

By: Mayor DeVilbiss
Amended: 01/20/15
Adopted: 01/20/15

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 15-006**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY TO REQUEST CLARIFICATION FROM THE STATE OF ALASKA ON BALLOT MEASURE 2, THE LEGALIZATION OF MARIJUANA.

WHEREAS, in the primary election, registered Alaskan voters voted in favor of Ballot Measure 2, *An Act to tax and regulate the production, sale, and use of marijuana*; and

WHEREAS, some clarification is needed to properly evaluate the regulations to put in place; and

WHEREAS, clarification is needed regarding the powers granted to borough's and the cities within those boroughs; and

WHEREAS, clarification is needed on the "one-ounce" for personal and recreational use and if it will include the liquid concentrate; and

WHEREAS, international transport and shipping is illegal, the State must consider prohibiting non-Alaskan produced marijuana to curb the black market sales and support Alaskan agriculture and business; and

WHEREAS, it is not clear if the per person rules are for each adult over the age of 21, or if that the maximum limit is per household; and

WHEREAS, we also request to restrict certain packaging that is enticing to minors; and

WHEREAS, a large number of people were concerned about access to medicinal cannabis, there is currently no differentiation between recreational marijuana high in Tetrahydrocannabinol (THC), medicinal cannabis high in Cannabinoids (CBD), and Industrial hemp or the State should consider differentiation by both definition and distinct regulations; and

WHEREAS, there is currently no control of contaminants or potency in marijuana products, minimum standards need to be established and appropriate labeling required to include both THC and CBD levels; and

WHEREAS, please clarify by law whether a passenger vehicle is considered a non-public place and whether "public" for purposes of the prohibition on consumption of marijuana in "public" include things such as private baseball fields, smoking clubs or standing on the edge of your private property; and

WHEREAS, will there be an agricultural farm use tax exemption for locally produced marijuana; and

WHEREAS, it is suggested that a percentage of the marijuana initiative authorized taxation be put toward prevention, treatment, testing, enforcement, and security; and

WHEREAS, one possibility for the control of marijuana has been using the Alcohol Control Board we recommend, based on corroborating testimony, the State should set up a separate board for the regulation of marijuana; and

WHEREAS, unanswered questions have arisen pertaining to marijuana production, processing and sales outside municipalities in the unorganized borough and the State should address these issues; and

WHEREAS, other states have found infused edible products to be problematic and their regulation should be addressed very clearly in Alaska; and

WHEREAS, licensing for commercial production, processing, and sales should not disallow or limit the number of small (which needs to be defined) local, vertically integrated operations that are suitable for many other of Alaska's agricultural products; and

WHEREAS, the Alaska landlord/tenant act needs to be clear on what rights both the landlord and tenant have, with respect to personal marijuana use, production and the right to evict; and

WHEREAS, whether any public advertising for marijuana and related products should be prohibited; and

WHEREAS, the State should consider regulation of business hours; and


WHEREAS, the State should consider allowing permits for cultivation facilities three to four months before retail sales and consider how people would obtain seeds and original cuttings.

NOW, THEREFORE, BE IT RESOLVED, the Matanuska-Susitna Borough Assembly approves of this draft for legislative and regulatory issues.

ADOPTED by the Matanuska-Susitna Borough Assembly this 20 day of January, 2015.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk
(SEAL)

YES: Sykes, Beck, Arvin, Colligan, Mayfield

NO: Halter

By: Assemblymember Sykes
Amended: 01/20/15
Adopted: 01/20/15

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 15-007**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY
ESTABLISHING A MARIJUANA ADVISORY COMMITTEE.

