

ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

SB 32 cont. . . . . 14

POSITION PAPER

SB 32

The Alaska Public Defender Agency and the Office of Public Advocacy are totally reactive agencies which provide representation to indigent persons when appointed by the court. These agencies do not make policy nor do they initiate litigation. Only proposed legislation with fiscal or program ramifications for these agencies can be said to have a direct agency impact. Thus, the Public Defender Agency and Office of Public Advocacy submit position papers for legislation which will affect these agencies fiscally or programatically or will require these agencies to litigate constitutional issues raised by the legislation.

Fiscal impact: \_\_\_\_\_ None                      See attached fiscal note   X  

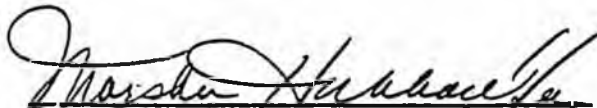
Program impact: \_\_\_\_\_ None                      See analysis below   X  

Constitutional impact: \_\_\_\_\_ None                      See analysis below   X  

This bill recriminalizes the use of marijuana in the home.

This bill appears to be violative of the Alaska Supreme Court's holding in Ravin v. State and will certainly lead to extensive trial and appellate court hearings on the issue of its constitutionality.

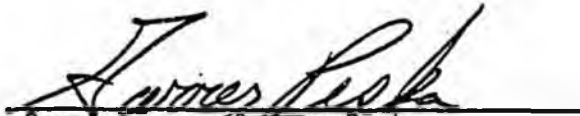
Furthermore, in a time of declining revenues, this bill may divert costly law enforcement, prosecution, defense and court resources from more serious cases.

  
\_\_\_\_\_  
Dana Fabe, Director  
Public Defender

  3/5/87    
Date

  
\_\_\_\_\_  
Brant McGee, Director  
Office of Public Advocacy

  3/5/87    
Date

  
\_\_\_\_\_  
Commissioner Garrey Peska  
Department of Administration

  3/6/87    
Date

10000000  
10000000  
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**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

**REQUEST:** \_\_\_\_\_

Bill Version: SB 32  
Publish Date: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: "An Act relating to  
marijuana..."  
Sponsor: Fischer, Faiks  
Requestor: Senate Judiciary

Agency Affected: Administration  
BRU: Office of Public Advocacy  
Components: \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	93.4	97.1	101.0	105.0	109.2
TRAVEL		0	0	0	0	0
CONTRACTUAL		60.0	62.4	64.9	67.5	70.2
SUPPLIES		2.0	2.1	2.2	2.3	2.4
EQUIPMENT		9.3	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>164.7</b>	<b>161.6</b>	<b>168.1</b>	<b>174.8</b>	<b>181.8</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	-0-	164.7	161.6	168.1	174.8	181.8
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>-0-</b>	<b>164.7</b>	<b>161.6</b>	<b>168.1</b>	<b>174.8</b>	<b>181.8</b>

**POSITIONS:**

FULL-TIME		2.0	2.0	2.0	2.0	2.0
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: Brant McGee, Public Advocate  
Division: Office of Public Advocacy

Phone: 274-1684  
Date: 2/23/87

Approved by Commissioner: Garrey Peska  
Agency: Department of Administration

Date: 3/6/87

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

**RECEIVED**

MAR 09 1987

LEGISLATIVE FINANCE

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB32

This bill will recriminalize the use or possession of marijuana at any location and would result in a significant increase in the number of prosecutions for such offenses.

The Department of Law has requested 2.5 attorney in Anchorage and Fairbanks in order to enforce this statute. The constitutionality of the statute, which appears to directly conflict with the Supreme Court's 1975 holding in Raven v. State, will undoubtedly be tested in extensive trial and appellate court proceedings.

The Office of Public Advocacy requests one new Attorney III position for Anchorage -- where the greatest number of prosecutions is likely to arise -- and \$60,000 in contractual funds to pay for representation in other areas and for expert witness fees necessary for trial proceedings.

## Personal Services

### Anchorage

Attorney III		
Salary & Benefits	= 63,198	63.2
Legal Secretary I		
Salary & Benefits	= 30,184	<u>30.2</u>
Subtotal Personal Services		93.4

## Contractual

Contract attorneys in rural areas and expert witnesses	= 60,000	60.0
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## Supplies

Stationary & library supplies for two new positions at 1,000 per position	=	2.0
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## Equipment

Office furniture & equipment for one professional position at 2,429 and one secretary at 6,838		<u>9.3</u>
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Total: 164.7

Position Title <b>Attorney III</b>		No. of Positions <b>1</b>	Range/Step <b>22/A</b>	Barg. Unit <b>X</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>EBA-Anchorage</b>		Election District <b>8</b>
<b>Justification</b>				
The Anchorage OPA office presently has 3 attorney positions devoted to criminal defense. These attorneys are also handling several major cases outside the Anchorage area as staff coverage and travel is more cost effective than contracting major cases to private attorneys in rural areas. Current caseloads indicate that these three attorneys cannot absorb the additional cases which would result from this legislation. It is necessary that an additional attorney be added to the Anchorage staff to cover the resultant increased caseload.				
<b>Type of Expenditure</b>		<b>Amount</b>		
<b>1</b>	<b>2</b>	<b>3</b>		
Salary	49,140			
Benefits	14,058			
Premium Pay				
Other				
<b>Total Personal Services</b>		<b>63,198</b>		
Travel				
Contractual				
Commodities				
Equipment				
Other				
<b>Total Cost</b>		<b>63,198</b>		
<b>Funding Source for Total Cost</b>				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	<b>63,198</b>		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For  
New Position**

Agency Administration  
 DRU Office of Public Advocacy  
 Component \_\_\_\_\_

Page 3 of 4  
 Revised Date \_\_\_\_\_

**FY 88**

Position Title <b>Legal Secretary I</b>		No. of Positions <b>1</b>	Range/Step <b>10/A</b>	Barg. Unit <b>G</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>EBA-Anchorage</b>		Election District <b>8</b>
<b>Justification</b>				
The Anchorage OPA office presently has 3 legal secretary positions providing clerical support to 12 professional positions, 2 vista volunteers, and the VGAL program. The addition of an attorney with a full caseload necessitates the addition of a legal secretary. The present ratio of 4 professionals to each secretary is the maximum that each secretary can handle. The additional workload created by an additional attorney carrying a full caseload cannot be absorbed by the present secretarial staff.				
<b>Type of Expenditure</b>		<b>Amount</b>		
<b>1</b>	<b>2</b>	<b>3</b>		
Salary	22,020			
Benefits	8,164			
Premium Pay				
Other				
<b>Total Personal Services</b>		<b>30,184</b>		
Travel				
Contractual				
Commodities				
Equipment				
Other				
<b>Total Cost</b>		<b>30,184</b>		
<b>Funding Source for Total Cost</b>				
Federal Receipts	1002			
G. P. Match	1003			
General Fund	1004	<b>30,184</b>		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For  
New Position**

Agency Administration  
 DRU Office of Public Advocacy  
 Component \_\_\_\_\_

Page 4 of 4  
 Revised Date \_\_\_\_\_

**FY 88**

# Alaska State Legislature

SENATOR PAUL FISCHER, Chairman  
SENATOR JOE JOSEPHSON, Vice Chairman  
SENATOR LLOYD JONES  
SENATOR JAY KERTULLA  
SENATOR RICK HALFORD



P. O. BOX V  
ROOM 508  
STATE CAPITOL  
(907) 465-3762

## Senate Committee on Health, Education and Social Services

Date: April 9, 1987  
To: Members Senate Judiciary & Finance Committees  
From: Senator Paul Fischer  
Subject: Resolutions Supporting SB 32, Recriminalizing Marijuana

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Following please find resolutions of support for SB 32 from:

Anchorage Municipal Assembly  
Anchorage Crime Commission  
Anchorage Police Department  
Kiwanis Club of Anchorage  
Anchorage School District  
Alaska Association of Chiefs of Police  
FBI National Academy Associates  
Alaska ASSociations of School Governments  
Alaskans for Drug-Free Youth  
Cook Inlet Council on Alchol & Drug Abuse  
Galena Police Department  
Galena City School District  
Valdez Rotary Club  
City of Valdez  
Juneau Police Department  
Central Council of Tlingit & Haida Indian Tribes  
City & Borough of Sitka  
City & Borough of Sitka Police Department  
Kenai Peninsula Borough School District  
City of Wrangell  
Wrangell Police Department  
Petersburg General Hospital  
City of Ketchikan  
Ketchikan Gateway Borough School District  
City of Saxman  
Boys & Girls Clubs of Alaska

AMENDED AND APPROVED

Date 12-9-86

Submitted by: Assemblyman  
Brad Bradley

Prepared by: Assemblyman  
Brad Bradley

For Reading: November 25, 1986

AR No. 86-284

A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE SUPPORTING REPEAL  
OF AS 11.71.070 AND AMENDMENT OF AS 11.71.060(a) TO MAKE  
MARIJUANA ILLEGAL

WHEREAS, Alaska is the only state in the union with a permissive statute for personal possession of marijuana, and

WHEREAS, findings of local, state and federal authorities conclude that marijuana is detrimental to the health, welfare and public safety of all people, and

WHEREAS, the Supreme Courts of other states and the U.S. Supreme Court have upheld state statutes prohibiting the use and possession of marijuana, and

WHEREAS, current Alaska state statutes are not in conformity with federal drug enforcement laws controlling drug abuse, and

WHEREAS, the conflict between federal and state law pertaining to marijuana causes unnecessary barriers for local police and Alaska State Troopers in protecting the public from drug abusers, and

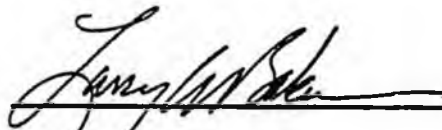
WHEREAS, the Anchorage Crime Commission has for the past three years concluded that Alaska's permissive laws on marijuana should be repealed, and

WHEREAS, representatives of 60 Alaskan high schools at the Alaska Association of School Governments' Annual Fall Conference on October 18 of this year unanimously passed a resolution to repeal the current marijuana law and make the drug in all its forms illegal in Alaska.

