

A/B - 107



JUNEAU ALASKA

# Alaska State Legislature House

HESS COMMITTEE MEETING

2-19-75

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Sullivan
Ost	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:00.

The first order of business was HB 107.

Mary Beth Hilbourne-Office of Drug Abuse

Ms. Hilbourne passed out a Departmental Position Paper concerning the bill. This same bill has been introduced in previous years. We have been trying to get the Uniform Control Substance Act in its updated form. We have a complete list of the 'substances' as they now stand. Alcohol is a depressant and should be included in any mentioning of depressant drugs. It is not on this list. We feel that this may be the time to introduce a much more constructive bill to revamp the entire Title 16.

Parr Concerning this Uniform Control Substance Act, we don't now adopt it by reference, is alcohol listed there?

Hilbourne No it is not and should be.

Gruening As stated in Title 17 can't the Commissioner of Health & Social Services set alcohol under this list by regulations?

Hilbourne I believe that he has to bring it before the Legislature a number of weeks before and hold hearings also before doing so.

Swanson What is it that you would suggest to amend line 16?

Hilbourne You could take out some of the wording but actually what is needed here is the total revamping of Title 17. It is an old bill and a new list of the Uniform Substance Act is badly needed for the whole Title 17.

Mr. Brenton - Div. of Corrections

Only here to answer questions as far as the effect of this bill on our department.

HESS MEETING

Page Two

2-19-75

Hackney I think we should hear from the Attorney General's office before acting on this bill.

Ostrosky I would like to direct a question to the sponsors of this bill and that is what exactly was meant by the wording of this bill, what were the intentions?

Ose I can't really say.

Hackney I don't feel that the intent was to make it a mandatory decision on the part of the courts.

Swanson I don't believe it is mandatory. Line 23 or 24 says 'probably' which removes it from being mandatory.

Parr The line above that has the word 'is' which makes that statement a definite fact.

Chairman Sullivan appointed Rep. Ostrosky to work as a subcommittee and research this bill further. She also asked that the Attorney General's opinion on this matter be taken into consideration.

Announcements:

Going to Anchorage for H & SS Hearings the first week in March will be:  
Sullivan  
Beirne  
Osterback

On the first and second of March there will be meetings at the Eagle River Facility and also the MacClaughlin Youth Center. Sullivan, Beirne and Parr will be in attendance.

9:00 on Friday there will be a Joint Hearing for the HESS Committees with the Executive Board of the Alaska State School Board of Education.

Meeting Adjourned.

POSITION PAPER  
ON  
HOUSE BILL NO. 107

"An Act relating to possession of depressant, hallucinogenic and stimulant drugs."

Pharmacologically, alcohol is a depressant drug (sedative-hypnotic) and it may cause some legal problems if a second offense alcohol possession on public or private schools or at some school or community sponsored activity attended by persons less than 19 years of age results in a felony charge. It is equitable but probably will not receive great community support if enforcement is stringent.

Recommendation: Consideration of the Uniform Controlled Substance Act in place of this legislation.

Department of Public Safety would have to prepare a fiscal note.

Recommended by: Kelly Murrain February 7, 1975  
Mary Beth Hilburn, Coordinator

Approved by: F. S. Williamson Feb. 12, 1975  
F. S. Williamson, Commissioner date

Comments by Governor's Office:

By: \_\_\_\_\_ date

file HB 107

1041 Pedro Street  
Fairbanks, Alaska 99701  
February 24, 1975

TO: HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE  
ALASKA STATE HOUSE  
SUSAN SULLIVAN, CHAIRMAN

RE: HOUSE BILL # 107  
An act relating to the possession of depressant, hallucinogenic and stimulant drugs.

Since alcohol is the most damaging of the depressant drugs, and nicotine the most deadly of the stimulant drugs, it would seem fair and righteous to include these drugs in the felonious definition of minors. That would mean the law would define as a felon a high school kid with a Lucky Strike in his pocket or an Oly in his locker.

The Act is ridiculous, of course--as are most of the present laws dealing with "drugs". Dishonest and descriminatory are two of the kinder terms applicable to the present drug laws.

We hope this Legislative Body will have the courage to <sup>be</sup> honest about the regulations concerning all drugs we use for pleasure and relaxation, instead of condoning some while condemning others.

Please ignore House Bill # 107 as being too dishonest to be worthy of your time or consideration.

Sincerely yours,

*Donald M. Hering*  
*Milljcent B. Hering*  
Donald M. Hering  
Milljcent B. Hering

*House HESS*

STATE OF ALASKA

Inter-Department Route Slip

TO:  
MAIL STATION NUMBER *Pouch V*

ATTENTION *Susan Sullivan*

- |                                        |                                              |
|----------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Approval      | <input type="checkbox"/> Note & Return       |
| <input type="checkbox"/> Signature     | <input type="checkbox"/> Initial & Return    |
| <input type="checkbox"/> Comment       | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me    | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Necessary Action    |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information    |

Remarks:

Office of the Commissioner  
State of Alaska, Department Bldg.

FROM:  
DEPARTMENT

Division, Alaska 99591

BY

*Rita*

DATE

*3-17*

# STATE OF ALASKA

**DEPT. OF HEALTH AND SOCIAL SERVICES**

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, Governor

Pouch #01, Juneau #9811

~~XXXXXXXXXXXXXXXXXXXX~~

March 10, 1975

The Honorable Susan Sullivan  
Chairman, House HESS Committee  
Pouch V  
Juneau, Alaska 99811

Dear Ms. Sullivan:

Thank you for your letter of February 4, 1975 relative to HB 107 and HB 111.

In order for you to obtain background information on HB 111, it is felt it would be best for you to contact Dr. F. S. Honsinger, DVM, State Veterinarian, Department of Natural Resources, Juneau.

Simultaneous with your response, the Office of Drug Abuse and the Division of Corrections testified before your Committee concerning HB 107; however, if you feel there is further information that the Department can provide, please do not hesitate to request this.

Sincerely,

*Francis S. L. Williamson*

Francis S. L. Williamson  
Commissioner



JUNEAU ALASKA

Alaska State Legislature  
House

February 4, 1975

Fred McGinnis, Commissioner  
Dept. Health & Social Services  
Pouch H  
Juneau, Alaska 99801

Dear Commissioner:

We have, in the Health Education and Social Services Committee, HB 107 which pertains to the possession of drugs, and HB 111 relating to spay clinics for dogs and cats.

We would like to place these bills on our calendar in the near future. If you have any background information that may be useful in our meetings, we would appreciate hearing from you as soon as possible.

Sincerely,

*Susan Sullivan*

Susan Sullivan, Chairperson  
Health Education & Social  
Services

Pouch V  
Juneau, Alaska 99801

SS/lm