

SENATE FINANCE COMMITTEE

March 2, 2018

9:12 a.m.

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CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 9:12 a.m.

MEMBERS PRESENT

Senator Anna MacKinnon, Co-Chair  
Senator Peter Micciche  
Senator Donny Olson  
Senator Natasha von Imhof

MEMBERS ABSENT

Senator Lyman Hoffman, Co-Chair  
Senator Click Bishop, Vice-Chair  
Senator Gary Stevens

ALSO PRESENT

Senator Cathy Giessel, Sponsor; Jane Conway, Staff, Senator Cathy Giessel; Jill Lewis, Deputy Director, Division of Public Health, Department of Health and Social Services.

PRESENT VIA TELECONFERENCE

Jay Butler, Chief Medical Officer, Department of Health and Social Services; Eliza Muse, Substance Misuse Prevention Specialist, Department of Health and Social Services.

SUMMARY

SB 128 MARIJUANA EDU/TREATMENT FUND/PROGRAM

SB 128 was HEARD and HELD in committee for further consideration.

#sb128

SENATE BILL NO. 128

"An Act establishing the marijuana education and treatment fund; and relating to the duties of the Department of Health and Social Services to administer a comprehensive marijuana use education and treatment program."

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Co-Chair MacKinnon informed that there would be a presentation on the SB 128, and asked the sponsor if she had any comments.

SENATOR CATHY GIESSEL, SPONSOR, informed that SB 128 was // She relayed that she volunteered in a middle school in her district. She thought many kids in middle school were confused about marijuana. She discussed educational tools for various health-related tools, and emphasized the lack of educational material available for marijuana. She had an example of materials that had been developed by the Division of Public Health. The bill also allowed for the division to gather data on marijuana use. Senator Giessel emphasized that the Division of Public Health already distributed materials and education related to alcohol, and would

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Senator Olson thought there was a pervasive marijuana problem in the state, and wondered how to be certain that funds would be spent on marijuana education outside urban areas.

Senator Giessel replied that she did not name specific recipients in the bill. She believed that the Division of Public Health was equipped to ensure that the information and the ability to distribute the information was all over the state.

Senator Olson supported the idea of funds being spread throughout the state.

Senator von Imhof noticed that the bill went from using 25 percent to 35 percent. She thought there could be a philosophical discussion on the topic of perpetual programs and lack of flexibility in spending the funds.

Senator Giessel understood Senator von Imhof's concerns. She relayed that she had responded to concerns within the drafting and intent of the bill.

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JANE CONWAY, STAFF, SENATOR CATHY GIESSEL, addressed the Sectional Analysis (copy on file):

Section 1 AS 43.61.010(d) is technical and conforming language that clarifies which fund is being referenced in this section that is about the recidivism reduction fund. Since we are establishing another fund, the Marijuana Education and Treatment Fund in another subsection to follow, Legislative Legal wanted to correctly name which fund is being addressed to prevent any confusion.

Section 2 AS 43.61.010 is a new subsection that creates the Marijuana Education and Treatment Fund within the general fund. After receiving tax collected from marijuana sales, the Dept. of Administration shall separately account for and deposit 35 percent of those proceeds into the Fund, and the legislature may appropriate those monies for the purpose of funding DHSS programs for marijuana use education and treatment. This section specifies that the money in this fund does not lapse.

Section 3 AS 44.29.020(a) contains two minor fixes from Leg Legal that adds the word "the" to (11) of this section, and also the word "to" to item (14). It also adds to this section that DHSS will administer the marijuana education and treatment program by grant or contract out this program to other organizations in Alaska. This section outlines the following components of the program:

1. A community-based marijuana misuse prevention component
2. A youth services component
3. Public education geared toward prevention of youth initiation of marijuana use, education re: the effects of marijuana use and education re: marijuana laws
4. Surveying of youth/adults to determine knowledge, awareness, attitude and use of

marijuana products, along with need for trained professionals

5. Monitoring of the public's health relating to consequences of marijuana use

6. Provide for substance abuse screening, brief intervention, and referral to treatment

Co-Chair MacKinnon referenced item 6 in Section 3 of the Sectional Analysis. She queried the intent of "opportunities for positive social leisure and recreational activities."

Senator Giessel stated that the intent of the language was to target after-school programs.

Co-Chair MacKinnon asked if the intent was to have a more global, connected

Senator Giessel answered in the affirmative.

Senator Micciche gleaned that the bill would provide for programs in K-12 education. He hoped there was a balance between K-12 and after-school programs.

