



# ALASKA STATE LEGISLATURE

## House Community and Regional Affairs Committee

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### EXPLANATION OF CHANGES

#### SCSCSHB 75(CRA)

(29-LS0345\U.A & 29-LS0345\)

***“An Act relating to the registration of marijuana establishments by municipalities; relating to the definition of ‘marijuana’ by persons 21 years of age or older; prohibiting the public consumption of marijuana; authorizing the registration of marijuana clubs; relating to established villages and to local option elections regarding the operations of marijuana establishments; and providing for an effective date.”***

Title (Page 1 lines 4-6) – The title has been amended by deleting the following language:

*“relating to established villages and to local option elections regarding the operation of marijuana establishments.”*

The title was changed to reflect the changes made by the other provisions of the amendment.

Section 9 (Page 5, lines 29-31) – The following language was deleted from Section 9:

*“An established village may prohibit the operation of marijuana establishments by voter initiative as provided in AS 17.38.200”*

Section 19 (Page 8, line 5 through Page 10, line 20) – The entire section relating to local option elections for established villages was deleted.

# SCSCSHB 75(JUD)

(29-LS0345\U.A & 29-LS0345\R)

Section 3 (Page 3, lines 8-10) – This inserts a provision allowing a municipality to adopt, through ordinance, a household plant limit lower than the 24 plants allowed under other provisions of the bill.

Section 6 (Page 2, line 2)– This change amends the time period within which the board (either ABC or MCB) has to notify a municipality of an application or renewal application for a marijuana establishment from **10** days to **5** days. This change was made in an effort to ensure that issuance of registrations happens as closely to a 90 day frame provided in the Ballot Measure 2.

Section 7 (Page 3, line 28 through Page 4, line 5)– This makes conforming changes to previous versions of the bill regarding the timeline for issuance of registrations. The new language expressly provides that the board shall issue a registration to applicant with 90 days unless there is a protest from a municipality. Again, the amendment seeks to align provisions of the bill, to the extent practicable, to the original language of Ballot Measure 2.

Section 8 (Page 4, lines 6-12) – Clarifies how the board is to seek input if a municipality has limited the number of commercial marijuana establishments within its jurisdiction in the event that there are more applicants than registrations available.

Section 20 (Page 9, lines 7-8) – Section 2 has two important changes:

- 1) This stipulates that none of the activities allowed under the provisions of AS 17.38.020 (personal use of marijuana) are prohibited even in the event that an established village has voted to ban commercial marijuana establishments within its boundaries. There was concern that earlier versions of the language might ban certain personal use provisions under a commercial establishment ban.
- 2) (Page 10, lines 20-22) adds a new section in statute that allows for the supreme court to establish a bail schedule that allows individuals to pay fines for certain violations without a court appearance.

Section 24 (Page 11, line 15) – Provides that “manufacture” has the meaning in AS 11.71.900 which states:

“(13) “*manufacture*”

*(A) means the production, preparation, propagation, compounding, conversion, growing, or processing of a controlled substance, either directly or indirectly by extraction from*

*substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis; **however, the growing of marijuana for personal use is not manufacturing;***”(emphasis added)