

## Lizzie Kubitz

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**From:** Art <northart@mtaonline.net>  
**Sent:** Thursday, February 15, 2018 12:28 PM  
**To:** Rep. Matt Claman  
**Cc:** House Judiciary; Sen. John Coghill; Jordan.Schilling@AKLeg.gov  
**Subject:** Amend HB 319 to include Firearms Question

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Dear Sir,

HB 319 needs to be amended to include questions of firearm ownership, by marijuana license applicants. This Pertains to federal criminal code.

Firearms and marijuana do not mix! Marijuana users, even those with medicinal cards , cannot own/possess firearms or ammo. This is under Title 18 USC Section 922 g, 3.

The Alaska Dept. of Public Safety, doing NCIC computer background checks, only check for convictions of previous crimes, within the last 5 years. They do not ASK, if they, are users of marijuana, or own/possess firearms or ammo.

The AMCB does not have the authority to ask applicants if they own/possess firearms or ammo ! So I was told when I called the AMCB !

I called the local ATF office here in Anchorage, and was told, marijuana users cannot own/possess firearms or ammo ! ATF Form 4473 Line 11e, says, "Warning: The use or possession of marijuana remains unlawful under Federal Law, regardless of whether it has been legalized or decriminalized for medicinal or recreational purposes in the state you reside". A marijuana medicinal card means you are addicted to marijuana!

The 4th Circuit Appellate Court and the 9th also, have ruled in such cases, and affirmed marijuana users cannot own/possess firearms or ammo ! Obviously marijuana license applicants are marijuana users. So If they own/possess firearms or ammo, they are Federal criminals and must be denied applications.

Therefore the on background checks,( a loophole) the question must be asked if the license applicants own/possess firearms or ammo. Till they are asked, a freeze or denial of ALL applicants should be in effect ! The Alaska Marijuana Control Board, must ensure the license application process is not sanitized, by looking the other way!

Regards, Art Wettanen  
Talkeetna, Alaska