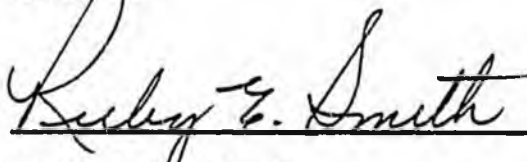
NOW THEREFORE, the Anchorage Assembly resolves:

That the Governor of the State of Alaska, the Alaska State Legislature and the Alaska Supreme Court <sup>are</sup> ~~is~~ petitioned to take immediate steps to repeal / ~~AS 11.71.070~~ <sup>statutory and constitutional protections</sup> ~~and~~ <sup>for the</sup> ~~amend~~ ~~AS 11.71.060~~ <sup>in order</sup> ~~to make~~ use and possession of marijuana illegal in the State of Alaska/to promote the general health, welfare and public safety of the citizens of Anchorage and the State of Alaska.

PASSED AND APPROVED by the Anchorage Assembly this  
9th day of December, 1986.

  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Municipal Clerk

# Anchorage Chamber of Commerce

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## Crime Commission

February 25, 1987



Representative Terry Martin  
Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99811

Dear Terry:

The Anchorage Crime Commission has endorsed the recriminalization of marijuana as one of its 1987 goals. The Commission enthusiastically supports your previously stated position on this issue.

The Commission's Public Opinion survey, conducted in the Anchorage area, indicated that there was a strong desire by the general public to change the present law.

This correspondence is to reiterate our strong support of this issue and request your continued support and endorsement of HB 55. We believe the passage of this legislation will be beneficial to Alaska and its citizenry.

We further request your support in enlisting other members of the State Legislature to help assure passage of this bill into law.

If the Anchorage Crime Commission can be of further assistance in this matter please contact me.

Thank you for your support.

Sincerely,

*Harold C. Heinze*  
Harold C. Heinze  
Chairman

A Committee of the  
Anchorage Chamber  
of Commerce

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415 F Street  
Anchorage AK 99501  
(907) 272-2401



TONY KNOWLES  
MAYOR

# ANCHORAGE POLICE DEPARTMENT

4501 SOUTH BRAGAW STREET • ANCHORAGE, ALASKA 99507-1599  
TELEPHONE (907) 786-8500



RONALD L. OTTE  
CHIEF

March 13, 1987

MAR 18 1987

Senator Paul Fischer  
Chairman, H.E.S.S. Committee  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, Alaska 99811

Dear Senator Fischer,

The purpose of this letter is to inform you of our support for Senate Bill 32 addressing the recriminalization of marijuana.

We believe that recent research may indicate that marijuana is more of a health hazard than originally thought. We believe that the legislature of the State of Alaska should take a serious look at recriminalization and hold hearings regarding its potential medical effects upon the populace. In addition, we believe that the youth of Alaska receive a mixed signal regarding the appropriateness of drug usage when marijuana is essentially legal in this state. In addition to that, we feel that the populace develops a scoff law attitude when the possession of marijuana is legal, but the purchase of and transportation of is illegal.

We urge that the recriminalization of marijuana be brought from the committee and addressed on the floor of the State Legislature.

If we can be of any further assistance regarding this issue or any other law enforcement related issue that you wish to call upon us for, feel free to do so.

Sincerely,

*Del Smith*

Del Smith  
Deputy Chief of Operations

DS:d1



KIWANIS CLUB OF ANCHORAGE  
P.O. BOX 101404  
ANCHORAGE, ALASKA 99510



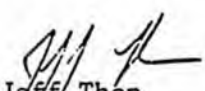
Anchorage Assembly

Whereas, it is a major emphasis of Kiwanis International to enrich the lives of our youth, and

Whereas, the Kiwanis Club Of Anchorage is currently participating in a nationally promoted activity of drug abuse prevention and education through the Just Say No Foundation, and

Whereas, the current laws in Alaska do not consider it a crime to possess certain combinations of controlled substances in certain amounts, which is counterproductive to our efforts in the Just Say No [to drugs] Program,

Now therefore, be it resolved that the Kiwanis Club of Anchorage hereby encourages the Anchorage Municipal Assembly to adopt a resolution in support of changing our statutes to make possession of a controlled substance, other than by prescription, a crime.

  
Jeff Thon  
President

KIWANIS RESOLUTION



ANCHORAGE  
SCHOOL DISTRICT

4600 DeBarr Avenue - Anchorage, Alaska

99504

AREA CODE 907-333-9561

2508 Blueberry Phone #276-1992

October 23, 1986

Ms. Alyce Hanley  
Representative  
1024 E. 6th Ave., Suite 200 A  
Anchorage, Ak 99501

Dear Rep. Hanley:

I have enclosed for your information the names of the schools that were in attendance at the Alaska Association of School Governments fall conference held at Dimond High school. The list also contains the name of the student that was designated by their school to serve as the spokesperson on business items.

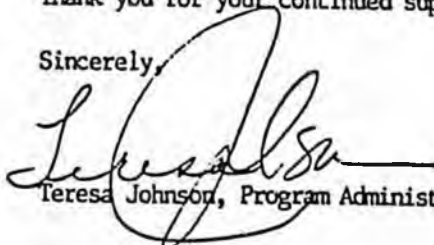
The students did finish the just say no flag and have made arrangements for the flag to be sent to Juneau and presented to the governor. The students also passed a resolution during their business meeting to support the establishment of Just say No clubs in schools, support for additional Drug Education Programs and unanimous support for repealing the current marijuana statute for the state of Alaska. I have taken the liberty of enclosing a copy of the resolution for you. I think it would be wonderful if you would present this resolution to the house for the students. Likewise, if you could recommend a senator, perhaps Jan Faiks, that would like to do the same in the senate, I would be interested in your recommendation.

Please let me know if it is possible for you to present the resolution on behalf of the students. If I can be of any further assistance to you, please let me know.

Also for your information, the Alaska Association of Secondary School Principals passed a resolution for repeal of the marijuana statute. Larry Graham would be the contact person for information about that resolution.

Thank you for your continued support of students & education.

Sincerely,



Teresa Johnson, Program Administrator

TJ:svr

cc: Dermis Johnson  
St. Dir. AASG

ANCHORAGE SCHOOL DISTRICT

# Alaska Association Chiefs of Police

625 C Street • Anchorage, Alaska 99501



March 26, 1985

Mr. George N. Nelson  
Anchorage Crime Commission  
415 F Street  
Anchorage, Alaska 99501

Dear Mr. Nelson,

Our Association conducted its annual meeting on March 22, 1985 in Anchorage.

Legislation pending before the Alaska State Legislature was extensively discussed. The Association has identified several pieces of legislation that it feels merit support. Among those bills we will be commenting on to the Governor and individual legislators are four that we understand have been identified as priority legislation by your Commission.

These bills are as follows:

HB 178	Conspiracy
HB 179	Hearsay
HB 205	Juvenile Waiver
SB <del>165</del> 32	Recriminalization of Marijuana

As stated previously, these bills were thoroughly discussed by the Association membership. The consensus was a directive to relay our strong support for passage of the legislation.

I understand that members of your Commission will be going to Juneau shortly to meet with legislators. Please feel free to make those legislators aware of our support for your legislative priorities.

If we can be of any additional assistance please do not hesitate to contact us.

Sincerely,

*Del Smith*

Del Smith  
Secretary-Treasurer, ACOP

625 C Street  
Anchorage, Alaska 99501

**FBI National Academy Associates**  
**Alaska Chapter**



FEB 12 1987

February 9, 1987

Representative Terry Martin  
Alaska State Legislature  
P.O. Box V, State Capitol  
Juneau, AK 99811

Dear Terry:

I received your letter of February 5, 1987, concerning the teleconference hearing on Senator Paul Fischer's bill to recriminalize marijuana and to be held on February 18, 1987.

Unfortunately, I will be out of the state, attending an Energy Security Conference and will be unable to personally testify. I have been very interested in this particular subject for a number of years and, as you are aware, I served as Vice Chairman of the Anchorage Crime Commission in 1984-85. This subject was one of our priorities then and it is still a current priority of the present Crime Commission members.

