

SENATE FINANCE COMMITTEE
March 11, 2015
1:34 p.m.

1:34:05 PM

CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 1:34 p.m.

MEMBERS PRESENT

Senator Anna MacKinnon, Co-Chair
Senator Pete Kelly, Co-Chair
Senator Peter Micciche, Vice-Chair
Senator Click Bishop
Senator Mike Dunleavy
Senator Lyman Hoffman
Senator Donny Olson

MEMBERS ABSENT

None

ALSO PRESENT

Giono Barrett, Self, Juneau; James Barrett, Self, Juneau; Kathie Wasserman, Alaska Municipal League, Juneau; David Sanden, Alaskan Cannabis Project, Auke Bay.

PRESENT VIA TELECONFERENCE

Beth Carroll, Self, Fritz Creek; Shane Monroe, Self, Fritz Creek; Kathryn Smith, Self, Wasilla; Sara Williams, CEO, Midnight Greenery, Wasilla; Larry O'Kelly, Self, Anchorage; Cory Wray, Alaska Cannabis Institute, Anchorage; Rich Foehner, Self, Anchorage; Charles McKee, Self, Anchorage; Randall Fall, Self, Kenai; Dollyinda Phelps, Self, Nikiski; Dean Lari, Self, Haines; Michael Glasgow, Self, Homer; John Sheipe, Self, Fritz Creek; Dennis Wade, Self, East End; Lindianne Sarno, Self, Homer; Brandon Emmett, Executive Director, Coalition for Responsible Cannabis Legislation (COCL), Fairbanks; Kelly Ann Clemons, Self, Wasilla; Leif Abel, Self, Kasilof; Robert Davis, Self, Wasilla; Frank Berrardi, Board Chairman, Coalition for Responsible

Cannabis Legislation, Fairbanks; Girard Gaul, Senior Board Member, Coalition for Responsible Cannabis Legislation, Fairbanks; Hope Laro, Self, Fairbanks; Phil Wheelan, Coalition for Responsible Cannabis Legislation, Anchorage; Megan Lyda, Self, Homer; Fay Harold, Self, Anchorage; Paul Davis, Self, Anchorage; Kim Cole, Coalition for Responsible Cannabis Legislation, Anchorage; Christopher Lapp, Self, Anchorage; Michael Howard, Self, Hope; Dana DeGraw, Self, Wasilla; Dana Guidi, Self, Homer; David Matheny, Self, Anchorage; John Farleigh, Self, Anchorage; Brian Ehlers, Self, Kasilof; Steve Wells, Criminal Defense Attorney, Palmer; Frank Mighell, Self, Anchorage; Allen Cornelison, Self, Anchorage; Jacob Tatum, Self, Anchorage; Rick Costa, Self, Anchorage; Jason Howard, Self, Soldotna; Ross Mullins, Self, Cordova; Zeke Hilsinger, Self, Sutton; Rachelle Yeung, Marijuana Policy Project, Washington, D.C.; David Johnson, CEO and Founder of Grassp, Oregon; Ben Adams, Self, Santa Rosa, California.

SUMMARY

SB 30 MARIJUANA REG;CONT. SUBST;CRIMES;DEFENSES

SB 30 was HEARD and HELD in committee for further consideration.

#sb30

SENATE BILL NO. 30

"An Act relating to controlled substances; relating to marijuana; relating to driving motor vehicles when there is an open marijuana container; and providing for an effective date."

[1:34:08 PM](#)

Co-Chair MacKinnon stated (for the audience and those waiting to testify online) that the committee was considering CS SB 30, Work Draft 29-LS0231\X. She explained that the decision to keep marijuana in Alaska's controlled substance schedule protected the state, marijuana personal users, and the marijuana commercial industry. She referenced a memorandum from United States Department of Justice (DOJ) Deputy Attorney General James M. Cole (copy on file); explaining that the memo states that the DOJ is committed to the enforcement of the Federal Controlled Substances Act. She furthered that the memo gave guidance

to federal law enforcement agencies on how to focus the resources on marijuana enforcement.

Co-Chair MacKinnon directed attention to key points within the new version of the bill, including the institution of a felony charge for distribution to children; and the prevention of funds going to criminal enterprises through establishment of statutory authority for commercial, regulated marijuana businesses. She drew attention to a policy decision - that of a clear demarcation of 16 ounces, currently four times the amount that constitutes a felony misconduct involving a controlled substance. She stated that the current version of the bill also prevented state authorized marijuana activity from being used as a cover or pretext for other illegal activity. Further, she explained, the CS kept marijuana as a controlled substance at the current level of 6A, different from the federal schedule 1. She clarified that schedule 6A marijuana was described in Alaska Statutes as a substance with the lowest degree of danger to a person or the public; and additionally that SB 30 made it clear, without requiring a person to assert any defense, that Alaska's controlled substance laws were not applicable to the person as long as the conduct was as proscribed in the initiative for personal use.

