

# Alaska Dispatch News

Published on *Alaska Dispatch News* (<http://www.adn.com>)

[Home](#) > New Assembly committee will look at legal marijuana sales in Anchorage

Suzanna Caldwell <sup>[1]</sup>  
December 19, 2014

The Anchorage Assembly has formed a committee whose sole focus is to consider the implementation of marijuana sales.

Assembly Chair Dick Traini announced Friday that the committee will look at regulation and taxation of the cultivation, manufacture and commercial sale of marijuana in Anchorage. Assemblyman Ernie Hall will chair the committee, which also includes Assembly members Pete Petersen, Amy Demboski and Paul Honeman.

It's the latest move by the city in response to Ballot Measure 2, the initiative that legalized recreational marijuana in Alaska. <sup>[2]</sup> Creation of the committee comes days after the Assembly heard four hours of public testimony on an ordinance <sup>[3]</sup> that would have banned commercial marijuana in the municipality. The measure, introduced by Demboski <sup>[4]</sup> and co-sponsored by Honeman and Traini, was defeated 9-2.

Following public testimony on that proposal, members of the Assembly indicated they wanted a committee created to deal with marijuana.

Traini said the new committee will advise the Assembly on how to move forward with potential legislation.

"There's a lot of things we need to discuss ...," Traini said. "This is a whole new creature."

Hall said first up will be figuring out the city's role in the rulemaking process. The state has nine months to craft regulations after the initiative goes into effect Feb. 24. Currently, the state Alcoholic Beverage Control Board is tasked with writing those rules, though the Legislature has the authority to create a separate marijuana control board.

The Legislature also has the authority to amend the initiative, in effect giving further guidance to whichever board is in charge of writing regulations.

But the city will have its own responsibilities in dealing with marijuana, including how to deal with conditional-use permits in a manner similar to the way the city handles alcohol.

"We have to follow the regulations the way it's written but that doesn't mean we can't get more stringent," Hall said.

With at least a year before even the first marijuana business licenses could be applied for, Hall appeared confident in the work the city will do on the issue.

"We really have a lot of time here to do this and do it right," Hall said, "as well as learn from any mistakes that may have been made in Washington or Colorado and what we need to do to help deal with things they've seen as problems."

The first meeting of the committee is set for noon Dec. 23 at City Hall, Room 240.

**Source URL:** <http://www.adn.com/article/20141219/new-assembly-committee-will-look-legal-marijuana-sales-anchorage>

**Links:**

[1] <http://www.adn.com/author/suzanna-caldwell>

[2] <http://www.adn.com/article/20141104/alaskans-vote-legalize-marijuana>

[3] <http://www.adn.com/article/20141216/residents-brings-concerns-anchorage-assembly-over-possibly-limiting-commercial>

[4] <http://www.adn.com/article/20141117/hoping-get-out-ahead-assemblywoman-and-mayoral-candidate-wants-anchorage-opt-our>

## **Interior Alaska entrepreneurs, policymakers prepare for marijuana boom**

**By Amanda Bohman abohman@newsminer.com | Posted: Saturday, January 17, 2015 11:40 pm**

FAIRBANKS — Alaska’s marijuana laws begin to get a lot more permissive in about five weeks: Recreational marijuana use will be legal for people older than 21 on Feb. 24.

Voters statewide made that choice in November when they approved a broad state initiative that also allows for the legalized but regulated sale of marijuana, marijuana products and marijuana accessories beginning next year, following the required adoption of regulations later this year.

But the new law allows local governments to ban or limit marijuana businesses such as retailers and smoking clubs. That has led to discussions in Fairbanks, North Pole and elsewhere in the state about where people ought to be allowed to buy, sell, grow, process and consume marijuana.

Entrepreneurs, meanwhile, are busy thinking about ways to capitalize on the new industry.

### **Getting ready to cash in**

Charlie Lester, a 48-year-old heavy equipment operator and general foreman on the North Slope, said opening a marijuana club and eventually a retail store are part of his retirement plan. The Delta Junction resident said he has a name picked out, a Facebook page up and is having a logo designed so he can have T-shirts and sweatshirts made.

Lester said he has lined up locations inside and outside of Delta Junction city limits to open a private club where people will be able to smoke pot. He said he would prefer to establish his club within the city but he’s waiting to see if the City Council will allow it. His goal is to open by May.

