

**ALASKA STATE LEGISLATURE  
HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

March 6, 2019

3:18 p.m.

**MEMBERS PRESENT**

Representative Gabrielle LeDoux, Co-Chair  
Representative Adam Wool, Co-Chair  
Representative Zack Fields  
Representative Sara Hannan  
Representative Louise Stutes  
Representative Josh Revak  
Representative Dave Talerico

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S):

Marijuana Control Board

Vivian Stiver - Fairbanks

- HEARD

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

VIVIAN STIVER, Appointee  
Marijuana Control Board  
Alaska Department of Commerce, Community, & Economic Development  
(DCCED)  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified as appointee to the Marijuana Control Board.

BRANDON EMMETT, President  
Alaska Marijuana Industry Association (AMIA)  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

PAUL DISDIER, General Manager/Co-owner  
The Fireweed Factory, LLC  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

LACEY HARRIS, Employee  
Green Jar  
Wasilla, Alaska

**POSITION STATEMENT:** Offered comments on the governor's appointee to the Marijuana Control Board.

JO MCGUIRE, Senior Project Manager  
TSS, Inc.

Colorado Springs, Colorado

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

RENEE SCHOFIELD, Owner/CEO  
TSS, Inc.

Ketchikan, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

DAVID LANNING, General Manager  
Arctic Bakery, LLC

Fairbanks, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

BRUCE CAMPBELL  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

LISA COATES, Owner  
Urban Extracts  
Kenai, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

KAREN PERDUE  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

RICK HINKEY

Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

CARY CARRIGAN, Executive Director

Alaska Marijuana Industry Association (AMIA)

Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

TIM STATON

Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

DOLLYNDA PHELPS, Co-owner

Peace Frog Botanicals

Nikiski, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

EMILY NENON

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

FRANCIS DOUBRAVA, Employee

Green Valley Enterprises

Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

STEPHANIE CROOKSHANKS, Future Employee

Peace Frog Botanicals

Nikiski, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

ANN BROWN

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

CHERYL BOWIE

Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

CALEB SAUNDERS, Co-owner/CEO

Green Jar

Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

TINA SMITH, Owner

Midnight Greenery

Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

VANESSA LISTON, Co-owner

Matanuska Medicine Woman, LLC

Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

KATIE GOOD, Employee

Grateful Bud, LLC

Kenai, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

DWIGHT HAAK

Palmer, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

NANCY GRAFF

North Pole, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

CHELSEA FOSTER

Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

GEORGE PIERCE

Kasilof, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

AARON RALPH, Owner  
Alaska Cannabis Exchange  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

LOUIS WEAVER  
Anchorage, Alaska

**POSITION STATEMENT:** Offered comments on the governor's appointee to the Marijuana Control Board.

JIM OSTLIND  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

ANTHONY OLIVIERI, Employee  
Matanuska Medicine Woman, LLC  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

ZALLMAN LISTON, Co-owner  
Matanuska Medicine Woman, LLC  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

LYNETTE CLARK  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

VERNON SMITH, Co-owner  
North Road Buds  
Kenai, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

DENNY HUMPHREY, Owner  
High Tide Distributors  
Nikiski, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

PATRICIA PATTERSON, Owner  
High Bush Buds  
Soldotna, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

RYAN TUNSETH, Owner  
East Rip  
Kenai, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

LYNN SMITH, Co-owner  
North Road Buds  
Kenai, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

KAREN LOWRY  
Alaskan Blooms  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

KIM COLE  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

LUKE HOPKINS  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointment of Ms. Stiver to the Marijuana Control Board.

BARBARA BARNES  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of the appointment of Ms. Stiver to the Marijuana Control Board.

**ACTION NARRATIVE**

[3:18:22 PM](#)

**CO-CHAIR GABRIELLE LEDOUX** called the House Labor and Commerce Standing Committee meeting to order at 3:18 p.m. Representatives Hannan, Stutes, Revak, Talerico, and LeDoux were

present at the call to order. Representatives Fields and Wool arrived as the meeting was in progress.

**CONFIRMATION HEARING(S): Marijuana Control Board**

[3:19:18 PM](#)

CO-CHAIR LEDOUX announced that the only order of business would be consideration of Vivian Stiver, the governor's appointee to the Marijuana Control Board.