Co-Chair MacKinnon stated that SB 30 prevented violence and the use of firearms in the cultivation and distribution of marijuana. She alluded to the amount of drug-related violence in Alaska in the current year, and remarked that such activity invited federal scrutiny and intervention. She stressed the importance of holding individuals accountable for criminal behavior. She asserted that Alaska did not want federal oversight and intervention; and opined that a sound and clear structure for lawful use of marijuana was the common desire. She asked individuals wanting to testify to make their statements respectfully and to make references to the bill with accompanying specifics to aid in the potential drafting of amendments. She elaborated that the committee had heard from the Department of Law Public Defenders Office and other areas of state government and thereby saw "holes" in the CS.

^PUBLIC TESTIMONY

[1:39:00 PM](#)

GIONO BARRETT, SELF, JUNEAU, spoke to concerns he had regarding SB 30. He commented that he had been a registered medical marijuana user for six years and had been growing his own cannabis plants for as long. He added that he planned on opening a marijuana business, in which he would focus on cultivation and the production of cannabis products. He stated that he had concerns with the bill, specifically from the perspective of a medical marijuana user, but also as a prospective business owner. He referred to Section 4, line 28; referring to the amount of tablets, ampules, or syrettes. Mr. Barrett wondered if this terminology was in reference to intravenous drug use, and related that he had never heard of such use in the cannabis industry or as a medical user. He was concerned that the reference implied that marijuana was a dangerous drug, when it is not. Co-Chair MacKinnon pointed out that the language he was referring to was current state language and not part of the changes the bill would address.

Mr. Barrett addressed Section 6, line 16, concerning the aggregate weight of one ounce of the controlled substance. He commented that limiting an individual to one ounce for transportation purposes. He felt this was in conflict with the intent of the initiative. He related the difficulty in controlling the amount of marijuana in his possession. He furthered that as a medical marijuana user, the bill compounded criminality for him rather than mitigating it. He spoke to the limitation of concentrates, and considered it to be a hindrance to his medical treatment.

JAMES BARRETT, SELF, JUNEAU, spoke in opposition to SB 30. He mentioned that he hoped to start a business in the cannabis industry. He thanked the committee for their work on the bill thus far. He stated that he viewed the bill as overreaching and restrictive. He opined that the public aspiration was to overhaul the black market and create a legitimate industry. He spoke in favor of a marijuana control board, and establishment of civil rather than criminal penalties. He commented that for an average member of the public, it was difficult to discern the allowable amount of legal possession of marijuana; and therefore would be a challenge for law enforcement. He suggested using regulation rather than legislation to address the fine points of legalization.

[1:47:08 PM](#)

BETH CARROLL, SELF, FRITZ CREEK (via teleconference), thanked the committee for working so hard to institute the will of the people. She spoke in opposition of the committee substitute (version X) for SB 30, and asked that the committee restore the Judiciary Committee (JUD) version of the bill. She alleged that the JUD version was carefully deliberated. She spoke to Section 4, which would create a class C felony for greater than 16 ounces (or more than 25 plants) in the home. She opined that section created the underlying assumption of intention of criminality. She used the analogy of being a wine aficionado and having an extensive collection, and made the case that an individual should be able to possess marijuana from multiple cultivations throughout the year in excess of 16 ounces. She spoke to Section 24, relating to limiting sales of concentrate. She echoed the previous testifier in that concentrates were the wave of the future for medicinal and recreational users. She pointed out that there was no limit on alcohol possession. She spoke to the open container language in Sections 29 through 31, and suggested it was vague. She reiterated her support of the JUD version of the bill.

[1:50:11 PM](#)

SHANE MONROE, SELF, FRITZ CREEK (via teleconference), echoed the testimony of the previous speaker, particularly with regard to felony possession and limits of concentrates. He pointed out that both the science and market for marijuana are changing rapidly, and suggested that granting broad powers and oversight to a control board would be prudent. He spoke in favor of regulation over legislation. He thanked the committee for the privilege of testifying.