His plan for a retail store will have to wait until state lawmakers decide how to regulate marijuana sales.

In Fairbanks, some real estate agents have been receiving calls from people looking for warehouse space for marijuana-related businesses.

Kelli Powers, an associate broker with Century 21 Gold Rush, said she has had a couple of calls and showed a space to someone looking for a location for a marijuana-related business.

David Pruhs, owner of Pruhs Real Estate Group, said he has fielded some calls about commercial space for marijuana-related businesses. But he has a message for prospective buyers: “Do not buy a location until you see the statutes out of the state of Alaska.”

Pruhs is also a member of the Fairbanks City Council and the borough Planning Commission. He said people should pick out a site but do a lease option, which means leasing a property but having an option to buy it. That way buyers are not stuck with a building that turns out to have the wrong zoning for a marijuana business.

### **Local laws in the works**

The Fairbanks North Star Borough Assembly will see its first ordinance related to the new state marijuana law at the end of the month. The ordinance doesn't do much policy-wise, but it does sets up a framework in borough code for future marijuana policy decisions.

Assemblyman Lance Roberts sponsored the measure, which is scheduled to be introduced on Jan. 29.

"There are no teeth," Roberts said. "All that it does is that it creates a title section and it lists purposes and definitions. I am trying to make sure this is organized well in the code."

Borough Mayor Luke Hopkins said he is putting together an advisory panel to help draft an ordinance about where marijuana can be grown, processed, bought, sold and consumed in the borough. The panel will begin its work by taking a close look at zoning, he said.

"Before we have our laws from the state, what's important to our community?" Hopkins said.

The advisory panel is scheduled to hold its first meeting at 10 a.m. Jan. 28.

Hopkins will draw from multiple sectors of the community, including the business sector, education and the military, to round out the panel. He will invite some Borough Assembly members and representatives of the cities of Fairbanks and North Pole, he said.

Brandon Emmett, of the Coalition for Responsible Cannabis Legislation, said he wants to help draft local policy dealing with marijuana. He believes marijuana should be regulated like alcohol.

"Something we are working on right now is to make sure that there are avenues for people to consume cannabis responsibly," Emmett said. "There have to be areas where people can not only purchase marijuana but where they can use it as well."

The new voter-approved marijuana laws prohibit smoking marijuana in public. But one of the issues that remains unclear is the definition of a public space.

Hopkins said he has asked for a legal analysis from the borough attorney about what defines a public space.

Other communities are formulating their responses to the legalization of marijuana. Locally, the North Pole City Council soon will consider a measure prohibiting the sale of marijuana in city limits.

City officials in Sitka will hold a town hall meeting Monday to hear from residents about how or whether to regulate marijuana use.

The Juneau Assembly voted last week to not consider issuing any land use permits for marijuana farms or documentation related to marijuana businesses until Oct. 19, or six months after the legislative session ends, according to the Juneau Empire newspaper. The Legislature will be writing regulations for marijuana businesses this session, which begins Tuesday.

The municipality of Anchorage is considering an ordinance that would ban marijuana use in public, fining offenders \$100. The Anchorage measure defines public places to include streets, sidewalks, parking areas, sports arenas, places of business, shopping centers, playgrounds, schools, prisons, lobbies and certain areas of apartment buildings.

*Contact staff writer Amanda Bohman at 459-7587.*

## Forum crowd pro-pot, pro-regulation

Posted: Saturday, January 17, 2015 8:13 pm

PALMER — Residents and local government officials appear cautiously optimistic about the future of marijuana in the Mat-Su Valley, based on discussion at Thursday's meeting.

Some of the commentary heard during Thursday's informal mayoral forum — which involved mayors of Wasilla, Palmer, Houston, and the Mat-Su Borough — focused on specific policy recommendations, like the suggestion that a limited number of licenses be offered, and be initially awarded via lottery. Other recommendations, like a speaker who urged officials to adopt specific regulations only as specific problems arose, were more general.

For example, MEA project manager and power investigator Yukon Tanner said any approach to legalized marijuana should include provisions allowing for inspections based on power use.