[3:19:51 PM](#)

[Missing audio from 3:19:51 p.m. to 3:23:04 p.m. due to technical difficulties.]

[3:23:22 PM](#)

VIVIAN STIVER, Appointee, Marijuana Control Board, Alaska Department of Commerce, Community, & Economic Development (DCCED), introduced herself and highlighted her professional experience. She mentioned that she had previously been a small business owner and a legislative aide, as well as a member on the Fairbanks City Council. She further stated that she was committed and dedicated to assisting the public with navigating government agencies in a manner that was courteous and comprehensible. She thought this was important because the public needed to be educated on marijuana-related issues. She added that she had not heard any complaints about the marijuana industry other than several issues in Fairbanks that were readily taken care of through regulation. She concluded by saying that education and process were important issues for the Marijuana Control Board (MCB), and that the addition of a public voice would only benefit the board.

[3:25:43 PM](#)

REPRESENTATIVE STUTES asked Ms. Stiver to elaborate on the Fairbanks issues.

MS. STIVER revealed that Frozen Buds had an issue with the product they were making and that there was an odor issue from a cultivator, which was remedied after the city administered several ordinances.

[3:26:44 PM](#)

CO-CHAIR WOOL inquired as to why the governor appointed Ms. Stiver to serve on the Marijuana Control Board (MCB), Alcohol and Marijuana Control Office, Department of Commerce, Community & Economic Development.

MS. STIVER replied that she requested to be on the board.

CO-CHAIR WOOL questioned whether Ms. Stiver's choice to be on the board was in further pursuit of her outspoken interest in the marijuana industry.

MS. STIVER claimed that, although she did not vote [for Alaska Marijuana Legalization, Ballot Measure 2 (2014) (Ballot Measure 2)] to legalize marijuana, her position was never against its legalization. She asserted that, at the time, she didn't think the city of Fairbanks was prepared to regulate the marijuana industry, as there were no ordinances on the books.

[3:30:45 PM](#)

REPRESENTATIVE REVAK stated that, if Ms. Stiver were to be appointed, there was concern from several business owners in his community that they would have "an enemy on the board" who may be "out to subvert the industry and the local existing businesses." He asked if this would be true.

MS. STIVER stated that she had no hidden agenda against business owners in the [marijuana] industry, adding that it was performing and providing revenue. The regulation process, she said, should serve both the public and the industry. She maintained that, if appointed, she would purely be "a public member who has a view that would be part of the discussion," adding that the discussion was not "let's make marijuana illegal. That's not the discussion, it's not on the table, and it hasn't been."

[3:32:16 PM](#)

REPRESENTATIVE STUTES questioned whether Ms. Stiver could truly be impartial and not let her personal objections interfere with her decision making on the board, especially after she participated in a group that was publicly opposed to marijuana.

MS. STIVER reiterated that her position was never "never marijuana." Her position, she said, was that they should watch Colorado to see how they solve some of the problems they've encountered. She maintained that Fairbanks was not ready for

legalization when Ballot Measure 2 passed. Nonetheless, she claimed that she would have no problem setting aside her personal views and representing businesses fairly.

[3:34:11 PM](#)

REPRESENTATIVE HANNAN asked for Ms. Stiver's stance on on-site consumption.

MS. STIVER replied that on-site consumption rules had already gone to the lieutenant governor's office to be signed into law; therefore, her stance was irrelevant.

REPRESENTATIVE HANNAN noted that nothing in democracy was ever final, adding that any issue could be revisited. She restated her question to Ms. Stiver, asking if she supported on-site consumption.

MS. STIVER replied that once the regulations went into effect, she would have a more adequate answer.

[3:36:16 PM](#)

CO-CHAIR WOOL disclosed that he was an alcohol license holder and must answer to the Alcoholic Beverage Control Board (ABC Board), Alcohol and Marijuana Control Office, Department of Commerce, Community & Economic Development, adding that, as an industry member, he was happy that there were two industry seats on that five-person board. He pointed out that Ms. Stiver's seat on the MCB could be filled by either a public person or an industry member because, at the boards inception, there were not many industry members. He further noted that her seat was previously filled by an industry member and wondered if the industry would feel they had adequate representation with that seat being filled by someone from the public. Representative Wool concluded by asking Ms. Stiver if she thought the MCB should parallel the ABC board by having two industry seats on the five-person board.

