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Senate Finance Committee

Juneau, AK

First of all, through the chair, I would like to thank the committee for taking the time to hear my opinion. I understand that this is a complex and unprecedented issue in our state and I would like to make clear that nothing in my statement should be construed as an attack on the committee, its chairs or its members.

As a conscientious and voting constituent of district I-17 I have been closely monitoring the evolution of the various bills and municipal ordinances related to the legalization of cannabis in Alaska. Despite spending 14 of the last 16 weeks on the North Slope I have been able to write several letters, publish in the Alaska Dispatch and participate in the public hearing on SB 30 before the Senate Judiciary Committee. This has led to my friends, neighbors and coworkers seeing me as a sort of touchstone for what is going on in this debate. Up until today I was a vocal supporter of SB 30.

Unfortunately, the current version of this bill is not yet available on the legislative website. However, an article in the Dispatch alerted me to some very alarming changes being proposed. The first and foremost of these changes is the decision to retain marijuana on the State's list of controlled substances. This is a contravention of the spirit, if not the letter, of Ballot Measure 2. The stated purpose of the adopted Measure 2 was to "regulate marijuana like alcohol," and alcohol is not a controlled substance. The reason being promulgated for this retention in status is that cannabis is listed

as a controlled substance by the federal government, but why should we allow federal overreach on this issue while we struggle against it on other issues?

The “controlled substance” mindset is what leads to my second biggest concern, felony convictions for possession of 16 ounces or more. There is no precedent for this with alcohol. Furthermore, since there is currently no process in Alaska by which a felon can obtain a pardon or an expungement, a felony is for life. There should be no circumstance by which simple possession could result in a felony. In contrast, every Alaskan currently enjoys the privilege to manufacture up to 100 gallons of home-brewed beer or wine, and there is no limit on how much of this homegrown product can be stored against a rainy day. The same privilege should be extended to those who chose cannabis as their intoxicant of choice. For instance, a well-managed home garden abiding by the six-and-three restrictions could produce as much as 12-16 ounces of useable marijuana every forty five days. That’s approximately eight pounds per year compared to over eight hundred pounds by volume of beer. Proponents of this stiff penalty for simple possession say that it is to deter criminal dealers, but this is a specious argument. The only way to put criminals out of the cannabis business is to permit a legal market that is competitive enough to take away their market share. Every pot smoker I know says they would rather buy from a store than from some shady criminal.

Last but certainly not least is the issue of the proposed “per customer per day” limits on retail sales. Again, there is no such limit on alcohol sales, and there would be an uproar if one were to be proposed. This kind of limit would require detailed and extensive record keeping of personal information, which is specifically prohibited by the adopted Measure. Passage of this section would be a repeal “in part” of the adopted measure, which is constitutionally forbidden within the first two years. It would also be a gross violation of privacy to keep detailed lists of who bought how much pot and

when. Even disregarding the constitutional questions, what about those people who live several hours from the nearest store, or those who prefer to do all their shopping in bulk, or doomsday preppers?

In my opinion the Judiciary Committee drafted an excellent bill, balanced, responsible and in the spirit of the adopted ballot measure. The Finance Committee should toss out the new version, send Judiciary's version to the floor, and focus on ensuring the State gets the remuneration due it from the commercial side of the cannabis issue. It is, after all, the Finance committee.

Thank you again for your time