

29th Alaska State Legislature

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Senate Judiciary Committee

**SPONSOR STATEMENT**

**CS Senate Bill 30**

*Marijuana Regulation; Controlled Substances; Crimes; Defenses*

*Version F*

Senate Bill 30 revises Alaska’s criminal statutes to ensure the public safety of our communities following the passage of ballot measure 2 to legalize and regulate marijuana. Senate Bill 30 provides clear rules for the public and peace officers.

An earlier draft of the bill-version “N” was structured in a manner that would have provided citizens with a defense to legal sanctions stemming from the use, cultivation or sale of marijuana. The initiative’s sponsors and others expressed concern over this approach because it was at odds with the intent of the ballot measure to make these activities affirmatively legal. They asserted that by only creating a “defense” to a legal sanction, the onus, and expense, of avoiding punishment would fall on the person participating in lawful marijuana-related activities.

The Senate Judiciary Committee found these concerns to be persuasive and has redrafted the bill to ensure that the activities addressed in the ballot measure are affirmatively legal. Thus, Committee Substitute for Senate Bill 30-version “F” removes marijuana from the controlled substances schedules. To align with the will of the voters this committee substitute aims at clearly setting the same boundaries within Alaska Statutes that are set for the use of alcohol. The majority of this version is conforming sections of statutes that apply.

Version “F” of the committee substitute includes new section 44 which, with minor stylistic changes, reflects the initiative language set forth in AS 17.38.020 assuring the right to recreational use, within specified parameters, of marijuana.

Version “F” also makes a number of changes addressing “misconduct involving marijuana” (“MIM”) offenses and violations. Version “F” modifies the definitions relating to the manner in which the amount of marijuana that may be permissibly manufactured, produced, cultivated, possessed, delivered, or transported is calculated. It also clarifies the amounts of marijuana that trigger the various levels of MIM offenses or violations.

This legislation is needed in response to the Alaskans we serve.  We strongly encourage your support of Senate Bill 30.