[1:51:57 PM](#)

KATHRYN SMITH, SELF, WASILLA (via teleconference), spoke about her concerns with SB 30. She commented that she is a registered medical marijuana user due to chronic neuropathy pain. She had used concentrates and currently juices raw cannabis. She communicated that her primary concern is lack of protection for medical users. She shared her personal experience with recovery after using the plant medicinally. She related that her health has improved significantly since using marijuana in the place of prescribed narcotics and seizure medication which damaged her gall bladder. She

challenged the committee members to educate themselves about the medicinal uses of marijuana.

[1:53:54 PM](#)

SARA WILLIAMS, CEO, MIDNIGHT GREENERY, WASILLA (via teleconference), spoke in opposition to SB 30. She thanked the committee for undertaking the important task of updating the Alaska criminal statutes. She stated that part of that duty is to uphold the will of the voters. She asserted that keeping marijuana off of the controlled substance list was essential for supporting the success of the initiative. She declared that the legislature must not limit the sale of marijuana to one ounce per day per customer, and took issue with the implied tracking of customer purchases. She contended that the creation of a statewide customer database would push responsible consumers toward the black market. She used the analogy of alcohol possession. She stated that individual users should be able to use firearms for protection. She questioned the constitutionality of deviating from the successful voter initiative.

[1:56:31 PM](#)

LARRY O'KELLY, SELF, ANCHORAGE (via teleconference), spoke in opposition to SB 30. He noted that he is neither a medical or recreational user of marijuana. He remarked on the importance of keeping to the original form of the ballot initiative. He characterized control on concentrates, limits on amounts, and consumer tracking as overreach.

[1:57:56 PM](#)

CORY WRAY, ALASKA CANNABIS INSTITUTE, ANCHORAGE (via teleconference), spoke in opposition to the current version SB 30, and specified that cannabis should be removed from the controlled substances list. He echoed the previous testifiers with regard to limitations on purchase of concentrates. He spoke about the protection of delivery services and suggested it would be more discreet than numerous business with storefronts. He referred to the 16 ounce limit and opined that it was important to consider how the aggregate weight produced by law-abiding growers would necessitate a higher limit.

[2:00:30 PM](#)

RICH FOEHNER, SELF, ANCHORAGE (via teleconference), spoke against SB 30, and implored the committee to remove marijuana from the controlled substance list. He supported the idea of a marijuana control board. He spoke to medicinal oils produced from cannabis, and attested to the safety of its production.

[2:02:02 PM](#)

CHARLES MCKEE, SELF, ANCHORAGE (via teleconference), spoke of his concerns with SB 30, and spoke in support of taking marijuana off the controlled substances list. He spoke about federal overreach, and the Supreme Court. He referred to issues about copyright and national monuments.

[2:05:37 PM](#)

RANDALL FALL, SELF, KENAI (via teleconference), voiced objected to Section 24 of SB 30, dealing with tracking consumers of marijuana. She added that she opposed the section dealing with an open container. She asked the committee not to limit the use of firearms. She opined that the legislation was not in line with the intent of the voter's initiative. She thanked the committee for their work.

[2:07:26 PM](#)

DOLLYINDA PHELPS, SELF, NIKISKI (via teleconference), echoed the previous testifiers and spoke in favor of a marijuana control board. She suggested that such a board should be responsible for furthering the regulation of marijuana use. She expressed concern about marijuana being listed as a controlled substance. She spoke in opposition to the 16 ounce limit and regarded it as a waste of resources. She mentioned the 5 gram concentrate limit and called it unreasonable. She spoke in opposition to regulating gun use in the bill.

[2:10:32 PM](#)

Vice-Chair Micciche asked Ms. Phelps to clarify her meaning when she spoke to the number of allowable plants. Ms. Phelps expressed that she supported the initiative, and considered a felony to be too high a level of crime for

possession of marijuana. She furthered that the 16 ounce limit was unreasonable, and the felony charge for over 25 plants was too harsh. Vice-Chair Micciche stated that the committee was trying to stay as closely as possible to the initiative.

[2:12:07 PM](#)

DEAN LARI, SELF, HAINES (via teleconference), spoke against SB 30 and expressed concern that there was not enough attention paid to medical users with regard to bill language. He related his personal experience with medical cannabis oil, and that it was his intent to produce medicine as a non-profit. He implored the committee to research the benefits of medical marijuana, particularly with regard to amounts needed to achieve medical benefit. He spoke about juicing raw cannabis for medical use, and the large amounts needed for efficacy. He referred to endocannabinoids and human receptors. He expressed concern that the bill was at odds with the intent of the initiative, and stated that marijuana was safe for medical or recreational use. Mr. Lari went offline.