Senator Giessel stated that ideally Girl Scouts, Boy Scouts, and faith-based programs would utilize the intent. She added that drug misuse crossed all socio-economic boundaries.

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Senator von Imhof mentioned the sponsor's reference to "access to materials." She wondered if the bill would result in supplanting existing programs, growing programs, or forming new programs.

Senator Giessel referred the question to staff from the Division of Public Health, who could address the subject in greater detail.

JAY BUTLER, CHIEF MEDICAL OFFICER, DEPARTMENT OF HEALTH AND SOCIAL SERVICES (via teleconference), remarked that there was a concern about underage youth and early initiation; driving under the influence; and use during pregnancy. He stated that there was a report that examined motor vehicle fatalities, which showed a small spike that occurred in the evening hours of April 20. That day correlates with the day

that many younger people celebrate marijuana. He appreciated the goal of ensuring that the programs were focused and high quality. He also wanted to provide flexibility for the local variability.

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JILL LEWIS, DEPUTY DIRECTOR, DIVISION OF PUBLIC HEALTH, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, informed that the changes in the committee substitute would not affect the presentation by the department.

ELIZA MUSE, SUBSTANCE MISUSE PREVENTION SPECIALIST, DEPARTMENT OF HEALTH AND SOCIAL SERVICES (via teleconference), spoke to the presentation, "Marijuana Education and Treatment Fund" (copy on file).

Ms. Muse turned to slide 2, "Marijuana Education and Treatment Fund ("Fund")":

- This bill establishes a Marijuana Education and Treatment Fund ("Fund")
- The Fund is similar to the Tobacco Use Education and Cessation Fund

Ms. Muse spoke to slide 3, "This bill would direct 35 percent of the marijuana excise tax levied under AS 43.61.010 to the Marijuana Education and Treatment Fund," which showed two pie charts entitled, 'Current Allocations,' and 'Proposed Allocations.'

Ms. Muse reviewed slide 4, "Marijuana Education and Treatment Fund" which showed Venn diagram entitled 'Overarching Goals.'

Ms. Muse displayed slide 5, "DHSS -Marijuana Use Education, and Treatment Program":

Statewide Coordination

Comprehensive program:

- Community-based marijuana misuse prevention, with a focus on youth prevention including support for afterschool programming

- Assessment of knowledge and awareness of laws, and use of marijuana products
- Monitoring of population health impact related to marijuana use and legalization
- Workforce training
- Marijuana education
- Substance abuse screening, brief intervention, and referral to treatment

Ms. Muse referenced slide 6, "Community-based marijuana misuse prevention":

Local efforts to prevent misuse before it starts:

- Mitigating risk factors
- Strengthening protective factors

Enhance existing programs for public health and education to address substance misuse prevention

- Alaska Adolescent Health Program
- Department of Education and Early Development
- Division of Juvenile Justice
- Community-based programs including support for afterschool programming

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Ms. Muse discussed slide 7, "Assessment and Monitoring":

Assessment of trends in knowledge, awareness, attitudes, and behaviors to address misperceptions and knowledge gaps

Monitoring health status and use trends to identify any health or health system effects of legalization

Needs assessment to guide training and program development for professionals

Some questions that require answers:

- Do youth perceive marijuana as a less harmful substance due to legalization?
- Do youth and adults see driving under the influence of marijuana as dangerous?
- How has marijuana legalization affected Alaskan's health and safety?

Ms. Muse reviewed slide 8, "Marijuana education":

Will be used to improve the public's knowledge, attitudes, and awareness about marijuana and educate the public about healthy behavior choices in their lives. Materials will be designed to communicate messages to

- 1) help prevent youth initiation of marijuana use
- 2) educate the public about the health effects of marijuana use
- 3) educate the public about marijuana laws.

Ms. Muse spoke to slide 9, "Treatment":

Provider education and awareness of substance use screening.

Substance abuse screening, brief intervention, and referral to treatment (SBIRT)

- Assesses for the presence of substance use behaviors
- Tools for clinicians and other service providers to identify at-risk clients and give immediate feedback and coaching regarding strategies to lower their risk behaviors

Ms. Muse displayed slide 10, "Why does this matter?":

Public health and safety:

- Adolescent health
- Reproductive/maternal/child health
- Injury prevention and control (drugged driving, accidental consumption/ingestion)
- Environmental health (pesticides, lab testing, food safety, secondhand smoke exposure)
- Mental health and other substance abuse
- Occupational health
- Health Equity/Disparities

Ms. Muse showed slide 11, "Adolescent Health: A closer look," which had a line graph entitled 'Percentage of Alaska traditional high school students who use marijuana.' She remarked that the blue line represented the proportion of Alaska traditional high school students use; and the red line represented youth in the past 30 days. She felt that it served as a surrogate measure of current or ongoing use.

