help. Those include cancer, glaucoma, multiple sclerosis, HIV/AIDS, seizure disorder, amyotrophic lateral sclerosis, severe muscle spasms, muscular dystrophy, inflammatory bowel disease, Crohn’s disease and any terminal illness if a doctor has determined the patient will die within a year.

The legislation also allows the state Health Department to include other illnesses when it writes rules implementing the law — a provision that Christie, the incoming Governor, warned could turn into a loophole.

“As I said during the campaign, conceptually I support the idea of medical marijuana for seriously ill people for pain relief,” Christie told reporters Monday at a press conference in Trenton. “While the amendments that have been made are a step in the right direction, I would go further. I think we should have a defined list of diseases. We all know what they are, so why leave the loophole?”

The next step for NORML NJ, DiMaria said, will be to litigate for additional illnesses and conditions that would qualify for medical marijuana.

Also in the future, “NORML feels patients should be able to grow their [own medicinal marijuana] for free,” instead of paying prices set by the state, DiMaria said.

Staff Writer William Lamb contributed to this article. Trish G. Graber and Susan K. Livio are reporters for The Star-Ledger. E-mail: tgrabler@starledger.com, slivio@starledger.com and groves@northjersey.com

### Fourteen states have legalized medical marijuana

<table>
<thead>
<tr>
<th>State</th>
<th>Year passed</th>
<th>Possession limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Jersey</td>
<td>2010</td>
<td>2 oz; 6 plants</td>
</tr>
<tr>
<td>Alaska</td>
<td>1998</td>
<td>1 oz; 6 plants</td>
</tr>
<tr>
<td>California</td>
<td>1996</td>
<td>8 oz; 18 plants</td>
</tr>
<tr>
<td>Colorado</td>
<td>2000</td>
<td>2 oz; 6 plants</td>
</tr>
<tr>
<td>Hawaii</td>
<td>2000</td>
<td>3 oz; 7 plants</td>
</tr>
<tr>
<td>Maine</td>
<td>1999</td>
<td>1.25 oz; 6 plants</td>
</tr>
<tr>
<td>Michigan</td>
<td>2008</td>
<td>2.5 oz; 12 plants</td>
</tr>
<tr>
<td>Montana</td>
<td>2004</td>
<td>1 oz; 6 plants</td>
</tr>
<tr>
<td>Nevada</td>
<td>2000</td>
<td>1 oz; 7 plants</td>
</tr>
<tr>
<td>New Mexico</td>
<td>2007</td>
<td>6 oz; 16 plants</td>
</tr>
<tr>
<td>Oregon</td>
<td>1998</td>
<td>24 oz; 24 plants</td>
</tr>
<tr>
<td>State</td>
<td>Year</td>
<td>Limit</td>
</tr>
<tr>
<td>------------------</td>
<td>------</td>
<td>----------------</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>2006</td>
<td>2.5 oz; 12 plants</td>
</tr>
<tr>
<td>Vermont</td>
<td>2004</td>
<td>2 oz; 9 plants</td>
</tr>
<tr>
<td>Washington</td>
<td>1998</td>
<td>24 oz; 15 plants</td>
</tr>
</tbody>
</table>

Source: ProCon.org

Reader Comments (17)

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1. Wednesday January 13, 2010, 11:07 AM - newsreader says:
   Marijuana is a plant from GOD. Sooner or later it needs to be legalized overall for everyone!

2. Wednesday January 13, 2010, 10:33 AM - im_not_steve says:
   Also, Lawman, I'd like to point out that marijuana does not cause hallucinations. Additionally, there is no clear connection between lung cancer and marijuana. Your claim of marijuana causing lung cancer faster than unfiltered cigarettes is JUST PLAIN FALSE. As a matter of fact, studies published by major universities have shown no correlation between marijuana and lung cancer. Lung cancer caused by tobacco use is usually related to radioactive compounds found in the harvested tobacco as well as chemical additives. These radioactive compounds include lead-210 and polonium-210, both of which come from the soil and the PESTICIDES used by the tobacco industry. This information is on the EPA's website if you care to look it up. Please educate yourself before spewing false propaganda.

3. Wednesday January 13, 2010, 10:32 AM - im_not_steve says:
   Lawman, the new law allows people to use medical marijuana at home. I don't see any exemption mentioned in this article to allow people to drive under the influence. It would be no different than someone using Oxycodeone and driving illegally.

4. Wednesday January 13, 2010, 6:46 AM - sidargo says:
   I'm anxious to see who the lawmen will target now. How WILL they make their quotas now? Quick NJ stemming strictly from its use.

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prescription and OTC treatments?" First off, polish up the grammar. As I said before, there are plenty of
drugs that are more potent than crack and heroine, that doesn't mean we should legalize them. Get your
head out of your rear end and think about the consequences this is gonna have on our children. Think about
it. This is gonna make it easier for criminals to obtain and sell to our children you idiot!

16. Tuesday January 12, 2010, 1:04 AM - BigOldSaltyJoe says:
This law is long overdue.

17. Tuesday January 12, 2010, 12:35 AM - JHCollins7 says:
The whole nation is just so backwards about this topic, it's unbelievable at times. The benefit that cannabis
could have for those suffering from insomnia alone would be incredible. People ingest all kinds of much
more dangerous prescription and OTC treatments on a daily basis. The hypocrisy is truly overwhelming. At
the very least, I'm glad to hear that some patients will be eligible for legal access to this plant. With
education, and the option to use cannabis via safer methods like vaporization, I hope and pray that people
will realize that the benefits of using cannabis responsibly FAR outweigh the potential negatives that may
result from its abuse. Wake up people, cannabis is NOT that evil weed from the Reefer Madness era.
Educate yourselves and you will learn the truth about the numerous benefits of the seed-bearing cannabis
plant.

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