[2:16:02 PM](#)

MICHAEL GLASGOW, SELF, HOMER (via teleconference), spoke He related that he was a teamster and when he worked on the Alaska Pipeline he was injured. He related that he also had a rare form of rheumatoid arthritis, for which he was treated by 17 doctors. He shared that he was treated by a doctor who advised him to exercise and use cannabis medicinally, and he has been a registered medical user for the previous 9 years. He opined that cannabis was put on Earth by the creator and should be free of charge. He related that he is a fulltime carver, and attributes his success and lack of joint deformity wholly to treatment with cannabis.

[2:17:53 PM](#)

JOHN SHEIPE, SELF, FRITZ CREEK (via teleconference), spoke in favor of the JUD version of the bill. He expressed concern with cannabis being listed as a controlled substance. He thanked the committee for their work.

[2:19:45 PM](#)

DENNIS WADE, SELF, EAST END (via teleconference), spoke in opposition of the current version of the bill, and expressed support for the JUD version. He relayed that is a medical marijuana user. He echoed the comments of previous testifiers, and relayed support for a marijuana control board. He referred to the history of marijuana illegality in Alaska, and suggested that it was due to financially motivated reasons rather than concern for public welfare. He thanked the committee for their work.

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LINDIANNE SARNO, SELF, HOMER (via teleconference), spoke strong support of the JUD version of the legislation. She referred to Section 15 of the bill, which defines "remuneration" as synonymous with sale, barter, or exchange. She commentated that barter and trade are a traditional part of Alaskan folk life, family life, and community. She took issue with the government asserting itself into the realm of private trade, making the point that it was unenforceable and an intrusion into private life. She contended that making certain amounts of possession a felony went against the will of the people. She described cannabis as a "geriatric herb" that prolongs health; prolongs life; saves lives; is non-addictive; and rather than being a gateway drug, is a medicine of choice.

[2:22:10 PM](#)

BRANDON EMMETT, EXECUTIVE DIRECTOR, COALITION FOR RESPONSIBLE CANNABIS LEGISLATION (COCL), FAIRBANKS (via teleconference), spoke against the bill. He specified that COCL had over 1,000 members. He related that he is a lifelong Alaskan and has been a fulltime paramedic for seven years. He expressed disappointment that Co-Chair Kelly was supportive of the current bill despite the 57 percent of his district that favored the initiative. He urged Senator Kelly to support his constituents and uphold the spirit of the ballot initiative. He disagreed with having marijuana listed alongside more powerful drugs, as well as the proposed harsh penalties for violations. He spoke in favor of the earlier version of the bill.

[2:24:38 PM](#)

Mr. Lari (previously testified from Haines) continued his testimony. He reiterated his suggestion that the committee

research medicinal uses of cannabis to better understand limitations on quantities. He argued that three minutes did not give an opportunity for testifiers to share the significant amount of information and research that is warranted. He thanked the committee for their work.

[2:26:53 PM](#)

Vice-Chair Micciche commented that the committee members are provided a tremendous amount of information and have done extensive research on the subject. He continued that the members were trying to learn all they could as quickly as possible.

[2:27:27 PM](#)

KELLY ANN CLEMONS, SELF, WASILLA (via teleconference), spoke in favor of the original version of the bill. She relayed that she is a stay at home parent of two children, and also a seasonal employee for the State of Alaska. She referred to the intent of the voters (in the initiative) and implied that the changes to the original bill would be considered disregard of that intent. Further, she thought such disregard could result in disenfranchisement of voters and dissuade them from wanting to exercise their rights at the polls. She considered that the change from the JUD version would have a negative impact. She noted that she was not currently a recreational user but wanted her right preserved for the future.

[2:29:25 PM](#)

LEIF ABEL, SELF, KASILOF (via teleconference), spoke in opposition to the current version of the bill. He shared that he was more supportive the Judiciary Committee version of the legislation. He shared that changing the varying amounts of marijuana to an aggregate weight per offense was a problem. He felt the definition of "open container" was too vague in the current version making enforcement difficult. He announced that marijuana was different than alcohol. Alcohol was a liquid that was sold in stores, so it was relatively easy to see if the container was open. The legalization of marijuana may allow individuals to produce marijuana at home, so that should be considered in relation to the definition of "open container." He strongly disagreed with listing marijuana as a controlled substance, and making any marijuana related crime a felony. He

encouraged the committee to keep the legislation in line with the initiative language.

2:32:04 PM

ROBERT DAVIS, SELF, WASILLA (via teleconference), spoke in opposition to the current version of the bill. He echoed many of the previous testifiers' statements. He wondered if "overdose" was in any part of the legislation. He alleged that an individual would need to smoke 1500 pounds of marijuana in 15 minutes to overdose on marijuana, which he felt was impossible. He shared that there was some research regarding juicing of marijuana leaves, and the committee should consider that research when drafting the legislation.