[3:38:26 PM](#)

MS. STIVER opined that the makeup of the board was determined by the legislature, adding that they already receive plenty of input from the industry regardless of how many industry members were on the board. She stated that, as a public member, she would listen to any issues that people in the industry might have with regulations that stifle their business.

CO-CHAIR WOOL asked if Ms. Stiver had patronized any marijuana businesses since the inception of legalization.

MS. STIVER explained that she had toured a few stores and received several offers to visit cultivators, but that was the extent of her interaction. She asked Representative Wool to clarify what he meant by "patronize."

CO-CHAIR WOOL restated his question, asking Ms. Stiver if she had ever spent money in a marijuana establishment.

MS. STIVER replied that she was not a consumer.

[3:40:44 PM](#)

CO-CHAIR LEDOUX asked Ms. Stiver how she would vote if there was an initiative to repeal marijuana.

MS. STIVER claimed that she would not vote for it.

CO-CHAIR LEDOUX questioned whether Ms. Stiver believed marijuana was more or less dangerous than alcohol.

MS. STIVER stated that it depends on the individual.

CO-CHAIR LEDOUX asked if Ms. Stiver was responsible for the statement, "It is a drug, there's no way around it. It's not a glass of wine, it's not a shot of Jack Daniels, it's way more powerful than that."

MS. STIVER replied that she did not know where that quote came from and couldn't recall saying it.

[3:42:44 PM](#)

CO-CHAIR LEDOUX opened public testimony.

[3:43:48 PM](#)

BRANDON EMMETT, President, Alaska Marijuana Industry Association (AMIA), stated that the MCB served an essential function in the state of Alaska by ensuring that the marijuana industry operated in the interest of the Alaskan people. He explained that while establishing public health and safety is an essential duty of the board, it must also make sure that the industry is afforded the ability to create jobs, enhance commerce, and combat the

black market. He emphasized the importance of both experts and industry representation on the board, adding that if a member of the public was appointed, that individual should be well-versed in both public and marijuana policy, as well as maintain an objective view on the impact that marijuana has had on the general public. He further noted that the makeup of the board should reflect the attitudes of Alaskans towards the substance. For those reasons, Mr. Emmett said he strongly opposed Ms. Stiver's confirmation.

MR. EMMETT claimed that Ms. Stiver had cemented her position in the Fairbanks community as a "staunch prohibitionist" and had gone on record multiple times "to deride marijuana and its effects as a scourge on our society." He added that she also spread misinformation about the potential for drug drivers and teen consumption, contrary to data provided by state agencies such as the Colorado Department of Public Health and Environment and the Alaska Department of Health and Social Services. He described Ms. Stivers participation in a 2017 campaign known as Safe Neighborhoods Fairbanks, through which she tried to prohibit marijuana commerce and convince the populous that marijuana was a dangerous drug. Mr. Emmett said that, since her appointment, Ms. Stiver has altered her position, saying that she started Safe Neighborhoods Fairbanks to buy the city more time to properly regulate the substance, not to prohibit marijuana. He explained that the marijuana industry has created hundreds of jobs and generated much needed revenue, accomplishments that would not have been possible had Ms. Stiver been successful in her efforts. He then highlighted the appointee's lack of knowledge regarding on-site consumption and emphasized the need for public policy makers to be highly educated on the issues they seek to tackle. Mr. Emmett concluded by saying that, although he respected her right to hold personal beliefs, Ms. Stiver has demonstrated a bias and "lack of depth" on the subject matter, which is why he deemed her unfit to serve on the MCB.

[3:50:12 PM](#)

CO-CHAIR WOOL asked if Mr. Emmett had patronized any marijuana businesses since the inception of legalization.

MR. EMMETT confirmed that he was a marijuana consumer and noted that he regularly patronized marijuana businesses.

CO-CHAIR WOOL wondered if, as an industry member, Mr. Emmett would feel more comfortable if the MCB had two industry seats on the five-person board like the ABC board's current makeup.