Because marijuana is often grown indoors, it has in the past required large amounts of power, which law enforcement agencies, including the Alaska State Troopers, have often used as probable cause to raid marijuana-growing operations. That, in turn, often leads growers to steal electricity using wiring shunts around meters and other measures.

“We have collected as much as \$278,000 from one individual,” he said. “We would like you to consider some provision for utility inspection or utility oversight of these operations so we're assured that whatever power used is paid for.”

“We certainly want to sell some,” Tanner added. “We have a new power plant we want to pay for.”

Another specific proposal by Walter Christolear was to set a total number of nontransferable permits, then void and add to the permit pool as business owners leave the industry. Christolear also suggested a set number and range of hours of operation, and that scales used to measure



### Marijuana forum

Wasilla Mayor Bert Cottle, left, Palmer Mayor Delena Johnson, Houston Mayor Virgie Thompson, and Mat-Su Borough Mayor Larry DeVilbiss participate in a marijuana forum Thursday evening in the borough assembly chambers. Participants were generally enthusiastic about marijuana's potential as an economic boon.

product should be inspected by the Office of Measurement Standards and Commercial Vehicle Enforcement's Weights and Measures section.

"I think the state should have a marijuana control board, and not have it regulated by the alcohol control board, because they are inundated with alcohol problems," he said. "I think if you had two separate entities, it would work a lot simpler."

Others, like Bill Fikes, suggested a more unregulated industry would maximize potential economic benefits.

"I think you need to look at minimalistic regulations," he said. "Give us the opportunity to self-regulate. When you see a problem come up, then approach regulation."

"For over 3,000 years, marijuana's lived perfectly peacefully with mankind," Fikes added. "There has never been a death reported from marijuana use, until about 80 years ago, we made regulations about it and we started shooting each other over it."

While specific proposals abounded, some specifics about the law are presently unknown. For example, the ballot measure states that the bill legalizing marijuana should take effect 90 days after the election's certification by the Lieutenant Governor, though officials think that means a range of dates, from Feb. 24 to Feb. 26, are the dates personal use provisions could go into effect, according to borough attorney Nicholas Spiropoulos.

Enthusiasm for the measure varied considerably among the borough's three incorporated municipalities. In the two precincts within the Palmer city limits, voters narrowly voted to approve the legalization of marijuana, 52 percent to 48 percent. In the lone City of Houston precinct, voters approved the measure 57 percent to 43 percent. Of the borough's three cities, Wasilla alone rejected the measure, 53 percent to 47 percent. More broadly, Valley voters as a group rejected the measure.

The tone of mayoral enthusiasm for the debate largely reflected these measures. Wasilla Mayor Bert Cottle pledged the city would hold it's own open forum on the subject.

Palmer Mayor Delena Johnson publicly campaigned against the measure during her unsuccessful bid against Rep. Bill Stoltze for a Senate seat, but said she would reflect voter's wishes going forward.

"I'm thankful that this issue offers so much control to local government," she said. "I stand by the quote 'The government closest to the people governs best.'"

At least two state legislators listened to a portion of the meeting via teleconference. Stoltze was unavailable for comment Friday, because he was travelling back from Colorado. Rep. Shelley Hughes said she had listened to large portions of the meeting. While Hughes is uncertain how the

legislature could or should approach the issues surrounding recreational use, the measure may create political room for legislators to address needed reforms to the medical marijuana statutes, she said.

“A lot of votes were won and moved in the yes column on this bill believing it solved the medical marijuana problems,” Hughes said.

Even if the Alcohol Control Board ended up taking point on the issue, it would need to add experts in marijuana, Hughes said.

Speakers at the Thursday forum appeared to pin a lot of economic hope on marijuana’s potential, like Daniel Palmer.

“This has great potential of becoming a major industry within the state of Alaska, funding a lot of projects and other issues within the state. How many of you have noticed gas prices are down?” he said. “This might be the one thing that saves us, because people are going to be out of work with the North Slope companies.”

“This has great potential to be abused or of great benefit to taxpayers and our voters,” Palmer added.

Contact Brian O’Connor at 352-2269 or [brian.oconnor@frontiersman.com](mailto:brian.oconnor@frontiersman.com).

