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

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STATE HOUSE BUREAU
STAFF AND STATE HOUSE WRITERS

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New Jersey 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.



KEVIN R. WEXLER / STAFF PHOTOGRAPHER

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Christine Oliveri, her son, Michael Oliveri and Diana Rivera Riportella share a joyful embrace after the Assembly passed the bill earlier Monday. Michael Oliveri, who suffers from muscular dystrophy, moved from Oradell to California to get access to legal marijuana.

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."

"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,

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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: tgrab@starledger.com, slivio@starledger.com and groves@northjersey.com

Fourteen states have legalized medical marijuana

State	Year passed	Possession limit
New Jersey	2010	2 oz; 6 plants
Alaska	1998	1 oz; 6 plants
California	1996	8 oz; 18 plants
Colorado	2000	2 oz; 6 plants
Hawaii	2000	3 oz; 7 plants
Maine	1999	1.25 oz; 6 plants
Michigan	2008	2.5 oz; 12 plants
Montana	2004	1 oz; 6 plants
Nevada	2000	1 oz; 7 plants
New Mexico	2007	6 oz; 16 plants
Oregon	1998	24 oz; 24 plants

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Rhode Island	2006	2.5 oz; 12 plants
Vermont	2004	2 oz; 9 plants
Washington	1998	24 oz; 15 plants

Source: ProCon.org



Reader Comments (17)

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- 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!
- 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.
- 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 Oxycodone and driving illegally.
- Wednesday January 13, 2010, 6:46 AM - **sidargo** says:
 Resident8--talking about grammar--look up the word heroine you used. Then we can work on your ridiculous comment. Lawman1 you are just plain ignorant. There are no cases of pot causing lung cancer. If men's breasts enlarged, then there would be millions of men wearing bras. Do you see any men wearing women's swimming tops at the beach? I could go on but you are useless.
- Wednesday January 13, 2010, 12:26 AM - **CaptMorgan** says:
 Hip Hip Hurray. The last, sock it to ya from the boyz in Trenton. A reckless act from a last term, last session, government. I guess they needed to set themselves up with jobs by creating a new industry, that being dispensing marijuana in NJ. Gentleman, good riddance, may your future be filled with weed, dope, roaches and sheet.
- Tuesday January 12, 2010, 8:01 PM - **WallyVanRiper** says:
 THANK YOU GOD!!!!!!!!!!!!!!!!!!!!!! THANK YOU GOD!!!!!!!!!!!!!!!!!!!!!! THANK YOU GOD!!!!!!!!!!!!!!!!!!!!!! THANK YOU GOD!!!!!!!!!!!!!!!!!!!!!! Weekends are gonna have a whole new meaning to them. Say "hallelujah"!!! (How does one go about getting muscular dystrophy?)
- Tuesday January 12, 2010, 3:54 PM - **VirgoNightingale** says:
 Every drug has its side effects Lawman, some more than others. Many prescription drugs come with the very warning you seem concerned about - driving while under its influence. I'm sure medical marijuana will come with the same exact warning. I don't see how legalizing it will suddenly create higher traffic casualties stemming strictly from its use.
- Tuesday January 12, 2010, 3:51 PM - **PublicLobbyist** says:
 I'm anxious to see who the lawmen will target now. How WILL they make their quotas now? Quick NJ municipalities time to strike up some more of your regulatory cash cows. On a more targeted comment, my wife takes over 10 psychotropic drugs a day at a cost that you wouldn't believe. She says she knows marijuana could easily replace all these drugs but she is too paranoid and too afraid that the New Jersey Law enforcement goons will come knocking at her door. Perhaps now, she stands a chance not to destroy her liver with Big Pharm's toxic products. BTW, some watchdog should tally up how the legislators voted and how much they're getting from Big Pharm--I think it would be very instructive.
- Tuesday January 12, 2010, 1:07 PM - **Lawman1** says:
 Great, just what NJ needs. Another mind altering substance for people to use while operating their cars. Are not cell phones, radios, texting, eating, and looking at the GPS enough already? Which politicians relatives will be selling the marijuana? But "Im Not Steve" says it's harmless even though it gets you arrested, causes lung cancer faster than smoking Lucky Strikes unfiltered, enlarges your breasts (sorry ladies-it only affects men) and causes you to loose track of what you are doing (hallucinating) while driving and perhaps injure or kill a few people.
- Tuesday January 12, 2010, 11:30 AM - **im_not_steve** says:
 Resident8, are you really that ignorant to equate pot to crack? There are serious health issues involved with the use of crack cocaine, including death from overdose. Marijuana simply does not have these health consequences. The side effects from prescription medication, OTC medication, alcohol and cigarettes are FAR worse than the side effects from cannabis, which has never caused death.
- Tuesday January 12, 2010, 10:30 AM - **VirgoNightingale** says:
 It is about time. I've never understood why legalizing it would be such a big deal. Sure, there will be people who will abuse the new law and abuse the drug, but how many people abuse and overdose on prescription drugs that are already on the market? Marijuana works, and it's non-lethal and far less addictive (if it's even addictive at all). Don't let its 'illicit' status prevent it from helping those that it can help.
- Tuesday January 12, 2010, 10:01 AM - **dreiner** says:
 Bravo for the state of NJ!!!!
- Tuesday January 12, 2010, 8:58 AM - **T4143G** says:
 Well it is about time. If this works for people that have chronic health problems so that they get a measureable amount of relief it is a wonderful thing.
- Tuesday January 12, 2010, 6:58 AM - **bravedeer** says:
 "Our children" are already smoking it and will continue to do so, wake up! I'll bet you did your share of pot smoking. Yes, there's a downside and an upside to everything but the damage people suffer smoking a joint is nothing compared to drinking.
- Tuesday January 12, 2010, 1:06 AM - **Resident8** says:
 The wonderful marijuana plant huh? Crack helps depression, maybe we should legalize it too...Where do you stop? This bill is gonna make it easy for criminals to find a loop hole to obtain the drug. Not to mention the fact that these dispensing sites are gonna become instant targets for criminals. JHCollins7 is just another pot head who looks at this as a victory over authority. "People ingest all kinds of much more dangerous

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 - **BigOldSurllyJoe** 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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