MR. EMMETT disclosed that, until a few days ago, he held one of the industry seats on the MCB. He acknowledged that the MCB should have two industry members so that they would stay in the minority while still having solid representation. He explained that if there was a situation where the industry was not represented in a method that allowed them to get to at least a 3-2 vote that the industry could "suffer death by a thousand cuts."

[3:51:53 PM](#)

REPRESENTATIVE STUTES asked for clarification on Mr. Emmett's affiliation to the Alaska Marijuana Industry Association (AMIA).

MR. EMMETT stated that he was president of the statewide AMIA, which represented approximately 50 businesses across the state.

[3:52:24 PM](#)

REPRESENTATIVE FIELDS inquired as to the percentage of marijuana being sold legally versus illegally.

MR. EMMETT opined that the black market was alive and well, adding that he was a member of many pro-marijuana Facebook pages where, on any given day, you could go and seek out black market marijuana. He stated that prices for black market cannabis and legal cannabis were starting to align, which indicated that the legal marijuana industry was starting to exert downward pressure on the black market. Nevertheless, there was still a large price disparity between legal concentrates and black market concentrates, which was a presumed effect of the high marijuana tax rates. Mr. Emmett pointed out that black market marijuana was cheaper to process than legal marijuana, adding "there's a lot of work that needs to be done." He expounded that the only way to truly combat the black market was through a "robust, legal, regulated industry."

[3:54:17 PM](#)

CO-CHAIR WOOL asked for clarification on the initial makeup of the MCB at its inception.

MR. EMMETT explained that, at its inception, the MCB had no industry members because there was no industry; however, when 17.38 [AS 17.38: The Regulation of Marijuana] was written, the intent was to have one dedicated industry seat and one swing seat that could be filled by either an industry member or public person. He added that once the industry was functional, both seats were supposed to be filled by industry members so that the MCB mirrored the ABC board.

CO-CHAIR WOOL asked Mr. Emmett if he was an original member of the MCB and if he was classified as industry. He also inquired as to who held the swing seat at the time and whether they were an industry member.

MR. EMMETT replied that, yes, he was one of the original five members and that his seat had been listed as industry since the board's inception. He noted that the other industry member was Bruce Schulte.

CO-CHAIR WOOL questioned whether [Bruce Schulte] was technically in the industry at the inception of the MCB.

MR. EMMETT stated that he was not.

[3:56:32 PM](#)

CO-CHAIR LEDOUX asked Mr. Emmett if he could recall when Ms. Stiver made the statement about wanting to reconsider on-site consumption regulations.

MR. EMMETT reported that it was in an Anchorage Daily News article, adding that he could find the article online and provide the testimony to the committee should they request it.

[3:57:20 PM](#)

REPRESENTATIVE TALERICO asked if the Fairbanks North Star Borough had any regulations on the books when the initiative to legalize marijuana passed.

MR. EMMETT stated that, when the initiative passed, there was nothing on the books for planning and zoning in the North Star Borough.

[4:00:00 PM](#)

PAUL DISDIER, General Manager/Co-owner, The Fireweed Factory, LLC, emphasized that he strongly opposed the nomination of Ms. Stiver to the MCB because of her lack of qualifications and well-documented hostility towards the [marijuana] industry. He claimed that she was the wrong choice to replace Brandon Emmett on the board and hoped that the governor would pick someone with a more balanced and moderate approach.

[4:01:33 PM](#)

LACEY HARRIS, Employee, Green Jar, stated that it would be unwise to have a prohibitionist appointed to the MCB, adding that it would misrepresent Alaskans' attitude towards the marijuana industry.

[4:02:34 PM](#)

JO MCGUIRE, Senior Project Manager, TSS, Inc., noted that she was a national subject matter expert on the impact of legal marijuana on the workplace and had extensive experience helping employers write their workplace policies in states that had legalized marijuana. She mentioned that she met and worked with Ms. Stiver five years ago and stated that she would be a fantastic, non-biased addition to the MCB in the interest of public health and safety.

[4:04:08 PM](#)

CO-CHAIR WOOL questioned whether Ms. McGuire had ever participated in any anti-marijuana campaigns.