In 1985, we prepared an extensive review of information developed since 1976, when the existing law was passed. I was rather taken back that the Director of the State Office of Drug and Alcohol Abuse stated that there had been no new scientific information gathered since 1976 which would support the changing of the law. Obviously, this particular individual has not done the research that I have and I'm confident that there is substantial scientific evidence to support the health problem created by the use of marijuana.

One of the major arguments used to state that the law should remain the same is the amount of manpower and commitment that would be necessary in order to enforce any changes in the law. In my opinion, this is not an issue—the issue is the health problem created by the continuous use of marijuana and, equally important if not more so, the illusion it gives to our young people that marijuana in Alaska is legal and, therefore, its usage must not be harmful.

FBINA  
1986 Officers  
Executive Board

Pat Wellington, 75th. President

President  
1835 South Bragaw Street, MS 540 S  
Anchorage, Alaska 99512

Secretary  
PO Box 53  
Willow, Alaska 99688  
(907) 495-6413

Dean Bivins, 90th. Vice President, South Central  
Dale Florian, 98th. Vice President, Northern  
Ben Neff, 94th. Vice President, Southeast  
Turk Mayfield, 4th. Secretary-Treasurer



## Alaska Association of School Governments

RESOLUTION: ALASKA ASSOCIATION OF SCHOOL GOVERNMENTS  
FALL CONFERENCE  
DIMOND HIGH SCHOOL  
October 18, 1986

Whereas the student leaders of Alaska recognize that there is a severe Drug and Alcohol problem in Alaska,

Whereas the student leaders of Alaska recognize this problem exists in the Alaskan elementary, junior and senior high schools,

Whereas the students believe it is necessary for them to take a united stand against Drugs and Alcohol,

Therefore, be it resolved that the students representing the Alaska Association of School Governments (AASG), endorse the nationally known "Just Say No" Drug Prevention Program

Be it further resolved the AASG students will present a flag to Governor Sheffield to be flown over the capitol building that states: "Alaska Students/Just Say No" and

Be it further resolved the AASG students request the Governor and the Alaska Legislature to repeal the current marijuana law and make marijuana illegal in this state.

Resolution passed unanimously by 60 alaskan high schools in attendance at the AASG fall conference.



## Alaskans for Drug-Free Youth

7765 Steiner Highway

Juneau, AK 99801

February 18, 1987

Dear Members of the Juneau Board of Education:

Alaska is the only state in the U.S.A. that allows a person to possess 4 ounces of marijuana. At the time the Alaska law was changed to allow this, marijuana was not considered harmful. Since then research has shown that it has many adverse effects. These effects are very detrimental to youth and their development and growth.

Some of the effects that are now known are:

1. Marijuana affects sexual development, fertility and sexual functioning.
2. Marijuana affects the immune system, causing increased susceptibility to infection.
3. It impairs memory, concentration, coordination and results in symptoms called amotivational syndrome.
4. It is psychologically addicting as well as physically addicting, builds tolerance and results in the need to continue to use.

We are very concerned about the social acceptability of marijuana and its prevalent use in Alaska by adults and school age children. We ask that you pass the following resolution urging our public officials to make the possession of any amount of marijuana illegal - by all appropriate and lawful means.

Thank you most sincerely,

Bobi Irani, Chairperson  
Safe Homes/ Parents Against Drug

## Marijuana Resolution

Whereas- We, the citizens of the state of Alaska are concerned about the prevalent use and abuse of the drug Marijuana.

Whereas- Adults may now possess 4 oz. of Marijuana for their own personal use in their home, even though in these homes may reside children.

Whereas- Research has demonstrated that Marijuana usage is occurring more frequently in earlier age groups.

Whereas- Marijuana has been found to be harmful both mentally and physically, to be addictive, to build tolerance and may be 10 times more potent than 10 years ago, significantly increasing health risks.

Whereas- Marijuana has been found to impair motor skills, making it dangerous to operate any mechanical equipment.

Whereas Marijuana remains in the body up to 30 days, being stored in the body's fat cells.

Whereas- Marijuana is considered a "gateway drug" the use of it introduces the "high" experience and may lead to users seeking stronger drugs.

Whereas- The state of Alaska statutes pertaining to Marijuana are not in conformity with National and International laws.

Whereas- The Supreme Court of Alaska has stated that "no one has the right to do things in their own home which will affect others adversely." \*

Whereas- The Supreme Court of Alaska further stated "when there is a substantial doubt as to the safety of a substance or situation of Public Health, controls to obviate the danger will usually be upheld." \*

Therefore be it resolved that We the citizens of Alaska respectfully urge our public officials in the State Government including the legislature to make the possession of any amount of Marijuana illegal- by all appropriate and lawful means.

\* Reference- Raven Case 1974

# Cook Inlet Council On Alcohol And Drug Abuse

"A PRIVATE NON-PROFIT CORPORATION"

**MAIN OFFICE**

255 Willow Street, Rm. 203  
KENAI PROFESSIONAL BUILDING

P.O. Box 882  
Kenai, Alaska 99611

PHONE:  
283-3858

**LAKE STREET CENTER**

P.O. Box 2352  
Homer, Alaska 99603

PHONE:  
235-8001

MAR 24 1987

A RESOLUTION OF THE COOK INLET COUNCIL ON ALCOHOL AND DRUG ABUSE OF KENAI, ALASKA, URGING THE ALASKA LEGISLATURE TO REPEAL LAWS ALLOWING FOR THE PERSONAL POSSESSION AND USE OF MARIJUANA.

WHEREAS, the Cook Inlet Council on Alcohol and Drug Abuse is committed to the education, the prevention and treatment of drug abuse; and

WHEREAS, we believe countless lives are distorted through the availability and use of drugs, most particularly the lives of our young people; and

WHEREAS, socially responsible states are recognizing the need for limited access to dangerous drugs; and

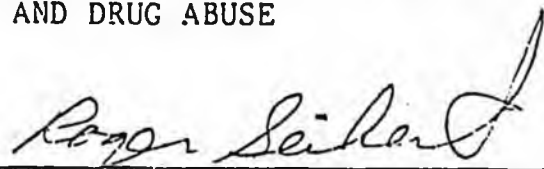
WHEREAS, Federal law mandates criminal penalties for possession and use of marijuana; and

WHEREAS, current Alaska statutes threaten the State of Alaska's eligibility for federal funds for control of narcotics:


BE IT THEREFORE RESOLVED that laws shall be enacted in the State of Alaska to establish criminal penalties for the use and possession of marijuana.

DATED at Kenai, Alaska, this sixteenth day of March, 1987.

COOK INLET COUNCIL ON ALCOHOL  
AND DRUG ABUSE

  
\_\_\_\_\_  
Roger Seibert, President  
Board of Directors

ATTEST:

  
\_\_\_\_\_  
Kay Mayes, Secretary  
Board of Directors



# Galena Police Department

P.O. Box 208 • Galena, Alaska 99741 • Telephone (907) 656-1303

February 24, 1987

The Honorable Terry Martin  
Hess Committee  
Pouch V  
Juneau, Alaska 99811

Re: Recriminalization of Marijuana, Senate Bill 32

Dear Mr. Martin:

I am writing this letter to formally advise you that this Department thoroughly supports the above-captioned Senate bill pertaining to the recriminalization of marijuana; and to also solicit your support of the same, for the following reasons:

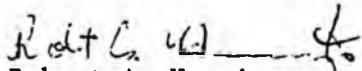
First, let me begin by stating that proper drug abuse education is probably one of our most effective overall means of combating the abuse of controlled substances. Our Youth and others are being taught that marijuana is a controlled substance which can produce harmful effects. To confuse this issue, the State of Alaska, first defines marijuana as a controlled substance, pursuant to Title 11 of the Alaska Statutes (Criminal Code); and then, within the same breath of the law, condones the possession of up to four (4) ounces of marijuana by a person within their own residence for their own consumption. How are our youth and others suppose to respond to what they are being taught, when they see others using marijuana in what is supposedly a lawful manner. This is not only contradictive, but also counterproductive.

Secondly, Law Enforcement has a difficult enough job attempting to deal with controlled substance abuse which involves those drugs that are strictly illicit. To interject a decriminalization law into the Controlled Substance Act, only serves to make their work that much more difficult and confusing. After attempting to deal with the same, certain Law Enforcement factions may begin to develop a disinterested attitude toward the enforcement of marijuana abuse, thinking if the State of Alaska doesn't care, why should we. Additionally, State Prosecutors are justifiably less than enthusiastic about prosecuting cases involving marijuana.

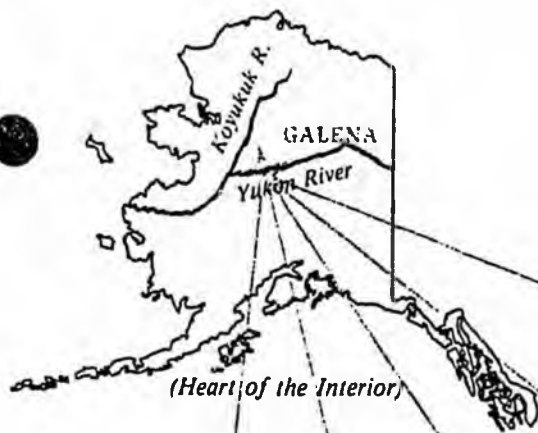
Finally, the State of Alaska has been receiving nationwide recognition through television talk shows where marijuana is the topic of discussion. On one such show, a guest emphasized several times that marijuana has been "LEGALIZED" in Alaska. The word: "DECRIMINALIZATION" was never mentioned. That little advertisement should give our tourist industry quite a boost.

