

ALASKA STATE LEGISLATURE  
CONFERENCE COMMITTEE ON HB75

May 16, 2016  
11:40 a.m.

**MEMBERS PRESENT**

Representative Cathy Tilton, Chair  
Representative Charisse Millett  
Representative Harriet Drummond

Senator Click Bishop, Chair  
Senator Lesil McGuire  
Senator Lyman Hoffman

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 75

"An Act relating to the regulation of marijuana by municipalities; and providing for an effective date."

- MOVED CCS HB 75 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 75

SHORT TITLE: MARIJUANA ESTAB. REG; LOCAL ELECTION

SPONSOR(S): COMMUNITY & REGIONAL AFFAIRS

01/23/15	(H)	READ THE FIRST TIME - REFERRALS
01/23/15	(H)	CRA, JUD
02/21/15	(H)	CRA AT 10:00 AM BARNES 124
02/21/15	(H)	-- MEETING CANCELED --
02/24/15	(H)	CRA AT 8:00 AM BARNES 124
02/24/15	(H)	Heard & Held
02/24/15	(H)	MINUTE(CRA)
03/03/15	(H)	CRA AT 8:00 AM BARNES 124
03/03/15	(H)	Moved CSHB 75(CRA) Out of Committee
03/03/15	(H)	MINUTE(CRA)
03/05/15	(H)	CRA AT 8:00 AM BARNES 124
03/05/15	(H)	Moved CSHB 75(CRA) Out of Committee
03/05/15	(H)	MINUTE(CRA)
03/06/15	(H)	CRA RPT CS(CRA) NT 3DP 3NR

03/06/15 (H) DP: NAGEAK, SEATON, TILTON  
03/06/15 (H) NR: DRUMMOND, REINBOLD, HUGHES  
03/11/15 (H) JUD AT 1:00 PM CAPITOL 120  
03/11/15 (H) Heard & Held  
03/11/15 (H) MINUTE(JUD)  
03/18/15 (H) JUD AT 1:00 PM CAPITOL 120  
03/18/15 (H) <Bill Hearing Canceled>  
03/25/15 (H) JUD AT 1:00 PM CAPITOL 120  
03/25/15 (H) <Bill Hearing Canceled>  
03/27/15 (H) JUD AT 1:00 PM CAPITOL 120  
03/27/15 (H) Moved CSHB 75(JUD) Out of Committee  
03/27/15 (H) MINUTE(JUD)  
03/30/15 (H) JUD RPT CS(JUD) NT 1DP 3NR 3AM  
03/30/15 (H) DP: LEDOUX  
03/30/15 (H) NR: MILLETT, CLAMAN, FOSTER  
03/30/15 (H) AM: LYNN, KELLER, GRUENBERG  
04/02/15 (H) TRANSMITTED TO (S)  
04/02/15 (H) VERSION: CSHB 75(JUD) AM  
04/03/15 (S) READ THE FIRST TIME - REFERRALS  
04/03/15 (S) CRA, JUD  
04/07/15 (S) CRA AT 3:30 PM BELTZ 105 (TSBldg)  
04/07/15 (S) Heard & Held  
04/07/15 (S) MINUTE(CRA)  
04/14/15 (S) CRA AT 3:30 PM BELTZ 105 (TSBldg)  
04/14/15 (S) Moved SCS CSHB 75(CRA) Out of Committee  
04/14/15 (S) MINUTE(CRA)  
04/15/15 (S) CRA RPT SCS 1DP 3AM NEW TITLE  
04/15/15 (S) DP: BISHOP  
04/15/15 (S) AM: EGAN, STEDMAN, HOFFMAN  
04/15/15 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)  
04/15/15 (S) Heard & Held  
04/15/15 (S) MINUTE(JUD)  
04/17/15 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)  
04/17/15 (S) Heard & Held  
04/17/15 (S) MINUTE(JUD)  
04/18/15 (S) JUD RPT SCS 4DP NEW TITLE  
04/18/15 (S) DP: MCGUIRE, COGHILL, MICCICHE,  
COSTELLO  
04/18/15 (S) JUD AT 10:00 AM BUTROVICH 205  
04/18/15 (S) Moved SCS CSHB 75(JUD) Out of Committee  
04/18/15 (S) MINUTE(JUD)  
04/19/15 (S) RETURNED TO RLS COMMITTEE  
02/24/16 (S) RLS RPT 2D SCS 2DP 3NR NEW TITLE  
02/24/16 (S) DP: HUGGINS, COGHILL  
02/24/16 (S) NR: KELLY, MEYER, GARDNER  
02/24/16 (S) WITHDRAW MOTION TO ADOPT JUD SCS UC  
02/24/16 (S) VERSION: 2D SCS CSHB 75(RLS)

02/24/16 (S) RLS AT 8:00 AM BUTROVICH 205  
02/24/16 (S) Moved 2d SCS CSHB 75(RLS) Out of  
Committee  
02/24/16 (S) MINUTE(RLS)  
04/05/16 (H) CONFERENCE COMMITTEE APPOINTED  
04/05/16 (H) TILTON (CHAIR), MILLETT, DRUMMOND  
04/06/16 (S) RECEDE MESSAGE READ AND TAKEN UP  
04/06/16 (S) CONFERENCE COMMITTEE APPOINTED  
04/06/16 (S) BISHOP (CHAIR), MCGUIRE, HOFFMAN  
04/13/16 (H) HB75 AT 8:30 AM GRUENBERG 120  
04/13/16 (H) Heard & Held  
04/13/16 (H) MINUTE(HB75)  
04/16/16 (H) HB75 AT 3:00 PM GRUENBERG 120  
04/16/16 (H) -- MEETING CANCELED --  
04/17/16 (H) HB75 AT 3:00 PM GRUENBERG 120  
04/17/16 (H) -- Delayed to 4/18/16 at 12:00 p.m. --  
04/18/16 (H) HB75 AT 12:00 AM GRUENBERG 120  
04/18/16 (H) -- MEETING CANCELED --  
04/19/16 (H) HB75 AT 12:00 AM GRUENBERG 120  
04/19/16 (H) -- MEETING CANCELED --  
04/20/16 (H) HB75 AT 12:00 AM GRUENBERG 120  
04/20/16 (H) -- MEETING CANCELED --  
04/21/16 (H) HB75 AT 3:00 PM GRUENBERG 120  
04/21/16 (H) -- MEETING CANCELED --  
05/16/16 (H) HB75 AT 8:00 AM BILL RAY CENTER 208