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Ms. Muse turned to slide 12, "Adults can help reduce youth marijuana use":

Supportive Teachers: Youth who agree that teachers care and encourage them are 52 percent less likely to have used marijuana in the past month.

Talking with Parents: Youth whose parents talk with them about what they are doing in school every day are 29 percent less likely to have used marijuana in past month.

Community Connections: Youth who feel connected to their community are 38 percent less likely to have used marijuana in the past month.

Afterschool Programs: Youth who take part in afterschool activities are 29 percent less likely to have used marijuana in the past month.

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Ms. Muse reviewed slide 13, "Prevalence of Current Marijuana Use\*, OR, WA, CO, and AK, 2016." She shared that the adult trend for Alaska was stable at around 15 to 16 percent, which was similar to other states with legalized retail sales.

Ms. Muse referenced slide 14:

Oregon, Colorado, Washington, California have all funded programs in their states to aid in

- public education
- monitoring health status
- community-based programming
- screening and treatment

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Senator Micciche observed that there was a correlation between legalization and the increase of usage in youth.

Ms. Muse stated that the data on youth use showed a stable degree of usage over the previous ten years. She remarked

that tobacco use had declined by 70 percent in the previous few years.

Senator Micciche referenced slide 11, and asked when the initiative passed to legalize marijuana in Alaska.

Ms. Muse recalled that the initiative passed in 2014, and stores opened in fall of 2016. She remarked that perception of harm was an important protective factor, and the department had been tracking that perception. She shared that, in 2017, only 19 percent of youth felt that there was a great use of harm in using marijuana products one to two times per week.

Senator Micciche asked if Ms. Muse could discuss how tobacco use and cessation funds that were dispersed.

Ms. Muse remarked that the program was designed looking at the Comprehensive Tobacco Use and Education Fund as a model. She stated that the fund was used for community-based work, public education, monitoring, and treatment. The comprehensiveness of the tobacco program drove the design of the proposed program. She stressed that comprehensive programs were most impactful.

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Senator Micciche thought it would be interesting to see the chart on slide 11 with tobacco use in the place of marijuana use. He thought that the youth tobacco education/cessation program had been very effective. He thought the marijuana program could be similarly effective.

Ms. Lewis thought it might be helpful in comparing the two programs to note that the tobacco program was listed on page 2, line 22 of the bill.

Senator von Imhof found it ironic that marijuana was legalized, and then subsequent tax funds were allocated for substance abuse programs.

Senator Micciche believed that Senator von Imhof had captured the definition of irony.

Co-Chair MacKinnon thought that the issue would continue to grow, and would affect the Medicaid population and

healthcare. She shared that she had voted "no" on the initiative.

Co-Chair MacKinnon asked about slide 12, and had observed through various studies that supportive adults made a huge difference in the lives of youth.

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Co-Chair MacKinnon referenced slide 13, and noted that Alaska was slightly above the norm with regard to marijuana use. She wondered if there was a correlation with marijuana use and profession or occupation.

Ms. Muse thought that it would be possible to complete special surveys.

Co-Chair MacKinnon was interested in a survey question related to occupations of marijuana users. Senator von Imhof thought there would be a census in 2020, and wondered about the questions that would be asked.

Ms. Lewis stated that the census asked strictly demographic questions, but also had a follow-up survey in which there were different questions.

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Co-Chair MacKinnon asked Dr. Butler if it was possible to determine whether the federal government could provide survey questions on opioid use, and some of the harmful effects. She wanted to understand both the opioid crisis and the trend to legalize marijuana.

Senator von Imhof thought because there was a move to legalize marijuana throughout the country, it was a timely concern. S

Co-Chair MacKinnon referenced a survey she had taken that had questioned her appliance purchases. She asked if it was possible to reach out the U.S. Department of Labor.

Dr. Butler deferred to the committee's will as to who should conduct the outreach.

Co-Chair MacKinnon asked Dr. Butler to make the request to the federal government.

Dr. Butler agreed to carry out the request.

Co-Chair MacKinnon stated that any proposed amendments to the bill were due to her office by the following Monday.

SB 128 was HEARD and HELD in committee for further consideration.

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ADJOURNMENT

10:00:17 AM

The meeting was adjourned at 10:00 a.m.