Co-Chair MacKinnon directed Mr. Davis to page 11, line 18 of the bill. She stated that there would be an amendment recognizing the overdose issue. There was an attempt to encourage individuals to be comfortable seeking medical attention related to marijuana intake. Mr. Davis alleged that there had never been a recorded marijuana overdose incident.

2:34:41 PM

FRANK BERRARDI, BOARD CHAIRMAN, COALITION FOR RESPONSIBLE CANNABIS LEGISLATION, FAIRBANKS (via teleconference), spoke in opposition to the current version of the bill. He felt that the support of the initiative reflected the desire the marijuana be treated similarly to alcohol. He felt that the Senate Judiciary Committee understood that intention, and supported their choice to remove marijuana from the list of controlled substances. He supported the judiciary version of the bill. He supposed that assigning marijuana to the controlled substance list was a result of the personal feelings of some legislators.

An unknown person interjected about "the overdose issue."

Co-Chair MacKinnon commented that the person may be referring to an upcoming amendment regarding the overdose definition.

Mr. Berrardi continued with his testimony. He encouraged Senator Bishop to enforce the perspective of his own constituents, by taking a stand against the federal

government. He shared that Senator Bishop's district voted in favor of the initiative by 58.7 percent.

[2:37:46 PM](#)

GIRARD GAUL, SENIOR BOARD MEMBER, COALITION FOR RESPONSIBLE CANNABIS LEGISLATION, FAIRBANKS (via teleconference), spoke in opposition to the current version of the bill. He felt that the intent of the initiative was to remove cannabis from the scheduled substance list, and treat cannabis the same as alcohol. He testified in support of the Senate Judiciary version of the legislation.

[2:39:53 PM](#)

HOPE LARO, SELF, FAIRBANKS (via teleconference), spoke in opposition to the current version of the bill. She echoed the comments of many of the previous testifiers. She felt that Alaskan residents should have protected and respected privacy rights. She mentioned regulation versus legislation. She related that she suffers from a seizure disorder and has used cannabis medicinally on a daily basis.

[2:42:22 PM](#)

PHIL WHEELAN, COALITION FOR RESPONSIBLE CANNABIS LEGISLATION, ANCHORAGE (via teleconference), spoke in opposition to the current version of SB 30. He shared that air transporting of marijuana to the rural communities should be considered in the legislation. He asserted that marijuana should be decriminalized, and did not believe that felonies should not be marked for cannabis. He felt that regulating by quantity was a null point, because it was too difficult to regulate by quantity. He felt that a delivery service would reduce the number of people driving with cannabis. He understood that there needed to be accurately testing. He did not agree that with the definition of "open container" in the legislation. He added that the reference to guns in the bill should be removed. He encouraged the committee to focus more on the finance aspect of the initiative. He wanted to sell cannabis-infused products at farmers markets, because cannabis could be considered a vegetable.

[2:45:11 PM](#)

MEGAN LYDA, SELF, HOMER (via teleconference), spoke in opposition to the current version of SB 30. She echoed many of the previous testifiers' statements. She alluded that the amendments had been made had been a result of fear. She felt that the committee had not properly educated themselves. She remarked that assigning marijuana to the list of controlled substances went against the will of the people. She stated that she voted in favor of the initiative, because she felt that criminalizing marijuana was "ridiculous." She opined that marijuana was a safe drug. She felt that limiting gun use in cannabis legislation was unnecessary.

Senator Bishop wondered where the firearms discussion was located. Ms. Lyda believed that the legislation outlined a limit on the number of firearms that one could keep.

Senator Bishop announced that he was unaware of that limitation. He asked that the testifiers point to the firearms limitation in the legislation.

[2:48:37 PM](#)

FAY HAROLD, SELF, ANCHORAGE (via teleconference), spoke in opposition to the current version of the bill, and support of the Senate Judiciary version. She related that she was a lifelong Alaskan and nurse. She spoke in support of removing marijuana from the controlled substance list. She compared and contrasted regulating alcohol versus marijuana.

[2:52:21 PM](#)

PAUL DAVIS, SELF, ANCHORAGE (via teleconference), spoke in opposition to the current version of the bill. He testified in support of the Senate Judiciary version of the legislation, because it was in line with a majority of the voters who endorsed the initiative. He asked that the committee keep the will of the voters in mind. He agreed with most of the previous testifiers' statements. He felt that the original prohibition of marijuana was a foundation of criminal activity, so removing the foundation would be the strongest way to limit criminal activity.