In closing, this Department will appreciate any effort you may put forth in guiding Senate Bill 32 out of committee and to the floor of both the Senate and House for a vote.

Respectfully Submitted,

  
Robert A. Harrington  
Chief of Police

san/RAH



## GALENA CITY SCHOOL DISTRICT

GALENA, ALASKA 99741  
PHONE (907) 658-1205

SUPERINTENDENT'S  
OFFICE

January 7, 1987

Representative Terry Martin  
P.O. Box V  
Mail Stop 3100  
Juneau, Alaska 99811

Dear Representative Martin:

The Board of Education for the Galena City School District is appalled at the free uncontrolled flowing use of controlled drugs including marijuana.

We are aware of the detrimental effect that drugs have on the education of students who use drugs and that schools are held accountable for the learning that should take place. Therefore, it is very important that those negative effects on learning be eliminated.

One of the big reasons that larger and larger numbers of students are failing in school is the use of drugs and marijuana.

Our School Board strongly encourages you to support stricter laws on possession, sale and use. Further, we would ask for your support laws that will facilitate the arrest and conviction of dealers.

We appreciate your positive attitude and support.

Sincerely,

Carole C. Huntington, President  
Board of Education

CCH/elb  
069/87

cc: School Board Members  
Galena City School District

GALENA SCHOOL DIST

# ROTARY CLUB



MAR 9 1987

February 26, 1987

Senator Paul Fisher  
Pouch V (Mail Stop 3100)  
Juneau, AK 99811

Dear Senator Fisher:

The Rotary Club of Valdez supports the City of Valdez Resolution No.8711 which urges the repeal of laws allowing for the personal use of marijuana.

Sincerely,

A handwritten signature in cursive script that reads "Patrick M. Shely".

Patrick M. Shely  
President  
P.O. Box 307  
Valdez, AK 99686

CITY OF VALDEZ, ALAKSA

RESOLUTION NO. 8711

A RESOLUTION OF THE CITY OF VALDEZ URGING THE ALASKA LEGISLATURE TO REPEAL LAWS ALLOWING FOR THE PERSONAL USE OF MARIJUANA.

WHEREAS, the State of Alaska is eligible for certain Federal grants for control of narcotics; and

WHEREAS, the dangerous and grievous use of unlawful narcotics threatens the lives and well-being of many citizens of Alaska, especially, our young people; and

WHEREAS, the Alaska State Statutes allow for personal possession and use of amounts of contraband and dangerous substances that would otherwise be illegal under Federal and State laws; and

WHEREAS, these peculiar provisions of State law threaten the State of Alaska's eligibility for Federal funds for control of narcotics; and

WHEREAS, these provisions serve no useful purpose in a society that is outraged at the suffering and expense caused by drug abuse; and

WHEREAS, the right to privacy in the home in Alaska is a constitutional protection and that right can be protected by allowing the exception to be a lawfully obtained search warrant,

NOW, THEREFORE, BE IT RESOLVED that the Valdez City Council urges the Legislature of the State of Alaska to repeal those sections of the Alaska Statutes which allow personal possession and use of marijuana and support the recriminalization of marijuana.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF VALDEZ, ALASKA this 17th day of February, 1987.

CITY OF VALDEZ, ALASKA

BY: John Devens  
John Devens, Mayor

ATTEST:

BY: John Thorp

John Thorp  
Acting City Manager

BILL NO: HB 55  
TITLE: "An Act relating to marijuana; and providing for  
an effective date"  
DATE: 3/4/87

The Juneau Police Department is supportive of this legislation.

The purpose of HB 55 is to recriminalize the possession of any amount of marijuana. By achieving this end a number of purposes will be served.

Increasingly it has been shown that the long term consumption of marijuana poses a health hazard of serious consequence. A number of medical studies substantiate this fact. It is necessary to reflect that the possession of any amount of marijuana will not be tolerated so as to reinforce the concept that health hazards do exist when marijuana is used. Marijuana has been targeted as the single best predictor of other future illegal drug use.

The present conflict that exists between current state and federal law tends to create confusion in the mind of the public. This conflict creates apathy on the part of the public and flies in the face of the need for consistency in the law. Disregard and apathy are most readily apparent in the minds of the young people of the community. This conflict also creates impediments in the discharge of local police responsibilities in addressing the problem of drug traffickers.

The relaxed attitude toward marijuana in Alaska creates in the minds of people that this is a state that condones this and other types of drug usage. It creates a marked placed for a substance that is legal here but illegal in all other states.

The recriminalization of marijuana would not, as some sources are concerned, create a large scale impact on the criminal justice system. The primary focus is and will continue to be on interception, interdiction and prosecution of drug sources. This is a demonstrated philosophy that provides cost effective results for resources expended.

Michael S. Gelston  
Chief of Police  
Juneau Police Department

MSG/ps6



CENTRAL COUNCIL  
Tlingit and Haida Indian Tribes of Alaska  
320 West Willoughby Avenue • Suite 300  
Juneau, Alaska 99801

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February 23, 1987

Senator Paul Fisher  
Chairman, Hess Committee  
Pouch V - M/S 3100  
Juneau, Alaska 99811

FEB 24 1987

Dear Senator Fisher:

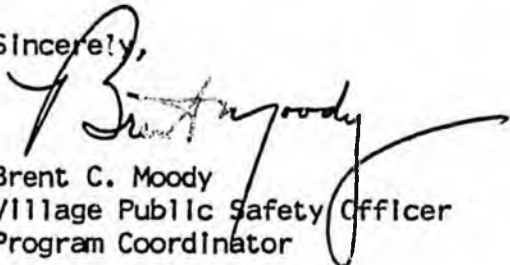
I am writing this letter in support of Senate Bill Number 32 on the recriminalization of marijuana.

I believe this Bill will help stop some of the hypocrisy involved around the issues of substance/controlled substance use, whether it be in or out of a person's residence.

With all the problems our society suffers with the legal and socially accepted use of alcohol I cannot in any way accept or support the use of any other mind altering substance. Your support for passage of Senate Bill 32 is needed and will be greatly appreciated.

If there is anything I can personally do to assist the Hess Committee on this matter please do not hesitate to contact me.

Sincerely,

  
Brent C. Moody  
Village Public Safety Officer  
Program Coordinator

cc: Evelyn E. Myers, Executive Director  
Representative Terry Martin

BCM:wb



# City and Borough of Sitka

304 LAKE STREET. SITKA, ALASKA. 99835

March 26, 1987

Senator Paul Fischer, Chairman  
Health, Education, & Social Services Comm.  
Box V  
Juneau, Alaska 99811

Dear Senator Fischer:

Enclosed is our Resolution No. 87-341 which urges the enactment of Senate Bill 32. Thank you for considering our comments on this very important legislation.

Sincerely yours,

Richard Anderson  
Administrator

enclosure

cc: Senator Lloyd Jones/encl.

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 87-341

A RESOLUTION OF THE ASSEMBLY OF THE  
CITY AND BOROUGH OF SITKA  
URGING THE ALASKA LEGISLATURE  
TO ENACT SENATE BILL 32

WHEREAS, the use of marijuana is damaging to the human mind and body; and

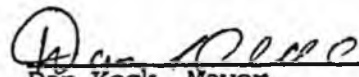
WHEREAS, marijuana represents a special danger to our children, our most important asset; and

WHEREAS, our society needs to express its abhorrence for the possession and use of this drug; and

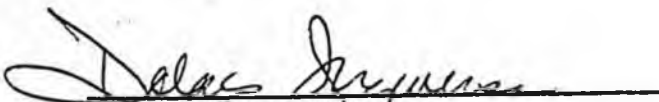
WHEREAS, our authorities need the means to combat the possession and use of marijuana,

NOW, THEREFORE, BE IT RESOLVED by the Assembly of the City and Borough of Sitka that the Legislature of the State of Alaska is urged to enact Senate Bill 32.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 24th day of MARCH, 1987.

  
Dan Keck, Mayor

ATTEST:

  
Dolores Ingwersen,  
Municipal Clerk

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

RESOLUTION 86-87-9

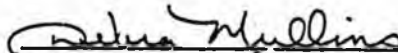
WHEREAS, the physiological, psychological and sociological effects of marijuana use are well documented; and

WHEREAS, the use of this substance by some elements of the school age population continues to be a disruptive force; and

WHEREAS, current state statute permits possession of marijuana for private use which makes this substance more accessible to the school age population;

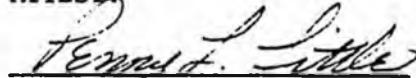
NOW THEREFORE BE IT RESOLVED, that the Kenai Peninsula Borough School District Board of Education supports the recriminalization of marijuana and the provisions for enforcement as set forth in Senate Bill 32.

ADOPTED THIS 16th DAY OF MARCH, 1987.



