

# My Votes Against “Medicinal Marijuana”

By Minnesota State Senator Julianne Ortman

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I have voted “no” five times on the “medical marijuana” bill in Senate Committees and now on the Senate floor. I feel great compassion and concern for the Minnesota residents who believe that marijuana might help them to relieve their pain at the end of their life. Nonetheless I cannot help them.

The Federal Drug Administration (FDA) has never approved marijuana for medicinal use; accordingly, doctors are prohibited from prescribing it, and pharmacists may not dispense it. There is no way for the terminally ill to obtain marijuana except from an illegal source.

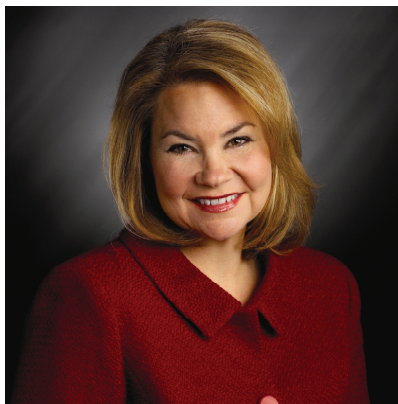
Current law makes it illegal to buy or sell plants, seeds, or any marijuana plant product. The proposed legislation would allow for chronically ill (not just terminally ill) residents to possess up to 2.5 ounces of the strongest marijuana available, and to do so with legal immunity. Everyone may apply, with the written “recommendation” from a nurse, physician assistant or licensed physician. No one can

be denied a “user card” not even those who have been convicted of violent crimes, drug crimes, or are still on supervision. For a fee of \$1000 you can buy your way to unfettered, unlimited, legal use and possession of marijuana.

The bill also authorizes “primary caregivers” to pick-up and deliver this drug with legal immunity. And the bill authorizes the development of dispensaries (“registered nonprofit organizations”) that may grow up to 12 plants (3 pounds) per patient. They may sell this marijuana to people with “user cards” out of business centers, shopping malls, in storefronts in our

smallest towns, and down on the corner in North Minneapolis. With this legislation, growing and dispensing marijuana will become a legal business in Minnesota.

Several other states have approved the use of medicinal marijuana, but the U.S. Supreme Court has held that all such uses and sales of marijuana are still violations of federal drug laws. Violators can and will be prosecuted even if Minnesota law exempts them from penalties in Minnesota. More importantly, the experiences of those states show significant issues of abuse; in California one psychiatrist “recommended”



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11,000 patients for such treatment; kids in California have started a black market on the "user cards" and are bringing marijuana to school with the legal immunity provided by the card.

This proposal sends a horribly mixed set of messages: to law enforcement, to kids, to drug dealers, and to law-abiding residents of our state. Imagine what our world would look like if an officer pulls over someone and finds 2.5 ounces of marijuana on the front seat. The driver pulls out a "user card," so now the officer must stop his work. The officer would need separate probable cause to search for a gun or other drugs in the vehicle. How do we train officers for dealing with the crime that will occur around these dispensaries, when many of the people at these so-called "businesses" will have a "user card," creating legal immunity?

Do we really think that the same people who might need this drug to address their ill-

ness might not also need money and be willing to sell their excess marijuana? Do we really think that those intending to buy and sell marijuana to feed their own habits of crack and meth won't find a way to steal it or buy it from the vulnerable? And what about the violent gang members who make it their business to buy and sell drugs? Last year there were more than two dozen murders in Minneapolis where marijuana transactions were involved. Imagine a world where school teachers, bus drivers and custodians can legally possess marijuana, and the superintendent, parents, and school board don't know. Imagine a world where sickly grandparents and patients in nursing homes have marijuana in their drawers. Our children know how to find ways to buy alcohol and cigarettes illegally, and they know how to sneak liquor from cabinets.

If adopted, this legislation will increase access, increase abuse, and increase crime. The risks and consequences

associated with being compassionate in this case are too great. I believe that if we temper our compassion with our good judgment, we simply cannot allow this proposal to become law in Minnesota.

Proponents of "medical marijuana" should direct their efforts at the FDA to investigate, study, and approve marijuana for medicinal use. Then doctors and physicians can manage the use of this drug like all others. Until then, the American Medical Association, the Federal Drug Enforcement Administration, the Minnesota Chiefs of Police, the Minnesota Sheriff's Association, the Minnesota County Attorneys Association and Julianne Ortman are all against it.

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