[2:54:08 PM](#)

KIM COLE, COALITION FOR RESPONSIBLE CANNABIS LEGISLATION, ANCHORAGE (via teleconference), spoke in opposition to the current version of the bill. She asserted that some of the amendments that were integrated into the most recent version degraded the initial ballot measure. She understood that dispensaries should be required check identification for age requirements. She did not agree with putting those names in a database for tracking purposes in order to ensure that a person only obtained one ounce per day, because she felt it was unconstitutional. She remarked that scheduling marijuana as a controlled substance went against the initiative. She felt that the limit of 16 ounces was unrealistic, if one had 16 plants in his/her possession. She felt that the phrase "never before opened container" should be changed to read, "field container", because flowers would most likely be given in a container that could be resealed. She announced that 70 percent of the districts in Alaska voted in favor of Ballot Measure 2.

[2:56:07 PM](#)

CHRISTOPHER LAPP, SELF, ANCHORAGE (via teleconference), testified against the current version of the bill. He related that he was a disabled combat veteran, and suffers from chronic pain and Post Traumatic Stress Disorder. He stated that many of his fellow veterans used marijuana for chronic pain and for control of post-traumatic stress disorder (PTSD). He announced that he would like to use marijuana for medical purposes, but he was cautious of the changing regulations and penalties. He did not support the limit of concentrates and plants; and did not support scheduling marijuana on the list of controlled substances. He felt that there could be transportation, storage, and finance issues related to those limits at certain parts of the year. He spoke in support of a marijuana control board, which could regulate and react with the evolution of the marijuana industry and the state.

[2:58:58 PM](#)

MICHAEL HOWARD, SELF, HOPE (via teleconference), testified against the new version of the bill. He spoke in support of the version that passed out of the Senate Judiciary Committee. He spoke specifically against scheduling marijuana in the controlled substance list and proposed felony charges for infractions. He stressed that the citizens of Alaska voted to legalize marijuana, and

establish a regulated system for growth, production, and retail sale of marijuana. He remarked that one of the greatest dangers with current marijuana use was the legal implications that could occur if caught using marijuana. He shared that he was charged with a felony when he was 18-years-old, after he had purchased one gram, or ten dollars, worth of marijuana. He stressed that the felony had limited his access to student loans and employment. He remarked that three of the most recent U.S. presidents admitted to smoking marijuana. He emphasized that, had those presidents been caught smoking at the time, they would not have been able to become the president.

[3:01:42 PM](#)

DANA DEGRAW, SELF, WASILLA (via teleconference), related that she is a medical cannabis user, and two-time cancer survivor. She characterized cannabis as a vegetable and plant. She spoke in opposition to scheduling marijuana on the list of controlled substances. She echoed the testimony on some previous testifiers, and encouraged the committee to educate themselves on the use of cannabis. She announced that she hoped to open nonprofit business that allowed individuals to consume medicinal marijuana.

[3:03:56 PM](#)

DANA GUIDI, SELF, HOMER (via teleconference), spoke in opposition to the new version of the bill. She shared that he was more supportive the Judiciary Committee version of the legislation. She shared that changing the varying amounts of marijuana to an aggregate weight per offense was a problem. She felt the definition of "open container" was too vague in the current version making enforcement difficult. She announced that marijuana was different than alcohol. Alcohol was a liquid that was sold in stores, so it was relatively easy to see if the container was open. The legalization of marijuana may allow individuals to produce marijuana at home, so that should be considered in relation to the definition of "open container." She strongly disagreed with listing marijuana as a controlled substance, and making any marijuana related crime a felony. She encouraged the committee to keep the legislation in line with the initiative language.

[3:05:15 PM](#)

DAVID MATHENY, SELF, ANCHORAGE (via teleconference), spoke in opposition to the new version of the bill. He stated that he voted for a legalization of cannabis, and did not support an exception for the Controlled Substances Act. He remarked that he had voted for using the limited government resources in a productive manner, and stressed that he did not vote for more felonies related to cannabis usage. He added that he did not support a database to track consumers. He supported a risk premium for tax revenue that could be used to mitigate the problems associated with use of cannabis. He remarked that cannabis was not harmless, but it was safer than almost all other drugs. He believed that he had voted for an economic sector that needed employees, who could possibly deliver to a residence. He remarked that there were valid concerns regarding the limits on the plants and the daily purchases. He felt that medical marijuana could provide an alternative to opioids and benzodiazepines. He testified in support of the Senate Judiciary version of the legislation.