WHEREAS, on November 4, 2014, Ballot Measure 2 was approved statewide by the voters; and

WHEREAS, Ballot Measure 2 generally legalizes marijuana and adopts a new chapter in the Alaska Statutes found at Alaska Statute 17.38; and

WHEREAS, Ballot Measure 2 provides the framework for legalization of marijuana but there are many laws and regulations that remain to be addressed by the state of Alaska; and

WHEREAS, Ballot Measure 2 also allows for the Borough to prohibit and/or implement regulations governing the number, time, place and manner of marijuana cultivation facilities, manufacturing facilities, retail stores and testing facilities; and

WHEREAS, there is uncertainty about what regulations or laws the state of Alaska may pass; and

WHEREAS, the Borough needs to consider possible comments to the State Legislature as well as the control committee regarding laws and regulations governing marijuana; and

WHEREAS, there are many issues and factors to be considered by the Borough in deciding all the local issues associated with the legalization of marijuana; and

WHEREAS, the Assembly is creating an advisory committee, known as the Marijuana Advisory Committee, to advise the Assembly and Administration on any and all aspects, impacts and concerns related to the legalization of marijuana; and

WHEREAS, it is the intent of this resolution that the scope of review by the advisory board include, but not be limited to, considering input from the public, research on aspects of marijuana legalization faced by other municipalities, such as land use, regulatory compliance, law enforcement, taxes and revenue, health, education, cultivation, transportation, testing, and retail sales, become aware of legislative developments and those of other Alaska municipalities and states where marijuana is legal, and offer advice and recommendations to the Assembly and administration on both the upsides and downsides of any issue related to or impacted by the legalization of marijuana deems necessary to consider; and

WHEREAS, the board has no authority to act on behalf of the Borough or communicate on the Borough's behalf other than to make recommendations to the Assembly and Administration.

NOW, THEREFORE, BE IT RESOLVED, the Assembly hereby establishes the Marijuana Advisory Committee to be provided

secretarial and staff support principally from the Clerk's department.

BE IT FURTHER RESOLVED, the Marijuana Advisory Committee will advise the Assembly and Administration on any and all impacts of the legalization of marijuana and any issues to consider including, but not limited to, impacts on commerce, law, health, safety, education, planning, land use, and implementation of Alaska Statute 17.38.

BE IT FURTHER RESOLVED, that the Marijuana Advisory Committee shall include, but not be limited to, research on aspects of marijuana legalization faced by other municipalities, such as land use, regulatory compliance, law enforcement, taxes and revenue, health, education, cultivation, transportation, testing, and retail sales, become aware of Alaska legislative developments and those of other Alaska municipalities and states where marijuana is legal, and offer advice and recommendations to the Assembly and administration on both the upsides and downsides of any issue related to or impacted by the legalization of marijuana the board deems necessary to consider; and

BE IT FURTHER RESOLVED, the Marijuana Advisory Committee will advise and recommend how the Borough Assembly and/or Administration should comment to the state of Alaska regarding

the implementation of Alaska Statute 17.38, and report at least quarterly to the Assembly.

BE IT FURTHER RESOLVED, the Marijuana Advisory Committee will advise and recommend how the Assembly and/or Administration should implement Alaska Statute 17.38 at the local level.

BE IT FURTHER RESOLVED, the Marijuana Advisory Committee may advise and recommend how the Assembly and/or Administration should act with regards to any issue or matter affected or impacted or related to marijuana and the implementation of Alaska Statute 17.38,

BE IT FURTHER RESOLVED, in order to gather input and consider all sides of all issues, the Marijuana Advisory Committee will be comprised of 17 members who, as feasible, shall be drawn from the following broad categories:

- One from a potentially interested marijuana grower
- One from non marijuana farming operation
- One from a potentially interested marijuana retailer
- One from financial community
- One from a local business organization, (i.e. Chamber of Commerce)
- One from law enforcement
- One from health community
- One from education community

- One from planning and zoning type experience
- One from sales/marketing advertising
- Three citizens of the Matanuska-Susitna Borough who do not live in city limits
- One member representing the city government of Houston
- One member representing the city government of Palmer
- One member representing the city government of Wasilla
- One member representing the Matanuska-Susitna Borough at the Department Director or equivalent level.

BE IT FURTHER RESOLVED, the Marijuana Advisory Committee will exist until June 30, 2018.

ADOPTED by the Matanuska-Susitna Borough Assembly this 20 day of January, 2015.


 LARRY DEVILBISS, Borough Mayor

ATTEST:


 LONNIE B. MCKECHNIE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Sykes, Beck, Arvin, Colligan, Mayfield, and Halter