

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

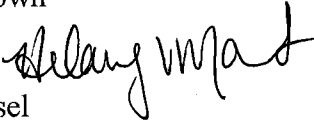
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 14, 2015

SUBJECT: Changes between version "P" and "I"
(CSHB 79(JUD); Work Order No. 29-LS0409\I)

TO: Representative Gabrielle LeDoux
Chair of the House Judiciary Committee
Attn: Thomas Brown

FROM: Hilary V. Martin 
Legislative Counsel

You have asked for an explanation of the changes between the "P" and "I" version of CSHB 79(JUD). The references to section numbers are to the sections in the "P" version of the bill.

Sec. 27: Changed the spanned reference from AS 17.38.200 - AS 17.38.220 to AS 17.38.200 and AS 17.38.210.

Sec. 32: Deleted sec. 32, which amended AS 12.55.135(j) related to sentencing for certain marijuana crimes (and added AS 12.55.135(j) to the repeal section).

Sec. 44: Added AS 17.38.020 to the bill, and amended it to remove "notwithstanding any other provision of law."

Sec. 50: Makes various changes to AS 17.38:

- In AS 17.38.200 - AS 17.38.230, adds the phrase "except as authorized in AS 17.38.020";
- removed the crime of possession of more than four ounces of marijuana from AS 17.38.200;
- changed the prohibition of manufacture with a substance other than vegetable glycerin to prevent a person other than a registered marijuana establishment from producing a marijuana concentrate or extract using a volatile or explosive gas;
- makes certain exceptions for a medical marijuana patient registered under AS 17.37 who is at least 18 years old to enter a marijuana establishment and purchase marijuana;
- removes the crime of possession of more than one ounce and less than four ounces of marijuana from AS 17.38.220;
- removes proposed AS 17.38.270 from the bill, which dealt with rehabilitation;

- changes "marijuana overdose" to "significant adverse marijuana reaction";
- removes AS 17.38.290 from the bill, which allows for forfeitures and seizures.

Sec. 77 and 78: Deletes secs. 77 and 78, pertaining to workers' compensation.

Sec. 88: Deletes sec. 88, to correct a drafting error which only changed a catchline in a current law.

Sec. 118: Removes language that allows testing of a minor's blood or urine for the purpose of determining the marijuana content of the minor's blood or urine.

Sec. 121: Deletes "blood or urine" from this section, which relates to a minor's refusal of a chemical test.

Sec. 123: Deletes "blood or urine" from this section.

Sec. 132: Adds "possession" so that the commissioner of corrections can prohibit a prisoner from using, possessing, or consuming marijuana or marijuana products.

Sec. 141: Changes the reference from AS 17.38.220(a)(3) to AS 17.38.220 for crimes for which a juvenile can be punished as an adult.

Sec. 145: Adds the Department of Administration to the list of the departments the Department of Health and Social Services must consult with in establishing and conducting programs designed to deal with the problem of persons operating a motor vehicle while under the influence of an alcoholic beverage, marijuana, inhalant, or controlled substance.

Sec. 160: Removes AS 17.38.020 from the repealed statutes, and adds AS 12.55.135(j) to the list of repealed statutes.

HVM:lem
15-085.lem