MS. MCGUIRE claimed that her stance had always rested on the need to be prepared with established regulations. She said that, out of concern for public health and safety, there should be an impairment test for driving under the influence of marijuana, noting that her background was in workplace drug and alcohol testing. She added that the industry tended to label that as prohibitionism.

CO-CHAIR WOOL restated his question. He asked whether Ms. McGuire had ever participated in any anti-marijuana campaigns.

MS. MCGUIRE explained that she had never participated in a formal anti-marijuana campaign, however, she had spoken on behalf of a variety of campaigns regarding the impact of marijuana on the workplace.

CO-CHAIR WOOL asked Ms. McGuire to clarify what her fulltime job was.

MS. MCGUIRE said that she worked with TSS, Inc., which offered workplace drug and alcohol testing. She further noted her position as the founding chairman of the Board of Directors for the National Drug and Alcohol Screening Association, as well as Jo McGuire Inc, through which she spoke on the impact of legal marijuana as a "subject matter expert."

CO-CHAIR WOOL sought to clarify Ms. McGuire's "day job." He asked if it [TSS, Inc.] was a private, for-profit company that tested people on the job for drugs or alcohol.

MS. MCGUIRE concurred. She described the range of services they provide, including managing companies' drug and alcohol testing programs, as well as "a variety of things in the safety sector under OSHA [Occupational Safety and Health Administration] requirements."

[4:06:40 PM](#)

REPRESENTATIVE STUTES questioned whether Ms. McGuire supported the legalization of marijuana.

MS. MCGUIRE replied that she did not support legalization because she believed that states didn't know enough about the marijuana industry to regulate it appropriately.

[4:07:38 PM](#)

REPRESENTATIVE HANNAN inquired as to the development of drug and alcohol tests that could indicate the timeframe of consumption prior to testing.

MS. MCGUIRE explained that there was currently lab-based oral fluid that detected any consumption that was done 6-24 hours prior to testing.

REPRESENTATIVE HANNAN asked if someone would be considered intoxicated if they consumed marijuana 24 hours before being tested.

MS. MCGUIRE stated that it was highly variable and depended on the individual, the product, and how much they consumed.

REPRESENTATIVE HANNAN questioned if the test would be able to tell whether someone was intoxicated or if they just consumed.

MS. MCGUIRE clarified that the test would show recent consumption, as there is no current test for impairment.

[4:09:46 PM](#)

REPRESENTATIVE REVAK questioned whether the oral fluid testing was something that could be done by a public safety officer on the road or if it required a lab.

MS. MCGUIRE explained that it was currently a lab-based cheek swab.

REPRESENTATIVE REVAK inquired as to the cost for oral fluid testing and others like it.

MS. MCGUIRE stated that the test cost around \$65 but that it varied. She noted that oral fluid was less invasive than blood testing and gave the most accurate read of THC in the bloodstream.

[4:10:57 PM](#)

REPRESENTATIVE WOOL asked Ms. McGuire if the occurrence of people driving under the influence had increased since legalization or if more people were just openly purchasing [marijuana].

MS. MCGUIRE stated that impairment had gone up and referenced several studies done in Colorado which showed that roughly 55-65 percent of admitted marijuana users drove within two hours of consuming.

[4:12:22 PM](#)

CO-CHAIR LEDOUX asked where TSS, Inc. was headquartered and questioned whether Ms. McGuire was a Juneau resident.

MS. MCGUIRE explained that TSS, Inc. was headquartered in Ketchikan with an office in Juneau, adding that she worked out of all the locations, but her residency was in Colorado.

CO-CHAIR LEDOUX asked Ms. McGuire if she thought oral fluid testing had the potential to change marijuana policy.

MS. MCGUIRE replied that employers needed to reconsider their "zero tolerance" mindset and get creative when it came to policies so that they could keep people working. She stated that oral fluid testing "could really change everything."

[4:15:08 PM](#)

RENEE SCHOFIELD, Owner/CEO, TSS, Inc., stated that she was in support of Ms. Stiver's confirmation to the MCB because it was time for the public to have a voice.

[4:16:24 PM](#)

CO-CHAIR WOOL offered his understanding that there was already one public seat on the board. He asked if this was true.

MS. SCHOFIELD replied that she was unsure of the makeup of the board.