Debra Mullins, President  
Kenai Peninsula Borough School Dist.  
Board of Education

ATTEST:



Penny Little  
Notary Public



ADOPTED AUGUST 1872

# CITY of WRANGELL, ALASKA

INCORPORATED JUNE 15, 1903

BOX 531, 99829 (907) 874-2381

February 11, 1987

The Honorable Steve Cowper  
Governor of Alaska  
Pouch A  
Juneau, Alaska 99801

Dear Governor Cowper:

Attached hereto is a copy of the City of Wrangell Resolution No. 02-87-263 urging the Alaska Legislature to criminalize the act of possession of marijuana in any amount.

The Wrangell City Council respectfully request your support in this matter.

Sincerely,

Joyce Rasler  
City Manager

Attachment:

cc: Representative Taylor  
Representative Sund  
Senator Jones

CITY OF WRANGELL, ALASKA

RESOLUTION NO. 02-87-263

A RESOLUTION OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, URGING THE ALASKA LEGISLATURE TO CRIMINALIZE THE ACT OF POSSESSION OF MARIJUANA IN ANY AMOUNT.

WHEREAS, THC is the ingredient in marijuana that goes into the fatty tissues of the brain and other internal organs and takes thirty days to be eliminated from the body; and

WHEREAS, THC is reported to cause effects to a person that may result in the birth of deformed or undersized offspring; and

WHEREAS, the THC content of a marijuana cigarette is as high as ten percent today as compared to one percent ten years ago; and

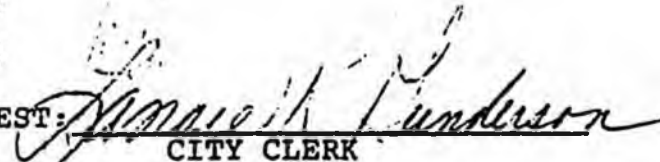
WHEREAS, numerous psychological and physical reactions result from the use of marijuana which impair the health and well being of the public; and

WHEREAS, Alaska's law which allows the possession of certain amounts of marijuana is contrary to the Federal Government's laws and the "war on drugs" being waged across the nation by Cities and States.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, that the Alaska Legislature is urged to amend the law to criminalize the act of possession of marijuana in any amount in the best interests of the public, except as authorized in AS 17.301. Be it further resolved that copies of this Resolution be forwarded to Governor Steve Cowper, Senator Lloyd Jones, Representative Robin Taylor and Representative John Sund.

PASSED AND APPROVED February 10, 1987

  
MAYOR

ATTEST:   
CITY CLERK



# WRANGELL POLICE DEPARTMENT



WILLIAM G. KLEIN  
CHIEF OF POLICE  
106TH SESSION

CITY OF WRANGELL, ALASKA  
POST OFFICE BOX 531 • WRANGELL, ALASKA 99929  
(907) 874-3304

March 4, 1987

MAR 5 1987

Senator Paul Fisher  
Hess Committee Chairman  
P.O. Box V  
Juneau, Alaska 99811 (Mail Stop 3100)

Dear Senator Fisher:

On behalf of this department and the concerned members of this community, I sincerely urge that all possible efforts and support be afforded to Senate Bill 32, Recriminalization of Marijuana, in order that said bill be brought to the floor of the Senate and House for a vote.

As an Alaska law enforcement officer for the past 21 years I can state without reservation that one of the greatest errors consummated by a legislative body was the decriminalization of marijuana. Not only is it in violation of Federal Law, its usage among the youth of this state has escalated like a malignant growth.

In all frankness, I must state that the time is long overdue for positive action on behalf of our elected officials to combat and control this statewide problem. Give law enforcement in the State of Alaska the weapons, in the form of realistic and effective laws, and we will do our part.

Respectfully submitted,

William G. Klein  
Chief of Police

WGK:rrk

cc: Representative Terry Martin  
Senator Lloyd Jones  
Representative Robin Taylor  
Representative John Sund

**PETERSBURG GENERAL HOSPITAL**

*and Long Term Care Facility*

Phone: (907) 772-4291

P.O. Box 589

Petersburg, Alaska 99833

MAR 11 1987

March 5, 1987

Representative John Sund  
Representative Robin Taylor  
Senator Lloyd Jones  
State of Alaska  
Pouch V  
Juneau, Alaska 99811

Gentlemen:

I appreciated the opportunity of sharing dinner with you and your spouses and talking about various legislative matters.

However, I did not feel inclined that evening to fully express myself on SB 32 "Recriminalization of Marijuana" but wish to do so at this time.

To me, this issue goes beyond right to privacy vs. harm to society. I look at it as a health issue also. For this reason I support Senate Bill #32. I listened to two hours of testimony on the matter on February 25, 1987.

I add some points that were not made in those hearings. First, people do have a right to privacy in their own homes, to a point. However, we cannot do certain things there such as child abuse or assault of our spouse or criminal acts such as murder, rape, incest, and other moral crimes without being arrested. I put marijuana in that category.

Second, I have a hard time seeing marijuana allowed in Alaska if there are federal laws on the books making it a violation to possess marijuana in any form in the United States. Along with this, how can an Alaskan citizen have marijuana in their homes without first breaking a State law in getting it into the home and that includes seeds to grow the plants? Marijuana in any form has to first pass thru the streets, highways, or airways of the State, which is against the law.

Third, you might want to talk to some newborn care nurses in hospitals such as Ketchikan or Juneau who will tell you that babies whose mothers have been smoking marijuana are more restless, cry more, and have drug withdrawal symptoms to varying degrees. On the other hand, they will testify that any mother who does not drink alcohol, smoke cigarettes, do drugs, or smoke marijuana have the most healthy and best behaved babies.

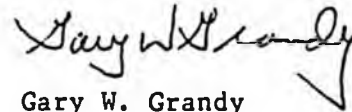
Representative John Sund, Robin Taylor  
Senator Lloyd Jones  
Juneau, Alaska

Page 2.

I believe these innocent newborns have a God-given right to start life without being in subjection to problems created by their mother's marijuana habits.

I will not repeat the many comments made in the hearings but I did hear a majority of testimony in favor of SB #32. I also believe that the majority of citizens in Petersburg and Alaska support SB #32. You will receive or the Hess Committee will receive a petition from people in Petersburg who support SB #32. Therefore, I solicit your vote in favor of SB #32 when it reaches the floor of the legislature.

Sincerely,



Gary W. Grandy  
Administrator

cc: Hess Committee - Recriminilization of Marijuana  
Ben Grussendorf, Senator  
Ed Malewski - Sitka Community Hospital  
Frank Sutton - Mt. Edgecume Hospital

Incidentally, I have just learned that Senator Ben Grussendorf may attempt to retain SB #32 in Committee. Bluntly, that stinks and I resent any important legislation being retained in Committee. Politically, those actions can hurt legislators as the majority of people in a democratic society want those issues debated and voted upon.

CITY OF KETCHIKAN

RESOLUTION NO. 87-1498

**A RESOLUTION OF THE CITY OF KETCHIKAN, ALASKA, SUPPORTING REPEAL OF A.S. 11.71.070 AND AMENDMENT OF A.S. 11.71.060(a) TO MAKE MARIJUANA ILLEGAL AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, Alaska is the only state in the union with a permissive statute for personal possession of marijuana, and

WHEREAS, findings of local, state and federal authorities conclude that marijuana is detrimental to the health, welfare and public safety of all people and of all ages, and

WHEREAS, the Supreme Courts of other states and the U.S. Supreme Court have upheld state statutes prohibiting the use and possession of marijuana, and

WHEREAS, current Alaska state statutes are not in conformity with federal drug enforcement laws controlling drug abuse, and

WHEREAS, the conflict between federal and state law pertaining to marijuana causes unnecessary barriers for local police and Alaska State Troopers in protecting the public from drug abusers, and

WHEREAS, Ketchikan Youth Services, Families in Action and other concerned local citizens have expressed concern over the drug abuse problem in the community, and

WHEREAS, representatives of sixty (60) Alaskan high schools at the Alaska Association of School Governments' Annual Fall Conference held on October 18, 1986, unanimously passed a resolution to repeal the current marijuana law and make the drug in all its forms illegal in Alaska.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA as follows:

Section 1. The City Council of the City of Ketchikan, Alaska hereby petitions the Governor of the State of Alaska, the Alaska State Legislature and the Alaska Supreme Court to take immediate steps to repeal statutory and constitutional protections for use and possession of marijuana in the State of Alaska in order to promote the general health, welfare and public safety of the citizens of Ketchikan and the State of Alaska.

Section 2. The City Clerk is hereby directed to send copies of this resolution to Governor Cowper, Senator Jones, Representative Taylor, Representative Sund, the Attorney General and the Alaska Municipal League.