[3:08:00 PM](#)

KATHIE WASSERMAN, ALASKA MUNICIPAL LEAGUE, JUNEAU, shared that she had worked on the process and gave input on HB 75. She remarked that there was work to ensure that municipalities could function effectively and efficiently within the objective of the initiative. She stated that there was a balance of the wishes of constituents with the safety of the residents. She expressed concern with Section 33, page 2, line 11 of the current version, which said, "The authority to regulate is reserved to the state, and except as specifically provided by statute, a municipality may not enact or enforce an ordinance that is inconsistent with 1738. She shared that HB 75 was eleven pages dealing with the regulatory powers that she believed were granted in the initiative. She wanted to ensure that the municipality had a regulatory authority board, so municipalities could have the flexibility to react to legislation. She wondered if some of the legislation should have been discussed under HB 75, because of its focus on marijuana criminalization.

[3:11:11 PM](#)

DAVID SANDEN, ALASKAN CANNABIS PROJECT, AUKE BAY, spoke in opposition to SB 30. He felt that the committee needed to halt its efforts, and obtain an education on marijuana. He

understood the problems with regulating the ballot measure and the initiative, but felt that regulation was possible. He felt that the Alcohol Control Board was capable of regulating marijuana, and felt that the decisions and regulations could be trusted to that board.

Senator Bishop asked Mr. Sanden could identify a place in the legislation where position of a firearm was prohibited. Mr. Sanden did not know, but felt that the firearm provision should not be included.

Senator Bishop remarked that he did not know where that was located in the legislation. Mr. Sanden restated that the firearm provision should not be included in the legislation.

[3:15:53 PM](#)

JOHN FARLEIGH, SELF, ANCHORAGE (via teleconference), spoke in opposition to the new version of the bill. He felt that the committee was not supportive of legalization. He encouraged the committee to take the same approach as the Senate Judiciary Committee, because that version of the bill seemed to support the initiative.

[3:21:02 PM](#)

AT EASE

[3:21:12 PM](#)

RECONVENED

[3:21:57 PM](#)

BRIAN EHLERS, SELF, KASILOF (via teleconference), took issue with some language in the legislation, and felt that it was not in line with the ballot measure. He shared that Proposition 2 stated that an adult 21 years of age or older would be allowed six plants, and the yield of the plants could be possessed. He testified against listing marijuana as a controlled substance. He felt that marijuana should be regulated through a marijuana control board. He felt that the 5 gram concentrate rule should be changed. He remarked that some cancer patients could quickly go through 5 grams.

[3:23:39 PM](#)

STEVE WELLS, CRIMINAL DEFENSE ATTORNEY, PALMER (via teleconference), encouraged the committee to reinstate the former version of the legislation. He remarked that alcohol does more harm than marijuana. He stressed that there were many individuals who had a great dependency on both marijuana and alcohol. He furthered that there were many people who used marijuana responsibly, much like those that use alcohol responsibly. He remarked that the United States had a much larger prison population than other parts of the world.

[3:28:07 PM](#)

FRANK MIGHELL, SELF, ANCHORAGE (via teleconference), shared that there were many products that were made from cannabis, such as cannabis canvas. He shared that Kansas had used cannabis to reduce erosion on roadsides. He hoped that stores would someday offer the choice between cannabis and cotton.

[3:29:38 PM](#)

ALLEN CORNELISON, SELF, ANCHORAGE (via teleconference), felt that Alaska should have similar marijuana laws as Colorado. He did not believe that marijuana should be a controlled substance, but should be regulated like alcohol. He stressed that the prohibition of marijuana did not have a positive effect. He feared that limiting business and opportunities would create a positive black market. He wondered why the legislation set out limitations when the voters did not vote for those limitations. He felt that the Senate Judiciary version of the bill was more positive for business.

[3:32:02 PM](#)

JACOB TATUM, SELF, ANCHORAGE (via teleconference), testified against assigning cannabis as a controlled substance. He stressed that the Alaskan people had voted to legalize marijuana. He echoed some of the other testifiers' points of view. He knew some young people that had expressed support for cannabis legalization. He added that cannabis could be used for medicinal purposes.

[3:35:55 PM](#)

RICK COSTA, SELF, ANCHORAGE (via teleconference), felt that marijuana was safer than alcohol. He shared that he had a drinking problem at one point in his life, and marijuana use helped him overcome that issue. He shared that he had worked at a liquor store, so he observed the adverse effects of alcohol dependency.