[4:17:07 PM](#)

DAVID LANNING, General Manager, Arctic Bakery, LLC, emphasized that he opposed the nomination of Ms. Stiver to the MCB because she was underqualified and lacked knowledge about the marijuana industry. He reiterated that industry members did not trust her.

[4:18:53 PM](#)

BRUCE CAMPBELL stated that he was in support of Ms. Stiver's confirmation to the MCB because she would be a good voice for the public. He stated that he knew Ms. Stiver, adding that she was well-informed on the topic and would be able to "work within the regulatory and statutory process." He further described her as calm, thoughtful, and someone who respected the integrity and opinion of others.

[4:19:51 PM](#)

LISA COATES, Owner, Urban Extracts, emphasized that she strongly opposed the nomination of Ms. Stiver to the MCB because she led the fight against legalization in Fairbanks without taking the time to educate herself on the industry. She explained that the board should consist of people who understood the industry and wanted to find a way to regulate it while keeping it sustainable and upholding public safety. She added that having two industry members helped, because they educated the other members and

brought them up to speed on the quickly growing and constantly evolving marijuana industry. She pointed out that if an industry seat were to be given to a public member, that person should be a marijuana consumer.

[4:21:34 PM](#)

KAREN PERDUE, former commissioner of the Department of Health and Social Services, referenced her 25 years in state government and extensive experience with regulations and statutes, noting that she did vote for the initiative [Ballot Measure 2]. She emphasized the need for a public member on the MCB, adding that there were many meetings where only one or two members of the public were present. Ms. Perdue maintained that, although "there are things that have been done very well," the public still had questions about how this industry was developing. In conclusion, she said she supported Ms. Stiver, and offered her belief that the board didn't operate as transparently as it should in developing regulations.

[4:22:53 PM](#)

RICK HINKEY stated that he was in support of Ms. Stiver's confirmation to the MCB because she would bring a different perspective to the board and represent the public in an honest way. He emphasized the need for a more balanced perspective, better dialogue, and more clarity in the regulations.

[4:24:05 PM](#)

CARY CARRIGAN, Executive Director, Alaska Marijuana Industry Association (AMIA), stated that the AMIA was adamantly opposed to the nomination of "a prohibitionist like Ms. Stiver" to the MCB. He pointed out that Mark Springer was a public official who served as the chair of the MCB, Loren Jones was an assemblyman in Juneau who currently held the medical seat, and the public safety seat was held by someone who served as a public safety official; therefore, people who thought there was no public opinion available on the board were mistaken. Mr. Carrigan opined that the board was well-balanced when it had two industry seats. He concluded by saying that appointing Ms. Stiver to the MCB would not add any more public testimony to the board than it already had. Everyone is welcome to participate in that process and ask questions telephonically.

[4:25:26 PM](#)

TIM STATON remarked that he was in support of Ms. Stiver's appointment to the MCB because she was fair and just, as well as well-educated on issues related to marijuana. He opined that the public needed to be educated on the industry and Ms. Stiver should be the one to do that.

[4:26:56 PM](#)

DOLLYNDA PHELPS, Co-owner, Peace Frog Botanicals, stated that Ms. Stiver had demonstrated a biased, lack of knowledge on the subject matter, which is why she was unfit to serve on the MCB. She added that the board needed more industry representation.

[4:28:43 PM](#)

EMILY NENON read the MCB's mission statement, emphasizing "clear consistent standards to protect the public from harm." She stated that, after sitting through hours of MCB meetings, she had seen a lack of transparent public process and a lack of clear consistent standards. She added that it was time for the public's interest to be represented in that public seat.

[4:29:52 PM](#)

FRANCIS DOUBRAVA, Employee, Green Valley Enterprises, urged the committee to reconsider replacing a seat currently held by an industry member with a "known prohibitionist." He stated that, by appointing Ms. Stiver to the board, it would be unfairly stacked against the forward development of the [marijuana] industry. He remarked that Ms. Stiver had already demonstrated an unquestionable bias, adding that if a public person was to be placed on the board, that person should consume cannabis or be knowledgeable about the marijuana industry.

