

**TESTIMONY ON HOUSE BILL 1393 (MEDICAL MARIJUANA)
STATE REPRESENTATIVE MARK COHEN,
CHAIRMAN HOUSE DEMOCRATIC CAUCUS
December 2, 2009**

As the second most senior member of the Pennsylvania House of Representatives, I am grateful to the number one most senior member of the House of Representatives, Health and Human Services Committee Chairman Frank Oliver, for beginning the deliberative process today.

The cultural wars of the 1960's have long since been over. This bill is not about young students getting high. This bill is about sick people getting healed- - both directly from the medical benefits of marijuana for their diseases and indirectly by lessening the pain so that people need not fear to take needed medications.

House Bill 1393 has many benefits for Pennsylvanians. First, and most importantly, it allows people legal access to marijuana, with the written recommendation of their doctors, for the treatment of a disease or treatment of pain of diseases or conditions.

Second, by creating a legal system for the limited distribution of marijuana, it breaks the link between marijuana and exceedingly dangerous drugs like heroin and cocaine. Marijuana will not be a gateway drug for those who get it through a legal system. As you will hear later today, there is even doubt from certified addiction counselors that it is a gateway drug for those who get it through the illegal system.

Third, by creating a legal system for the limited distribution of marijuana, it takes money out of the hands of organized crime and further weakens organized crime as a social force.

Fourth, in order to strictly regulate the distribution of marijuana used for medical purposes, and to generate revenue for the Commonwealth, House Bill 1393 provides for the payment of the standard sales tax on the sale of medical marijuana, payment of an annual fee and registration for all who use medical marijuana, and payment of an annual fee and registration for any non-profit that is chosen by the state to sell medical marijuana.

Revenues for the sale of medical marijuana are going to be somewhat limited by competition from the vast illegal medical marijuana market, but, extrapolating from the revenues of other states, I feel \$25,000,000 a year in net revenues is a reasonable guesstimate. The bill does not say where the money goes; I would have no problem whatsoever with amending so that all of the net revenues go to addiction treatment.

This plan to legalize medical marijuana in Pennsylvania is not the California plan. It is much, much stricter both in terms of limiting eligibility and in insuring state collection of data and revenues. Attacking the California system in connection with this legislation is like attacking apples at a sale of oranges. California has nothing to do with this legislation or with the legislation in effect in 12 other states.

This is a bill that the public understands and overwhelmingly supports. A 2006 poll of Pennsylvania voters weighted towards the Republican Party found 77% of the poll sample supported legalized medical marijuana. National scientific polls and local internet polls in Pennsylvania and around the country more recently have put the figure of public support at over 80% and a Philadelphia Metro internet poll hit 96% support.

In a Press Conference earlier today I was praised for my courage in introducing this legislation. While I share any politician's love of being complimented, I do not think it takes an awful lot of courage

to push legislation backed by over 80% of the people. In the 8 months since I first started talking about this legislation I have not gotten a complaint from a single constituent.

In the 1960's the general picture of a person who smoked marijuana was a young person interested in getting high. In the 21st Century, people who will benefit from this legislation are sick people interested in getting well. In 1937, when Congress first began the process of making marijuana illegal, a dissenting voice was heard from a doctor active in the American Medical Association, who argued that marijuana was a necessary form of treatment in some cases. That is still true today.

I welcome the public interest in this legislation and the interest in it shown by members of this committee. I have little doubt that as the legislative process continues, more and more legislators and interest groups will understand why the public support is as great as it is. I would be glad to work with members of both parties in any necessary fine tuning of this legislation.