Section 3. This resolution shall become effective immediately upon passage.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

ATTEST:

\_\_\_\_\_  
Ted Ferry, Mayor

\_\_\_\_\_  
Karen Miles, CMC  
City Clerk



## KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

Darroll Hargraves  
SUPERINTENDENT

### Resolution No. 210 Ketchikan Gateway Borough School District

#### A REQUEST FOR CHANGING THE STATE STATUTES TO MAKE THE POSSESSION AND USE OF MARIJUANA ILLEGAL

WHEREAS, the State of Alaska allows legal private possession and use of marijuana,

WHEREAS, Alaska's present statutes regarding possession and use of marijuana appear to be in conflict with the laws of the United States, and

WHEREAS, the problem of drug and alcohol abuse in our schools and our society appears to be on the rise, and

WHEREAS, the President of the United States initiated a national crusade to counter the current drug problem, and

WHEREAS, many students find easy access to illegal drugs, particularly marijuana, and

WHEREAS, Alaska statutes present a mixed message by currently allowing the use and possession of marijuana in the home, and

WHEREAS, current research and medical opinion concerning marijuana indicates that marijuana is harmful and does present a serious health problem, and

WHEREAS, the utilization of marijuana possession in Alaska sends the message to outside suppliers that Alaska is an open state which condones the "personal use" of marijuana, and

WHEREAS, a show of community resolve against the legal possession and use of marijuana sends a message to the state legislature and the governor's office,

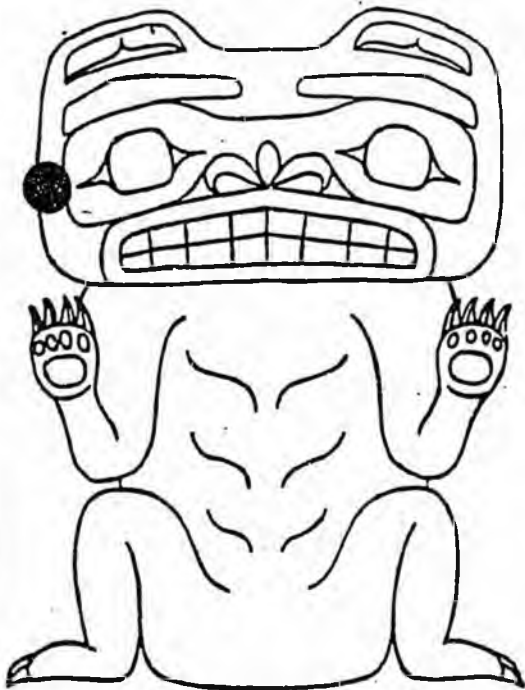
THEREFORE BE IT RESOLVED by the Ketchikan Gateway Borough School District that:

1. The School District encourages and supports the reenactment of statutes which will recriminalize the possession of marijuana.
2. The School District makes this position one of public record so that all in the community, in other school districts, and across the state will understand our position that the present statutes in Alaska governing marijuana are not in the best interest of its citizens.
3. The School District requests our legislators, locally and across the state, to give the recriminalization of marijuana immediate attention during the 1st session of the 15th legislature so that effective July 1, 1987 the possession and use of marijuana will be illegal and carry consequences.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF EDUCATION OF THE KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT OF KETCHIKAN, ALASKA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1987.

\_\_\_\_\_  
President of the Board

\_\_\_\_\_  
Clerk-Treasurer of the Board



## City of Saxman

Rt. 2, Box 1  
Saxman, Alaska 99901  
907-225-4166

CITY OF SAXMAN

RESOLUTION NO. 87-01-030

A RESOLUTION OF THE CITY OF SAXMAN, ALASKA, SUPPORTING REPEAL OF A.S. 11.71.070 AND AMENDMENT OF A.S. 11.71.060(a) TO MAKE MARIJUANA ILLEGAL AND ESTABLISHING AN EFFECTIVE DATE.

- WHEREAS, Alaska is the only state in the union with a permissive statute for personal possession of marijuana; and
- WHEREAS, findings of local, state and federal authorities conclude that marijuana is detrimental to the health, welfare and public safety of all people and of all ages; and
- WHEREAS, the Supreme Courts of other states and the U.S. Supreme Court have upheld state statutes prohibiting the use and possession of marijuana; and
- WHEREAS, current Alaska state statutes are not in conformity with federal drug enforcement laws controlling drug abuse; and
- WHEREAS, the conflict between federal and state law pertaining to marijuana causes unnecessary barriers for local police and Alaska State Troopers in protecting the public from drug abusers; and
- WHEREAS, Ketchikan Youth Service, Families in Action and other concerned local citizens have expressed concern over the drug abuse problem in the community; and
- WHEREAS, representatives of sixty (60) Alaska high schools at the Alaska Association of School Governments' Annual Fall Conference held on October 18, 1986, unanimously passed a resolution to repeal the current marijuana law and make the drug in all its forms illegal in Alaska.



**BOYS & GIRLS CLUBS  
OF ALASKA**

**Administrative Offices**  
2300 W. 38th Avenue  
Anchorage, Alaska 99517  
(907) 248-0086

**Officers**  
**David G. Kolesky**  
*President*  
**Caroline Dowling**  
*President-Elect*  
**Michael P. Chudecke**  
*V.P. - Property Management*  
**Mary Bath Finley**  
*V.P. - Programs*  
**Bill Woodland**  
*V.P. - Athletics*  
**Cynthia Miles**  
*Treasurer*  
**Lajuana Strelli**  
*Secretary*

March 27, 1987

Representative Terry Martin  
P.O. Box V  
Juneau, AK 99811

Dear Terry:

On behalf of Boys & Girls Clubs of Alaska and its Board of Directors, I urge your continued support for House Bill 55. As you are aware, substance abuse among Alaska's young continues to prevail in alarming numbers. The recriminalization of marijuana is an important step the State must take to bring those numbers down.

Boys & Girls Clubs have addressed the drug and alcohol problem with today's youth and are developing programs aimed at education and service of needs related to substance abuse. The State of Alaska's recriminalization of marijuana will not only boost our efforts, but also the work of many other agencies, schools and private businesses throughout Alaska. Your participation is appreciated.

Sincerely,

*David Choquette P.H.*  
David Choquette  
Board Member

cc: David G. Kolesky, President

**Board of Directors**

Peter S. Aadland     George Kallas  
Elaine Andrews     Hans Kruger  
Bob Baer             Dave Kuta  
Dave Baumeister     Fritz Ledbetter  
Karen L. Beck         Eline Lorange  
Tom Behan             Ken Lythgoe  
\*Carl Brady, Jr.       Jay Dee Martin  
David Choquette       Kathy Moores  
William Doss           Fred Moseley  
Bobbi Enloe           Murphy O'Brien  
Mickael A. Flaa         Ski Olsonoski  
Mike Gordon           Bill Parks  
Jack Good             \*Don Patterson  
Carroll Grant          Andrew A. Reimer  
\*Gerald Grilly         Rick Short  
Carolyn Guess          Paul K. Skogland  
Rick Hagen             Barbara Sleckel  
William J. Hofer         Gene Zerke  
Robert D. Jackson

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\*J. Chester Gordon  
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Ike Waldrop  
Leo Walsh

**Alaska Heritage Club**  
Standard Alaska Production Co.  
Anchorage Daily News

**Executive Director**  
Richard L. Hanlin

\*Past Presidents



# Alaska State Legislature

Senator Paul A. Fischer  
Senate District D  
Box 784  
Soldotna, Alaska 99669  
(907) 262-9420 W  
262-9269 H



While in Juneau  
Pouch V  
Juneau, Alaska 99811  
(907) 465-3791

## State Senate

### STUDIES & MATERIALS AVAILABLE IN SENATOR FISCHER'S OFFICE

<u>Study/Article/Publicatio</u>	<u>Date</u>	<u>Author</u>
1) Gateway Drugs	1984	Robert L. DuPont Jr. M.D.
2) Presidential Newsconference Transcripts	Aug, '86	Ronald Reagan
3) Ravin Decision	1975	Judge Rabinowitz
4) Marijuana & Health	1982	New England Journal of Medicine
5) Clinical Toxicology of Cannabis	1983	Forest S. Tennant M.D.
6) Clinical Syndrome of Marijuana Dependence	Apr, '86	Forest S. Tennant M.D.
7) Attorney General Opinion State of Pennsylvania	Nov, '86	Roy Zimmerman
8) Legislator's Survey on Recriminalization	Oct, '86	Anchorage Times
9) ACLU Position Paper	Feb, '87	Alaska Chapter ACLU
10) Marijuana Study compilation of 19 different studies	nov, '85	Anchorage Crime Commission
10a) Aircraft Accident Report	Apr, '85	National Transportation Safety Board
b) Marijuana; A Headmaster's Perspective	Jun, '80	Various Canadian School Principals
c) A Whole New Ball Game	Mar, '82	Robert Dupont, M.D.
d) Death On the Highways	1981	Peggy Mann, from the Saturday Evening Post
e) Health Consequences of Marijuana	Mar, '80	William Pollin, M.D.