[4:30:38 PM](#)

STEPHANIE CROOKSHANKS, Future Employee, Peace Frog Botanicals, stated that she was opposed to the appointment of Ms. Stiver to the MCB, adding that Alaska would be taking a step back by appointing a prohibitionist to the board.

[4:31:29 PM](#)

ANN BROWN voiced her support for the confirmation of Ms. Stiver to the MCB. She stated that she had always known her to be a fair-minded person and that she had never heard Ms. Stiver describe herself as a prohibitionist.

[4:32:30 PM](#)

CHERYL BOWIE stated that she strongly opposed the appointment of Ms. Stiver to the MCB, not necessarily because of her stance, but because the board needed "regulatory entrepreneurs" who would support the industry with a more balanced and moderate approach. She urged the committee members to continue the search.

[4:33:42 PM](#)

CALEB SAUNDERS, Co-owner/CEO, Green Jar, made an analogy between appointing Ms. Stiver to the MCB and appointing a People for the Ethical Treatment of Animals (PETA) advocate to the Board of Game, Boards Support Section, Department of Fish and Game. He explained that he strongly opposed the appointment of Ms. Stiver to the MCB because having a dissenting opinion did not qualify her to hold a seat on the board.

[4:35:01 PM](#)

TINA SMITH, Owner, Midnight Greenery, stated that she took the appointee on a tour of several marijuana-related businesses in Anchorage and, during that time, was able to ask Ms. Stiver questions regarding her knowledge of the industry and her stance on legal marijuana. She explained that Ms. Stiver's response demonstrated a lack of knowledge on Alaska's marijuana regulations and that Ms. Stiver had not spent any time in an MCB meeting. For this reason, she opposed Ms. Stiver's appointment.

[4:36:25 PM](#)

VANESSA LISTON, Co-owner, Matanuska Medicine Woman, LLC, explained that she opposed the appointment of Ms. Stiver to the MCB, referring to her inability to answer a previous question regarding on-site consumption. She opined that members on the board should be transparent so that the industry could progress.

[4:37:44 PM](#)

KATIE GOOD, Employee, Grateful Bud, LLC, stated that she opposed the confirmation of Ms. Stiver to the MCB, adding that she was confused by Ms. Stiver's request to serve on the board based on her past actions.

[4:38:28 PM](#)

DWIGHT HAAK communicated his opposition to Ms. Stiver's appointment to the MCB. He explained that the industry was making it known that "we don't want her." He referenced Ms. Stiver's response to a previous question about repealing marijuana, adding that he would like her to give a clear answer.

[4:39:59 PM](#)

NANCY GRAFF voiced her support for the confirmation of Ms. Stiver to the MCB. She stated that Ms. Stiver was a fair-minded person who would bring balance to the board.

[4:40:32 PM](#)

CHELSEA FOSTER voiced her opposition to Ms. Stiver's confirmation. She mentioned the need for another industry member to hold a seat on the MCB because there were already three board members who represented the public.

[4:41:41 PM](#)

GEORGE PIERCE stated that he opposed the appointment of Ms. Stiver to the MCB because she had been a critic of marijuana businesses and would not fairly represent the voice of the people. He referenced an alleged Facebook post made by Ms. Stiver that mentioned her desire to fight cannabis until she was 90 years old, adding "that should tell it all."

[4:42:53 PM](#)

AARON RALPH, Owner, Alaska Cannabis Exchange, noted that he was on the board for the Anchorage Cannabis Business Association and a national educator on the endocannabinoid system and "everything cannabis related." Mr. Ralph further stated that he strongly opposed the confirmation of Ms. Stiver to the MCB, adding that the industry needed more representation on the board "in order for the educative process for them to continue."

[4:43:56 PM](#)

LOUIS WEAVER mentioned the need for two industry seats on the MCB because there were already three board members who were representing the public. He pointed out that he would much rather have exposure to marijuana than alcohol in the work place and reflected on his experience with the black market in 1963.

[4:45:12 PM](#)

JIM OSTLIND voiced his support for Ms. Stiver because of the need for board members who would exercise a "healthy skepticism" of the industry's claims regarding the benefits of their products, the safety of use, the effectiveness of untested and unproven medical products, and claim that marijuana was not addictive.

