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Referred: Health, Education & Social Services  
and Judiciary

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AND FAIKS

1 IN THE SENATE

2 SENATE BILL NO. 163

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to marijuana; and providing for an  
7 effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. FINDINGS. (a) The legislature finds that

10 (1) THC, the mind altering ingredient in marijuana, is not  
11 soluble in water, but goes into the fatty tissues of the brain, testicles,  
12 ovaries, and other internal organs, and takes 30 days to be eliminated from  
13 the body;

14 (2) the buildup of THC in the body causes the user to smoke more  
15 marijuana to achieve the desired high and may result in loss of sleep,  
16 appetite, and initiative, as well as moodiness and depression;

17 (3) it is possible for a human being to overdose from the use of  
18 marijuana, especially if it is used in conjunction with alcohol, because it  
19 increases the effects of alcohol;

20 (4) the THC content of a marijuana cigarette 10 years ago was  
21 one percent, but is as high as 10 percent per cigarette today;

22 (5) marijuana causes schizophrenia, illusions, and hallucina-  
23 tions, including a dulling of the senses, creating the possibility that the  
24 user is unable to respond to body signals, such as pain;

25 (6) although it may take a heavy cigarette smoker as long as 20  
26 years to develop lung cancer, one marijuana cigarette a day may cause lung  
27 cancer in three years;

28 (7) THC affects eggs, sperm, sexual hormones, and the develop-  
29 ment of a fetus, and marijuana use may result in deformed or undersized

1 offspring;

2 (8) other physical reactions to marijuana include irreversible  
3 changes in the brain, sinusitis, pharyngitis, bronchitis, emphysema, in-  
4 creased heart rate, and decreased blood circulation;

5 (9) other psychological reactions to marijuana include loss of  
6 memory; impairment in thinking, reading comprehension, and verbal and  
7 arithmetic problem solving; impairment of perception of distance and time;  
8 and anxiety, panic, paranoia, psychosis, and psychological dependence; and

9 (10) the use of even small amounts of marijuana by adults in the  
10 home subjects children present to a substantial health hazard.

11 (b) The legislature further finds there is a legitimate and com-  
12 pelling governmental interest, based on testimonial evidence, that the  
13 public health and welfare will suffer if personal use of marijuana even in  
14 small amounts is allowed.

15 \* Sec. 2. AS 11.71.060(a) is amended to read:

16 (a) Except as authorized in AS 17.30 or AS 17.35, a person  
17 commits the crime of misconduct involving a controlled substance in  
18 the sixth degree if the person

19 (1) uses or displays any amount of a schedule VIA con-  
20 trolled substance or possesses one or more preparations, compounds,  
21 mixtures, or substances of an aggregate weight of less than one-half  
22 pound [ONE OUNCE OR MORE] containing a schedule VIA controlled sub-  
23 stance [ON A PUBLIC STREET OR SIDEWALK OR ON THE PREMISES OF A PUBLIC  
24 CARRIER OR BUSINESS ESTABLISHMENT OR IN ANY OTHER PUBLIC PLACE]; or

25 [(2) KNOWINGLY POSSESSES ANY AMOUNT OF A SCHEDULE VIA  
26 CONTROLLED SUBSTANCE WITHIN THE IMMEDIATE CONTROL OF THAT PERSON WHILE  
27 OPERATING A PROPELLED VEHICLE;

28 (3) BEING UNDER 19 YEARS OF AGE, POSSESSES ONE OR MORE  
29 PREPARATIONS, COMPOUNDS, MIXTURES, OR SUBSTANCES OF AN AGGREGATE

1        WEIGHT OF LESS THAN FOUR OUNCES CONTAINING A SCHEDULE VIA CONTROLLED  
2        SUBSTANCE;

3                (4) POSSESSES ONE OR MORE PREPARATIONS, COMPOUNDS, MIX-  
4        TURES, OR SUBSTANCES OF AN AGGREGATE WEIGHT OF FOUR OUNCES OR MORE  
5        CONTAINING A SCHEDULE VIA CONTROLLED SUBSTANCE; OR]

6                (2) [(5)] refuses entry into a premises for an inspection  
7        authorized under AS 17.30.

8        \* Sec. 3. AS 11.71.070 is repealed.

9        \* Sec. 4. This Act takes effect immediately in accordance with AS 01.-  
10    10.070(c).