## Senators take first crack at pot rules

Juneau attorney: 'Public use' must be defined

Posted: January 23, 2015 - 12:08am

By [KATIE MORITZ](#)

JUNEAU EMPIRE

Members of the Senate State Affairs Committee took a first crack Thursday at Alaska's new marijuana initiative. After Feb. 24, marijuana use and possession will be legal in the state.

Some lawmakers have said the initiative leaves important areas open to interpretation, such as where marijuana can be smoked or ingested and legal dosage size, and that either the Legislature or municipalities will have to fill in.

Initiative sponsor Tim Hinterberger spoke via speakerphone before the committee and asked them to "avoid considering legislation that might violate the intent of the initiative and the will of the voters."

Nearly 53 percent of Alaska voters were in favor of legalization during the November election.

The crafters of the ballot measure want municipalities, the Alcohol Beverage Control Board or a marijuana board created by the Legislature to make the rules, not legislators, he said.

Committee Chair Sen. Bill Stoltze, R-Chugiak, pointed out that the ABC board is directed by the Legislature.

Stoltze said the panel won't introduce a bill of its own, but will try to provide information and look at bills introduced by others. Next, Senate State Affairs will hear from the departments of Revenue and Public Safety on marijuana.

Committee member Sen. Lesil McGuire, R-Anchorage, said the idea that the Legislature would stay out of marijuana discussions this session "is fairly naive." She pointed out that during almost every session she has been a part of, a bill has been introduced related to changing alcohol regulations, which the ABC board has been compelled to uphold.

The crafters of the initiative would prefer municipalities create most of the marijuana regulations, rather than the Legislature, Hinterberger said. He addressed the issue of public use of the drug specifically. As it stands now, neither smoking marijuana nor ingesting it in a different way — such as eating a pot brownie, for example — is allowed in public. What "public" means is still up for interpretation, however.

City and Borough of Juneau attorney Amy Mead said she will speak with the Assembly on Monday about its interpretation of the initiative, and whether the city's ordinance should mirror the initiative when it comes to using marijuana in public.

Once she has direction from the Assembly on that, she will craft a draft ordinance that includes a definition of "public use" and get Assembly members' feedback on the definition she comes up with.

Besides defining public use, there are some other important conversations for the city to have, she said, such as whether smoking marijuana in a car should be treated the same way as having an open container of alcohol in a car.

"I might also be asking (the Assembly) whether they want to regulate or address minors in possession or minors using marijuana," Mead said.

Although by state law it will be illegal for anyone under 21 to use the drug, "the enforcement piece (of the state initiative) is not as flushed out."

There are several places within the state law that could use more detail, Mead said, including the part that addresses fines for using marijuana in public. Right now, it's capped at \$100 per violation, but doesn't go into any more detail than that.

"I don't think everybody understands that because there's no fine schedule set, it's a mandatory court appearance," she said. "Everyone receiving a ticket for smoking in public would need to go to court to be arraigned."

The city could wait for the Legislature to build more rules into the initiative, but until then Juneau citizens are beholden to what's in the initiative now. That's why it behooves the city to act sooner rather than later, Mead said.

"The state might come right behind us and do something different and require us to change our ordinance," she said. "Those things we can address locally and it might be the state addresses it after the session, but right now we're stuck. ... There's no gap where someone can smoke in public without consequence (but) we might be able to enact a cleaner enforcement process."

• Contact reporter Katie Moritz at 586-1821 or at [katherine.moritz@juneauempire.com](mailto:katherine.moritz@juneauempire.com). Follow her on Twitter [@katecmoritz](https://twitter.com/katecmoritz). AP reporter Molly Dischner contributed to this report.

### Legalization timeline

- Feb. 24, 2015 — Marijuana use and possession is legalized and the state's nine-month window to create a commercial sales structure begins.
- Nov. 24, 2015 — Alcoholic Beverage Control Board must adopt regulatory structure. If it does not, local governments have the option to create their own regulations.
- Feb. 24, 2016 — Board must begin accepting applications for marijuana selling and growing business licenses.
- May 24, 2016 — Marijuana business licenses will begin to be awarded.

Source: Alaska Department of Commerce website.

[Comment](#)

[Follow This Article](#)

[Back to Top](#)

---

Juneau Empire ©2015. All Rights Reserved. [Terms of Service](#) [Privacy Policy](#) / [About Our Ads](#)



CLOSE X