<u>Study/Article/Publication</u>	<u>Date</u>	<u>Author</u>
Anchorage Crime Commision Report cont.		
f) Retarding Reproduction	Feb., '83	Dr. Carol Smith An interview
g) Biological Effects of Marijuana	Mar, '84	Connie & Otto Moulton Drug Abuse Newsletter
h) Why I changed My Mind About Marijuna	?	Robert DuPont, M.D. Listen magazine
i) Marijuana Reconsidered	Feb, '84	Helen C. Jones
j) Our Most Dangerous Drug	1980 ?	Dr. Harvey Powelson
k) FDA's Marijuana Recommendations	Jun, '82	Food & Drug Admistration Docket # 82N-0182
l) Cannabis: Adverse Effects on Health	Jan, '80	John B. McDonald Addiction Research Foundatio Toronto, Canada
m) Respiratory Status of 74 Habitual Marijuana Smokers	Nov, '80	Donald Tashkin, M.D. & Bertrand J. Shapiro, M.D.
n) Narcotic Information Bulletin #1-80	1980	Many
o) Marijuana & the Brain	1980+	Robert J. Heath, M.D.
p) Marijuana & Reproduction	1982	Smith & Asch, Ph.D. & M.D. The American Council On Marijuana
q) The Marijuana Controversy	1981	Carlton E. Turner, Ph.D. The American Council On Marijuana
r) Marijuana: The Myth of Harmlessness Goes up in Smoke	?	Peggy Mann, Saturday Evening Post
11) Drug Report	Mar, '85	Ak. Dept of Public Safety
12) 10 Startling Facts About Marijuana & Brain Damage	1983	David Goodman, Ph.D.
13) Marijuana Update	Mar, '87	Donna J. Hymes, R.N.
14) Minutes of Anchorage Municipal Assembly on Marijuana Resolution	Dec.9, '86	Municipal Clerk

<u>Study/Article/Publication</u>	<u>Date</u>	<u>Author</u>
15) Accomplishments of the National Campaign Against Drug Abuse	Sept, '84	The White House
16) Bibliography of Adverse Effects of Marijuana, over 100 articles	Apr, '85	Alaskanet/Dialog Computer Search, File= "Medline"
17) Marijuana & Health, 8th Annual Report to Congress	1980	National Institute on Drug Abuse
18) The Purpose of Pleasure	1983	Robert A. Hawley
19) Marijuana Alert	1985	Peggy Mann
20) Marijuana & Public Health An Analysis of 4 Major	Dec, '82	Sidney Cohen, M.D. Drug Abuse Newsletter
21) Various Marijuana Articles	1980+	Peggy Mann, Saturday Evening Post & Readers Digest
22) Marijuana: A Crude Drug with a Spectrum of Under-appreciated Toxicity	Apr, '84	Richard H. Schwartz
23) PharmAlert - Marijuana Effects on Sper $\bar{m}$ and Testosterone	1982	University of Maryland School of Pharmacy
24) Levels of Processing and Acute Effects of Marijuana on Memory	1980	Susan M. Bellmore Lorren L. Miller
25) Health Questions about Marijuana	1983	U.S. House Select Committee Narcotics Abuse and Control
26) Mariuana Warnings: New Evidence Against the Soft Drug	Sept, '80	Milan Korcok Canadian Medical Association
27) Miscellaneous Copies of Various Drug Abuse Newsletters and phamplets.		

# Alaska State Legislature

SENATOR PAUL FISCHER, Chairman  
SENATOR JOE JOSEPHSON, Vice Chairman  
SENATOR LLOYD JONES  
SENATOR JAY KERTULLA  
SENATOR RICK HALFORD



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STATE CAPITOL  
(907) 465-3762

## Senate Committee on Health, Education and Social Services

April 9, 1987

To: Senator Jay Kerttula, Chairman &  
Members of Senate Judiciary Committee

From: Senator Paul Fischer

Subject: SB 32, Recriminalizing Marijuana

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The Senate Health Education and Social Services Committee has held extensive hearings on the marijuana issue. The Committee held 4 public hearings including 2 statewide teleconferences. A total of 85 people testified of which 50 testified for recriminalization and 29 against. Six people gave us their undecided philosophical reflections. The written testimony and POMs have been overwhelming in favor of recriminalization.

Throughout the course of our hearings, it became apparent that the first section of the bill, "Legislative Findings", was going to be the emphasis and heart of the bill. We must draft a law that is capable of persuading the Courts that the detrimental effects of marijuana override the Constitutional questions to the right to privacy laid out in the *Ravin* decision. We do not have a right to privacy with respect to cocaine, LSD, or heroin for obvious reasons. The Senate HESS Committee found, that some of these same reasons now apply to marijuana based upon new scientific evidence that was not previously available during the *Ravin* decision. The conclusions of this new evidence is listed in the first section of the bill entitled "Legislative Findings". Further information substantiating these findings can be found in an accompanying memo and reference materials in my office.

The CS offered by the Senate HESS Committee incorporates these new findings in a convincing and compelling format that will both aid in the bill's passage and State's defense in court if the new law should be challenged.

Attached please find the minutes of our Committee hearings.

SENATE HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 18, 1987

7:10 p.m.

MEMBERS PRESENT

Senator Paul Fischer, Chairman  
Senator Joe Josephson, Vice Chairman  
Senator Lloyd Jones

MEMBERS ABSENT

Senator Jay Kerttula  
Senator Rick Halford

COMMITTEE CALENDAR

SB 32: "An Act relating to marijuana; and providing for an effective date."

WITNESS REGISTER

Nancy Kennedy, P.O. Box 621, Delta Junction 99737  
(895-4408)  
Dennis Hochstetler, P.O. Box 705, Delta Junction 99737  
(895-5252)  
Karl Burggraf, 1837 Yankovich, Fairbanks 99708 (479-2734)  
Bill Campbell, 609 Third Street, Fairbanks 99701  
(457-5965)  
Michael Graf, 215 Ina, Fairbanks 99701 (456-3367)  
Lynda Adams, Box 7171, Ketchikan (225-6227)  
Kati Murray, Box 870523, Wasilla 99687 (376-5063)  
Bill Luttrell, Box 873172, Wasilla 99687 (376-3228)  
Cheryl Hulin, SRB 2899-A, Wasilla 99687 (376-0756)  
Brother Isaya, Homer  
Eugene Harnett, 733 W. 4th, #670, Chugiak (694-1545)  
Janice Lienhart, 3100 Mountain View Dr., Anchorage  
(337-5201)  
Agnes Lovell, 7041 Debarr Road, Anchorage  
Amanda Spencer, 9565 Canton Loop, Anchorage (333-7699)  
Cheyenne Roberts, 2001 Churchill, Anchorage (272-4541)  
Dan Rodey, Anchorage  
Maureen Carl, 11000 Ridgecrest, Anchorage (346-1060)  
Judith Rich, 9021 Granite, Anchorage (344-7720)  
Dennis Miller, 389 Diane Lane, Soldotna (262-5183)  
Peter Cannava, Box 502, Soldotna (262-4340)  
Sherry Innes-Bennett, 39410 Strawberry Road, Kenai  
(283-7985)  
Bob Brottmiller, Box 1501, Petersburg 99833  
Chris Hamre, 15851 Clarks, Anchorage 99516 (345-1840)

Ron Rau, Box 3038, Sitka 99835  
Roderick Ryll, Box 185, Wrangell (874-3676)  
Carl Becker, Box 1185, Cordova 99574 (424-7466)  
Patrick Shely, Box 307, Valdez 99686 (835-4560)

#### PREVIOUS ACTION

See HESS minutes of 3:38 p.m. on this same date.

#### ACTION NARRATIVE TAPE ONE, SIDE ONE Number 000

Senator Fischer called the meeting to order at 7:10 p.m. He noted that Senator Josephson, and Jones, and Representatives Ellis, Hanley, and Martin were present.

#### Number 034

Nancy Kennedy, Delta Junction, testified against SB 32. She said that the findings are incorrect, and the law would make more criminals. If the legislature wishes to remove the dangers of drug abuse in society, focus should be put on educating citizens on the dangers of any drug abuse.

#### Number 124

Representative Martin said that the findings are based on scientific evidence. Ms. Kennedy said that marijuana is here to stay, and people who use it should not be criminals.

#### Number 159

Karl Burggraf, Fairbanks, testified against SB 32. It would be better to educate adults and children on substance abuse through the community.

#### Number 207

Representative Martin asked if people are allowed to put anything in their bodies that they want, then is the government responsible for helping if they become addicted. Mr. Burggraf said it is the government's responsibility to make people aware of substance abuse.

#### Number 230

Lynda Adams, Ketchikan, testified in support of the bill. She is a member of Ketchikan Families in Action and of the National Federation of Parents for Drug Free Youth. She referenced excerpts from the Raven case and gave reasons for changing the law. She also shared a letter from Dr. Jacobson, Associate Clinical Professor of Pediatrics at the USC School of Medicine.

#### Number 393

Ms. Adams said marijuana is a gateway drug. She read a Pennsylvania attorney general's opinion.

Number 404

Senator Josephson asked if there would be other gateway drugs used if marijuana were criminalized.

Ms. Adams said that it is a gateway drug because people use it then go on to obtain their high from something else. Because of the liberal Alaskan laws, marijuana is readily accessible to youth.

Number 424

Senator Josephson asked if a jail term is necessary or would a monetary fine suffice. Ms. Adams replied that a fine, community service, or treatment program would be better.

Number 443

Kati Murray, a Wasilla senior in high school and ex-addict, gave an emotional testimony supporting recriminalization of marijuana.

Number 484

Brother Isaya, Homer, testified against the bill because he feels there are better ways to deal with substance abuse.

Number 574

Dan Rodey, Anchorage, spoke in support of the bill. He is a teacher for the REACH program for alcohol and drugs in the Anchorage School District.

Number 603

Representative Martin said that parents are role models for children. Mr. Rodey said that parents shouldn't say one thing and do another.