[3:37:54 PM](#)

JASON HOWARD, SELF, SOLDOTNA (via teleconference), spoke against SB 30, including listing cannabis as a controlled substance. He related that he was an Iraqi war veteran and had suffered a variety of injuries, including a traumatic brain injury and PTSD. He cited research that showed that marijuana use had positive effects on treating the symptoms of his various ailments.

[3:40:57 PM](#)

ROSS MULLINS, SELF, CORDOVA (via teleconference), spoke in opposition to SB 30. He expressed concern with the lack of knowledge displayed by legislators in various committees. He alleged that the committee members may have been subject to conservative "knee-jerk reactions" due to lack of experience with marijuana. He referred to the amounts of allowable marijuana, and felt that it was not in accordance with realistic expectations.

[3:45:31 PM](#)

ZEKE HILSINGER, SELF, SUTTON (via teleconference), spoke in opposition to the current version of the bill. He felt that the committee had a lack of knowledge about what some of the definitions of marijuana concentrates might entail. He encouraged the committee to spend time with individuals who had knowledge about marijuana concentrates. He shared that marijuana smoked in a bowl of a pipe equated to 10 milligrams of THC with each toke. He spoke to the practice of treating cancer with THC. He noted that there were various types of liquor that had different amounts and concentrations of alcohol.

[3:48:45 PM](#)

RACHELLE YEUNG, MARIJUANA POLICY PROJECT, WASHINGTON, D.C. (via teleconference), testified about multiple concerns with SB 30. She spoke in support of the Senate Judiciary

version and specifically the removal of marijuana from the controlled substances list. She spoke in opposition of the 16 ounce limitation. She spoke to the limits on marijuana concentrates, and expressed concern regarding those limitations. She stressed that there should be no law that was in conflict with the will of the voters. She remarked that the limitation of 5 grams of marijuana concentrate per day would require tracking of customers. An alternative approach may be to limit the amount of marijuana concentrate sold per transaction, which would not require intrusive tracking.

Co-Chair MacKinnon related that there was an amendment ready to address the transaction issue of 5 ounces. She felt that the day's testimony might be related to talking points that may have been incorrectly interpreted. She stated that there was no intention to track sales. She remarked that the initiative did not require the removal of marijuana from the list of controlled substances.

Vice-Chair Micciche shared that there was no difference between the current version and the Senate Judiciary version, as related to firearms. He looked at the Senate Judiciary version F, Section 15, which stated that "a person commits a crime of misconduct involving weapons in the third degree, if they knowingly sell or transfer firearms to a person who is substantially impaired, and possesses on the person a firearm when the person's physical or mental condition is impaired." He stressed that the firearm issue was related to impairment. He pointed out that Section 16 also dealt with firearms.

[3:55:50 PM](#)

DAVID JOHNSON, CEO AND FOUNDER OF GRASSP, OREGON (via teleconference), testified in opposition to SB 30 and in support of home delivery of marijuana. He suggested there have been technology innovations that were important for the committee to consider, and mentioned legalization in the state of Colorado. He explained that Grassp was a regulated safe-access technology platform, and that "safe-access" referred to home delivery. He recommended that a safe-access technology solution be used to support and address concerns about home delivery. He directed the committee to the Grassp website at grasspit.com. He thanked the committee for their consideration.

[3:57:47 PM](#)

BEN ADAMS, SELF, SANTA ROSA, CALIFORNIA (via teleconference), spoke in opposition to the new version of SB 30. He related that he is an Alaska licensed attorney and did a lot of cannabis business creation. He expressed that many of the previous testifiers had consulted with him or were his clients. He added that he is also a board member of the CRCL. He expressed concern with how the legislation would affect industry by driving potential job-creators and investors to other states with less restrictive laws. He spoke to how the marijuana industry could benefit the state, particularly in a time of low oil prices. He related that he intended to return home to Alaska and aid in the opening of marijuana industry. He asked the committee to consider his comments before moving forward.

Co-Chair MacKinnon CLOSED public testimony and thanked all the individuals that testified. She noted that approximately ten individuals were dropped off net. She asked that members submit their amendments by 5 o'clock, but noted that she would accept them until noon of the following day.

Senator Hoffman related that he would like to have time to consider any information that comes with regard to acting on behalf of the unorganized borough, and have language drafted.

Vice-Chair Micciche thanked all the individuals that testified.

Co-Chair MacKinnon thanked the committee members, and reiterated that amendments were due as soon as possible, understanding that the Legislative Legal Department would need the information to continue their work.

SB 30 was HEARD and HELD in committee for further consideration.

#

ADJOURNMENT

[4:03:05 PM](#)

The meeting was adjourned at 4:03 p.m.