

02 / 05 / 15

ALASKA

NATIONAL

GUARD ISSUES

/ MARIJUANA

(CONTINUED)

<TARGET><BILL></BILL><SUBJECT>02-05-15 ALASKA NATIONAL
GUARD ISSUES MARIJUANA
(CONTINUED)</SUBJECT><COMM>SSTA29</COMM></TARGET>

LISA MURKOWSKI
ALASKA

COMMITTEES:
ENERGY AND NATURAL RESOURCES
RANKING MEMBER
APPROPRIATIONS
HEALTH, EDUCATION, LABOR,
AND PENSIONS
INDIAN AFFAIRS

United States Senate

WASHINGTON, DC 20510-0203

(202) 224-6666

(202) 224-5301 FAX

February 5, 2015

510 L STREET, SUITE 600
ANCHORAGE, AK 99501-1966
(907) 271-3735

101 12TH AVENUE, ROOM 329
FAIRBANKS, AK 99701-6278
(907) 458-0233

800 GLACIER AVENUE, SUITE 101
JUNEAU, AK 99801
(907) 586-7277

805 FRONTAGE ROAD, SUITE 105
KENAI, AK 99611-9104
(907) 283-5808

1900 FIRST AVENUE, SUITE 225
KETCHIKAN, AK 99901-6059
(907) 225-6880

851 EAST WESTPOINT DRIVE, SUITE 307
WASILLA, AK 99654-7142
(907) 376-7686

Honorable Jon T. Rymer
Inspector General
Department of Defense
4800 Mark Center Drive, Suite 15G27
Alexandria, VA 22350-1500

LTG David E. Quantock
Inspector General
Department of the Army
1700 Army Pentagon, Room 3E588
Washington, DC 20310-1700

Dear Inspector General Rymer and Inspector General Quantock:

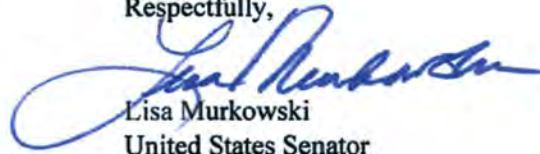
Over the past several years I have been in touch with each of your offices regarding certain irregularities in the Alaska National Guard. Quite candidly I remain dissatisfied with the widely divergent conclusions arrived at by the National Guard Bureau Office of Complex Administrative Investigations and the Department of the Army Inspector General whose work was concurred in by the Department of Defense Inspector General. I am also dissatisfied that unredacted copies of Department of the Army Inspector General work on this issue still have not been released as requested in my letter dated November 11, 2014. I intend to raise these issue later this spring as your senior leaders appear before the Defense Appropriations Subcommittee. I am hopeful that some can be resolved before then through dialogue between our offices.

My purpose in writing today is to inform you that Craig Richards, the Attorney General of the State of Alaska, has designated the Honorable Patricia Collins, former presiding judge for the Alaska Superior Court in Juneau, as a special investigator on the recent issues that surfaced regarding the Alaska National Guard. Judge Collins is highly regarded for her legal skill and integrity. I have great confidence in her ability and strongly support her efforts to bring light to the challenges which have plagued the Alaska National Guard in recent years.

I respectfully request that your offices fully cooperate with Judge Collins and make available to her any and all documents and information you may possess that is relevant to her inquiries. Should you determine that applicable law and/or regulations do not enable you to fully comply with this request, I would further request that you advise my office about those impediments.

I am determined to ensure that allegations of misconduct in the Alaska National Guard are fully investigated and that justice is done.

Respectfully,



Lisa Murkowski
United States Senator

cc: GEN Frank Grass, Chief, National Guard Bureau

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ANCHORAGE, AK 99501-1956
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(907) 225-6880

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WASILLA, AK 99654-7142
(907) 376-7665

General Frank Grass, ARNG
Chief, National Guard Bureau
111 South George Mason Drive
Arlington, VA 22204

Dear General Grass:

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Respectfully,



Lisa Murkowski
United States Senator

cc: Hon. Jon T. Rymer, DoD Inspector General
LTG David E. Quantock, DA Inspector General

BILL WALKER
Governor



P.O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

MEMORANDUM

TO: The Honorable Bill Stoltze, Chair
Senate State Affairs Committee

DATE: February 4, 2015

FROM: Governor's Legislative Office

TELEPHONE: (907) 465-4021

FAX: (907) 465-3532

SUBJECT: Ballot Measure 2: Implementation Priorities for AS 17.38

The Walker administration is committed to responsible government; it supports the will of the people as it was demonstrated by passage of ballot measure 2. It anticipates that the legislature and the regulatory board will develop laws and with the public's input, regulations, that will:

- Keep marijuana away from underage persons;
- Protect public health and safety;
- Respect privacy and constitutional rights;
- Prevent illegal sales and export of marijuana, and marijuana products.

In keeping with these goals, the administration offers the following suggestions for the legislature and regulatory board to consider, as they move forward in their respective roles implementing ballot measure 2:

Definitions.

The initiative contains several definitions that need careful consideration to ensure that they are consistent with the intent of the voters, are accurate, complete, and consistent with public safety. For example, "Public" could be defined as it is in AS 11.81.900(53), to ensure consistency of application with our criminal enforcement statutes. "Marijuana" should be defined in way that is consistent with the voter's intent as expressed in the initiative. The definition of "marijuana products" could be expanded to include maximum THC content per application or serving, and to address not only products that are made in a marijuana facility, but to exclude products that are augmented with marijuana after they have been manufactured and packaged elsewhere. "Edibles" could be defined to exclude any products that could reasonably be interpreted as appealing to children. Clear statutory definitions would assist the regulatory process and allow other, specific aspects of manufacture and packaging that are properly the subject of regulations to have the benefit of the public notice and comment procedure.

Public Education.

Experience in other states has shown that informing the public about this new industry is critical to ensuring public safety. Colorado has offered to make available to us their "Good to Know" public awareness campaign. The legislature should consider accepting this generous offer, and should consider providing the resources required to implement it as soon as practicable.

The Honorable Bill Stoltze, Chair, Senate State Affairs Committee
Memorandum
February 4, 2015
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Licensing.

The legislature may want to consider setting out with particularity, license types, qualifications for licensing, and applicable limitations and exclusions, as it has done under the Alcoholic Beverages statutes, AS 04.06.010 - 04.21.010. Among the issues it may consider are whether licenses should be awarded based on merit, emphasizing safety and experience, or a lottery or population-based calculation, which could be seen as a fairer system.

Board Structure.

Regulating this new industry will outstrip the resources of the current ABC board. Consideration should be given to creating a separate marijuana control board, which would share a single expanded staff with the ABC board. This structure would capture the economies of a common and highly experienced administrative support staff, while permitting sufficient separation of interest among the board members to ensure attentive regulation of each industry. Maintaining two entirely separate boards with separate staffs and budgets, is not a viable option in the current economic climate, and would leave the marijuana control board without the considerable experience that the ABC Board has, in regulating intoxicating products.

Enforcement.

Consider clarifying the scope of authority that the regulatory board has over marijuana enforcement including authority to assess fines, penalties, and late fees. The alcohol statute sets out the scope of the ABC board's enforcement authority in specific terms, addressing violations by licensees and unlicensed persons, but similar language is lacking in the initiative. The legislature may consider whether the marijuana regulatory board should have dedicated enforcement officers, as well as the scope of their powers to issue citations for enumerated violations.