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MEMORANDUM

TO: REP. TILTON
FROM:  BROOKS CHANDLER
CC: RAY GILLESPIE
DATE: January 23, 2015
RE: *INITIAL ISSUES PERTAINING TO PROPOSITION 2*

I coordinated a teleconference with a group of 10 municipal attorneys and police chiefs (Fairbanks North Star Borough, City and Borough of Sitka, City and Borough of Juneau, Municipality of Anchorage, City of Soldotna) and private firms that represent Homer, Cordova, Nome, Dillingham and Unalaska among other communities to discuss initial issues for potential state legislation or local regulation related to legalization of possession, use, cultivation, manufacture and sale of marijuana in Alaska. Please bear in mind that our group does not purport to speak either for AML or the Alaska Municipal Attorneys Association as a whole.

We currently see a need for state legislation or at least discussion of state legislation addressing the following topics:

1. A “default” definition of “in public”.
2. Presumptive concentration limits for DUI enforcement.
3. Implied consent for testing for DUI enforcement (assuming valid testing protocols become available).
4. Whether hash oil is considered marijuana.
5. The testing process and transportation for purposes of testing.

6. Regulation of edible marijuana products.
7. Detail regarding weighing marijuana vs. marijuana concentrates for purposes of establishing what is “1 ounce” of marijuana.
8. Allowing local option equivalent to Title 4 local options in two years.
9. Marijuana use in so-called “private” clubs.
10. Default provisions regarding a “local regulatory authority”.

There are many more issues surrounding this topic than set forth on this list and our understanding of them will continue to advance as we contact our colleagues both in Alaska and in Colorado whose marijuana law is currently the closest fit to Alaska law. Many of the communities impacted by legalized marijuana will be considering local legislation for adoption before the end of February.

We appreciate your efforts to solicit input and we hope to continue to communicate with you and your staff during the session. Our next teleconference will be on February 3. I am certain members of the group will be willing to review proposed legislation and provide coordinated comments as needed outside of scheduled teleconference sessions.