

**SENATE BILL NO. 128**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY SENATOR GIESSEL

Introduced: 1/16/18

Referred: Health and Social Services, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act establishing the marijuana education and treatment fund; and relating to the**  
2   **duties of the Department of Health and Social Services to administer a comprehensive**  
3   **marijuana use education and treatment program."**

4   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5    \* **Section 1.** AS 43.61.010(d) is amended to read:

6           (d) The legislature may use the annual estimated balance in the **recidivism**  
7           **reduction** fund to make appropriations to the Department of Corrections, the  
8           Department of Health and Social Services, or the Department of Public Safety for  
9           recidivism reduction programs.

10   \* **Sec. 2.** AS 43.61.010 is amended by adding a new subsection to read:

11           (f) The marijuana education and treatment fund is established in the general  
12           fund. In addition to the accounting under (c) of this section, the Department of  
13           Administration shall separately account for 25 percent of the tax collected under this  
14           section and deposit it into the marijuana education and treatment fund. The legislature

may appropriate to the marijuana education and treatment fund money from other sources and any interest earned on money in the fund. Money in the fund does not lapse. The legislature may appropriate the amount requested by the Department of Health and Social Services from the marijuana education and treatment fund for the marijuana use education and treatment program established under AS 44.29.020(a)(17).

\* **Sec. 3.** AS 44.29.020(a) is amended to read:

(a) The Department of Health and Social Services shall administer the state programs of public health and social services, including

- (1) maternal and child health services;
- (2) preventive medical services;
- (3) public health nursing services;
- (4) nutrition services;
- (5) health education;
- (6) laboratories;
- (7) mental health treatment and diagnosis;
- (8) management of state institutions, except for adult penal institutions;
- (9) medical facilities;
- (10) adult public assistance;
- (11) the Alaska temporary assistance program;
- (12) child welfare services;
- (13) general relief;
- (14) a comprehensive smoking education, tobacco use prevention, and tobacco control program; to the maximum extent possible, the department shall administer the program required under this paragraph by grant to or contract with one or more organizations in the state; the department's program must include

(A) a community-based tobacco use prevention and cessation component addressing the needs of youth and adults that includes use of cessation aids such as a nicotine patch or a nicotine gum tobacco substitute;

(B) youth-based efforts that involve youth in the design and implementation of tobacco control efforts;

1 (C) anti-tobacco counter-marketing targeting both youth and  
2 adult populations designed to communicate messages to help prevent youth  
3 initiation of tobacco use, promote cessation among tobacco users, and educate  
4 the public about the lethal effects of exposure to secondhand smoke;

5 (D) tobacco use surveys of youth and adult populations  
6 concerning knowledge, awareness, attitude, and use of tobacco products; and

7 (E) an enforcement component;

8 (15) the Alaska Pioneers' Home and the Alaska Veterans' Home;

9 (16) licensure and regulation of child care facilities;

10 (17) a comprehensive marijuana use education and treatment  
11 program; to the extent possible, the department shall administer the program  
12 required under this paragraph by grant to or contract with one or more  
13 organizations in the state; the department's program must include

14 (A) a community-based marijuana misuse prevention  
15 component;

16 (B) marijuana public education designed to communicate  
17 messages to help prevent youth initiation of marijuana use, educate the  
18 public about the effects of marijuana use, and educate the public about  
19 marijuana laws;

20 (C) surveys of youth and adult populations concerning  
21 knowledge, awareness, attitude, and use of marijuana products;

22 (D) monitoring of population health status related to the  
23 consequences of marijuana use; and

24 (E) substance abuse screening, brief intervention, referral,  
25 and treatment.