#### **WITNESS REGISTER**

HEATH HILYARD, Staff  
Representative Cathy Tilton  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the proposed conference committee substitute (CCS) for HB 75, Version 29-LS0345\PP, Martin, 5/12/16, on behalf of Representative Tilton.

#### **ACTION NARRATIVE**

[11:40:54 AM](#)

**CHAIR CATHY TILTON** called the Conference Committee on HB 75 meeting to order at 11:40 a.m. Representatives Drummond, Millett, and Tilton, and Senators McGuire, Hoffman, and Bishop were present at the call to order.

#### **HB 75-MARIJUANA ESTAB. REG; LOCAL ELECTION**

[11:41:29 AM](#)

CHAIR TILTON announced that the only order of business would be CS FOR HOUSE BILL NO. 75(JUD) am, "An Act relating to the registration of marijuana establishments by municipalities; relating to the definition of 'marijuana'; clarifying standards for personal use 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 operation of marijuana establishments; and providing for an effective date." and 2d SENATE CS FOR CS FOR HOUSE BILL NO. 75(RLS), "An Act relating to background checks for persons applying to operate marijuana establishments; relating to possessing, using, displaying, purchasing, growing, processing, transporting, and transferring marijuana; relating to assisting another person 21 years of age or older in activities related to marijuana; relating to established villages and to local option elections regarding the operation of marijuana establishments; and providing for an effective date."

CHAIR TILTON stated that the Conference Committee on HB 75 was operating under Uniform Rule 42; public testimony would not be taken; and adoption of a conference committee report requires an affirmative vote by a majority of the membership of each house. She relayed that available for consideration was the proposed conference committee substitute (CCS) for HB 75, Version 29-LS0345\PP, Martin, 5/12/16. She recounted that at its previous meeting on 4/13/16, the Conference Committee on HB 75 had failed to adopt either CSHB 75(JUD) am or 2d SCS CSHB 75(RLS).

[11:42:07 AM](#)

SENATOR BISHOP moved to adopt the proposed conference committee substitute (CCS) for HB 75, Version 29-LS0345\PP, Martin, 5/12/16, as a working document.

[11:42:20 AM](#)

SENATOR HOFFMAN objected for purpose of discussion.

[11:42:43 AM](#)

HEATH HILYARD, Staff, Representative Cathy Tilton, Alaska State Legislature, presented the proposed conference committee substitute (CCS) for HB 75, Version 29-LS0345\PP, Martin, 5/12/16, on behalf of Representative Tilton. He said Version PP

is a scaled down bill that includes three provisions that were in both the latest House and Senate versions of the bill, as well as one addition regarding bail schedules by the [Alaska] Supreme Court.

MR. HILYARD stated Section 1 would establish a household plant limit; it is derived from the Senate version limit of 12 plants per household. Section 2 would stipulate that communities that qualify as established villages would be included but could hold a local election to "opt out." Section 3 would stipulate that the exercise of municipal powers would be on a non-area-wide basis, which means that boroughs would not be allowed to supersede the decisions of cities within their boundaries.

MR. HILYARD said Section 4 would establish a provision for holding a local option election and "repealing local option elections if a community so chooses." He directed attention to the last part of Section 4, on page 5, lines 20-22, which he explained was the language that would allow the Alaska Supreme Court to establish bail schedules for certain minor offenses related to marijuana. He stated that Section 5 pertains to definitions; Section 6 is the effective date.

[11:44:25 AM](#)

SENATOR HOFFMAN removed his objection to the motion to adopt the proposed CCS for HB 75, Version 29-LS0345\PP, Martin, 5/12/16, as a working document. There being no further objection, Version PP was before the committee.

[11:44:45 AM](#)

SENATOR BISHOP moved that the Conference Committee on HB 75 recommend that the House and Senate adopt the proposed CCS for HB 75, Version 29-LS0345\PP, Martin, 5/12/16, with upcoming fiscal notes.

[11:45:09 AM](#)

A roll call vote was taken. Representatives Drummond, Millett, and Tilton voted in favor of the motion to recommend that the House and Senate adopt the proposed CCS for HB 75, Version 29-LS0345\PP, Martin, 5/12/16, with upcoming fiscal notes. Senators McGuire, Hoffman, and Bishop voted in favor of the motion to recommend that the House and Senate adopt the proposed CCS for HB 75, Version 29-LS0345\PP, Martin, 5/12/16, with

upcoming fiscal notes. Therefore, the motion passed by a vote of 3:0 (House) and 3:0 (Senate).

11:45:41 AM

The committee took a brief at-ease at 11:45 a.m.

11:46:00 AM

**ADJOURNMENT**

There being no further business before the committee, the Conference Committee on HB 75 meeting was adjourned at 11:46 a.m.