[4:46:23 PM](#)

ANTHONY OLIVIERI, Employee, Matanuska Medicine Woman, LLC, opined that appointing Ms. Stiver to the MCB would be counterproductive to the progression of the industry, adding that her lack of knowledge on the subject would undermine her position on the board.

[4:46:59 PM](#)

ZALLMAN LISTON, Co-owner, Matanuska Medicine Woman, LLC, stated that he opposed the appointment of Ms. Stiver to the MCB. He emphasized the need for industry leaders that would help shape the future of the industry in the right direction rather than create more roadblocks and more complications.

[4:47:53 PM](#)

LYNETTE CLARK reported that she strongly opposed the appointee's confirmation to the MCB, adding that Ms. Stiver was biased and had a long history of opposition to the industry.

[4:49:18 PM](#)

VERNON SMITH, Co-owner, North Road Buds, stated that he was strongly opposed to the confirmation of Ms. Stiver because the industry wanted someone who would follow through on promises of more jobs, increased state and city tax revenues, and work to eliminate black market transactions. He added that if Ms. Stiver was appointed to the board, the opposite would happen. He pointed out that nothing is wrong with appointing a member who would question and challenge the cannabis industry; however, someone with personal animosity and a documented history of intentionally spreading misinformation to push her agenda was not the person for the job. Mr. Smith concluded by emphasizing that the board needed someone who was educated on the industry instead of an "extreme prohibitionist, who she is."

[4:50:28 PM](#)

DENNY HUMPHREY, Owner, High Tide Distributors, voiced his concern about Ms. Stiver's "staunch prohibitionist stance" and her lack of knowledge on cannabis and the industry she would be regulating.

[4:51:25 PM](#)

PATRICIA PATTERSON, Owner, High Bush Buds, stated that she opposed the confirmation of Ms. Stiver because whoever held that seat would be making future regulations and future enforcement decisions, adding that Ms. Stiver has shown that she does not believe in the legal marijuana industry in Alaska which is why she is unfit to serve on the board.

[4:52:35 PM](#)

RYAN TUNSETH, Owner, East Rip, emphasized the need for the makeup of the MCB to mirror the ABC board, with two seats going to industry members. He pointed out that Ms. Stiver was an "active prohibitionist" and an "outlier" who should not be confirmed because her judgement was at risk of being "unduly influenced by secondary interest." He noted that Ms. Stiver has earned the prohibitionist label from her past actions.

[4:53:43 PM](#)

LYNN SMITH, Co-owner, North Road Buds, opposed the appointment of Ms. Stiver because she would be a setback to the marijuana industry. She opined that Ms. Stiver's views and ideologies were not consistent with the people of Alaska who voted for legalization. She pointed out that the industry needed representation on the MCB.

[4:54:18 PM](#)

KAREN LOWRY, Alaskan Blooms, stated that the board seat to which Ms. Stiver had been appointed is a critical one. She offered her belief that it needed to be filled by someone who was objective and understood the regulations and the industry, adding that Ms. Stiver's position was prohibition, which made her unfit to serve on the MCB.

[4:56:15 PM](#)

KIM COLE stated that she opposed Ms. Stiver's confirmation because of all the reasons mentioned by previous testifiers.

[4:56:52 PM](#)

LUKE HOPKINS asked the committee not to confirm the appointment of Ms. Stiver to the MCB. He explained that he decided to call in after listening to her testimony, adding that in his past 6 years' experience as [former] mayor of the Fairbanks North Star Bureau he dealt with over 600 individual appointments to commissions and boards and he would never have moved an appointee forward with such a negative position on the issue at hand.

[4:58:29 PM](#)

BARBARA BARNES stated that Ms. Stiver would be an asset to the MCB because she could navigate her way around the legislature and was familiar with laws and regulations. She noted that Ms. Stiver would be a good representative of people who voted in favor of legalizing marijuana but didn't necessarily want it to be an industry.

[4:59:49 PM](#)

CO-CHAIR LEDOUX closed public testimony.

[5:00:05 PM](#)

The committee took an at-ease from 5:00 p.m. to 5:01 p.m.

[5:01:25 PM](#)

CO-CHAIR LEDOUX noted that the committee would hear from Ms. Stiver again on Monday March 11, 2019.

[5:01:43 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at [5:02] p.m.