



Coalition for Responsible Cannabis Legislation

To: Representative Paul Seaton
From: Bruce Schulte, CRCL
Date: February 2, 2015
Re: Comments on HB59 – Draft P

Dear Representative Seaton;

Thank you for this opportunity to comment on HB59 (Draft P). We wish to offer the following observations:

- 1) We respectfully disagree with a portion of the Sponsor Statement. Specifically, the assertion that regulation of concentrates and edible products is overly complex and must be delayed by one year. Our organization and other advocacy groups have been in agreement all along that reasonable guidelines for packaging, labeling, and marketing are appropriate and achievable. Colorado has recently updated their regulations to address concerns over total THC content and serving size in edible products. There are currently a number of child-resistant packaging options available for use in retail stores. Most observers agree that appropriate labeling of products is both practical and achievable and we have examples in both Washington and Colorado.

In short, there already exist suitable solutions to the most controversial of issues surrounding this initiative and they have only to be codified. We contend that there is no credible reason to conclude that a comprehensive set of regulations cannot be finalized in the timeframe prescribed by this voter initiative.

- 2) This bill seeks to redefine marijuana and its derivatives. Ballot Measure 2 was very clear in articulating what products were under consideration and we believe that is what voters chose at the polls. To attempt to change those definitions now would be contrary to both the letter and intent of the voter initiative.



- 3) At it's core Marijuana is an agricultural product. Each plant produces a portion of material that has a direct market (the flowers) and a significant portion of byproduct (trim) that can only be used in secondary markets (like concentrates / edibles). The ratio of the two varies however, roughly 30%-50% of the plant can only be sold to these secondary markets. Thus, to delay those portions of the industry by one year will, in effect, force growers to have to destroy 30%-50% of their harvest for lack of a market. This would make the entire (legitimate) marijuana industry unfeasible on economic grounds.

Section 17.38.090(a) States "Such regulations shall not prohibit the operation of marijuana establishments, either expressly or through regulations that make their operation unreasonably impracticable."

Since provisions of HB59 would make the growing of marijuana economically unfeasible, we submit that it would be in direct contravention of the voter initiative.

- 4) We are troubled at the inclusion of a Civil Forfeiture clause in HB59 for activities that were specifically deemed lawful by this voter initiative. The abuse of civil forfeiture laws in Alaska and elsewhere was one of the many reasons that Ballot Measure 2 passed in the first place. Just last week CNN ran several reports on the abuse of such laws in the Lower 48. We believe that to include such a provision – when 13PSUM specifically states that these activities would *not* be the basis for civil forfeiture – is contrary to both the letter and intent of the voter initiative.

In summary, we believe that efforts to delay all or part of this voter initiative will render a legitimate marijuana industry unfeasible and will serve only to guarantee the continuation of a marijuana black market for the foreseeable future.

We respectfully suggest that this bill be tabled as it would do a tremendous disservice to Alaskans who voted for this initiative.

Regards,

Bruce Schulte, CRCL

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