Number 618

Janice Lienhart, with Victims for Justice in Anchorage, spoke in support of the bill. She said that they cannot get federal funding because marijuana is legal here. She said that drug users are attracted to Alaska.

TAPE ONE, SIDE TWO

Number 670

Representative Martin said that there is a fiscal note from the Department of Law.

Number 683

Dennis Miller, Soldotna, spoke against the bill. He said that the present law keeps drugs out of schools and doesn't turn the common man into a criminal.

Number 762

Bob Brottmiller, Petersburg, spoke against the bill. He said that making marijuana illegal will not reduce the number of people using it just as prohibition didn't reduce the number of people drinking alcohol.

Number 805

Ron Rau, Sitka, testified against the bill. He read a letter published in the Sitka Sentinel. He said that the big drug problem in Alaska is alcohol, not marijuana.

Number 878

Peter Cannava, a physician on the Kenai peninsula, said he would like to see the bill become law because it is a statement to children that there are things that are correct to use safely and that there are other things that should not be used at all. He said that SB 32 clearly enumerates the adverse affects of marijuana. Jail terms are not appropriate but suggested counseling or community service instead.

Number 908

Cheyenne Roberts, freshman at West Anchorage High School, spoke in support of the bill. She said that marijuana is readily and easily available in the high schools.

Amanda Spencer, junior at Dimond High School, spoke for the bill. She was confronted with marijuana when she was ten years old by a nine year old drug addict who had been taught to use marijuana by her family. A strong government should take a stand against this issue.

Roderick Ryll, senior at Wrangell High School, testified in support of the bill. He said that students who use marijuana don't care about their attendance records or their grades.

Number 958

Senator Josephson said it is difficult to say that a student is indifferent because he uses marijuana or vice versa. If there wasn't marijuana, there might still be a certain portion of the student body that would be indifferent.

Number 993

Carl Becker, Cordova, said that instead of recriminalizing marijuana, the legislature should decriminalize all drugs for consenting adults. There should be tougher penalties for distributing alcohol, tobacco, or drugs to minors and increased funding of educational programs.

Number 1029

Senator Fischer said there are zero fiscal notes from the Departments of Corrections and Public Safety.

Number 1042

Eugene Harnett, Anchorage, testified in support of the bill. He said that a relaxed law creates potential for more availability and a market for drug dealers. He said that use of marijuana estranges a child from the family.

Number 1092

Bill Luttrell, Wasilla, said that making marijuana illegal only serves to make the drug more alluring. He spoke on the THC content.

Number 1104

Patrick Shely, Valdez, President of the Alaska Chiefs of Police, spoke in support of the bill. His concern is that the bill will get stuck in committee and urged that the bill get to the floor for a vote. He said personal rights and freedoms should not be at the expense of the majority such as when there have to be more government programs to take care of the addicts.

Number 1147

Representative Martin said that there have been many resolutions from local groups urging the legislature to repeal the current marijuana law.

Number 1164

Senator Fischer said that SB 32 will not die in the Senate HESS committee.

Number 1168

Bill Campbell, sophomore student at Lathrop High School in Fairbanks and vice president of the Alaska Association of School Governments (AASG), read the "Just Say No" resolution passed by AASG last October. He said that at the October conference there were 450 plus students with 52 high schools represented.

Number 1192

Judy Rich, Anchorage, testified for the recriminalization of marijuana for the Alaska Drug and Endangered Child Strike Force. She said that marijuana use costs the state thousands of dollars while children are in McLaughlin and tie up the police, the courts, and probation officers.

Number 1128

Cheryl Hulin, Wasilla, spoke in support of the bill.

Number 1232

Dennis Hochstetler, Delta Junction, spoke against the bill. He listed the fiscal costs of recriminalizing marijuana.

TAPE TWO, SIDE ONE

Number 1325

Sherry Innes-Bennett, President of the Parent Advisory Committee at the Kenai Junior High School, said that this group is in complete accord with the bill. She said that laws do not make people criminals; laws define criminal behavior.

Number 1385

Chris Hamre, Petersburg, spoke against the bill. He said that the findings of the bill are erroneous and made comments on each. He noted that Skagway rejected a resolution to recriminalize marijuana so there is not a clear mandate that this is still a controversial issue. He said that laws to prosecute pushers are already in place.

Number 1478

Maureen Carl, representative of the Anchorage Tough Love Group, said that the group is in total support of SB 32. The group members are parents of teenagers who have tremendous accessibility to marijuana.

Number 509

Michael Graf, a clinical psychologist in Fairbanks, spoke on AIDS and teenage drug abuse. He said that criminalization doesn't help reduce drug abuse and that some of the legislative findings are inaccurate.

Number 1572

Agnes Lovell, Anchorage, urged the passage of strict laws against marijuana because of personal experiences she had at Providence Hospital and with her family.

Number 1665

Senator Fischer adjourned the meeting at 9:05 p.m.

HEALTH, EDUCATION, & SOCIAL SERVICES COMMITTEE  
February 18, 1987  
3:38 p.m.

MEMBERS PRESENT

Senator Paul Fischer, Chairman  
Senator Joe Josephson, Vice Chairman  
Senator Lloyd Jones

MEMBERS ABSENT

Senator Jay Kerttula  
Senator Rick Halford

COMMITTEE CALENDAR

SB 32: "An Act relating to marijuana; and providing for an effective date."

WITNESS REGISTER

Paul Grant; ACLU; 217 Second Avenue, #204; Juneau, Alaska  
99801; 586-2701

Jim and Miriam Sumner; Alaska Foster Parent Association;  
SRB 7026; Palmer, Alaska; 745-7797

David Crosby; 44140 Blackerby; Juneau, Alaska; 780-4274

Bob Trani; Alaskans for Drug Free Youth/Safe Homes; 7760  
Glacier Highway; Juneau, Alaska 99801; 789-2586

Holly Gray; Juneau-Douglas High School Senior

PREVIOUS ACTION

There is no previous action on this bill.

ACTION NARRATIVE

Number 000

Senator Fischer called the meeting to order at 3:38 p.m.  
and invited Representatives Ellis, Hanley, and Phillips to  
sit at the table.

Number 041

Paul Grant, Alaska Civil Liberties Union (ACLU), spoke in opposition to SB 32. He said that the primary issue is the Alaska right to privacy as was defined by the Raven case in 1975. It is ACLU's position that the medical evidence which formed the grounding for this decision has not changed significantly. He spoke on the substantial cost of recriminalization of marijuana.

Number 103

Senator Fischer said that there is a zero fiscal note. Mr. Grant replied that there will be fiscal notes coming in from the Public Defender's Agency and the Office of Public Advocacy.

Number 121

Senator Fischer asked if use of marijuana in the home is illegal under federal law. Mr. Grant responded affirmatively.

Number 143

Senator Josephson said that there is a zero fiscal note because of a statement of intent that the program would not be vigorously enforced as to personal users.

Number 165

Mr. Grant said that the ACLU objects to the philosophy of making something a criminal offense without enforcement. He then went through the legislative findings. He said that Finding #1 is medically insignificant. Scientific evidence is to the contrary of Finding #2.

Number 248

Senator Josephson asked if there is new scientific evidence to suggest reconsideration of the Raven decision by the court. Mr. Grant said that the Raven decision was grounded extensively on medical evidence. He said there will be a heavy burden on any new legislation to overcome the fact finding that was done on the Raven case.

Number 277

Senator Josephson asked if it is true that the THC content of marijuana has increased. Mr. Grant said it may be. He said that the effects of marijuana are self-regulative because they are felt immediately.

Number 308

Representative Phillips asked if the committee has medical evidence proving its Findings.

Senator Fischer noted that in 1975, the court held that marijuana had a THC content of less than one percent. It also held that if there were a significant shift to the more potent substance, then its use, even privately in the home, could be outlawed by the legislature.

Number 347

Mr. Grant said that the Nixon Commission in 1973 and the National Science Foundation in 1982 reached the same conclusions on marijuana.

Number 362

Representative Hanley said that nine states have right to privacy in their constitutions. In two states, that right to privacy was challenged with marijuana as the subject. It was not upheld in either.

Mr. Grant continued through the Findings: There is no scientific evidence that marijuana causes mental illness, that there is more of a propensity for marijuana to cause lung cancer than cigarettes, or that THC causes deformed or undersized babies. He encouraged the committee to seek out scientific evidence.

Number 437

Senator Fischer asked if his position is the same regardless of the scientific evidence because of the right to privacy. Mr. Grant replied that government has no business telling adults what to put into their own bodies. However, he noted a decision where the Supreme Court said that the state could prohibit private use of cocaine in the home. Medical evidence of extremely harmful effects would constitutionally permit regulation of private use.

Number 466

Senator Fischer asked if ACLU condones suicide. Mr. Grant replied that an attempt at suicide should not be a criminal offense; however, they do not object to state intervention to prevent suicide.

Number 481

Jim Sumner, Alaska Foster Parents Association, read a statement in support of the recriminalization of marijuana.

Number 528

Senator Fischer asked how many people in the state are foster parents. Mr. Sumner replied there are 150 foster parents with about 1000 kids in foster care.

Number 540

David Crosby, Juneau attorney, member of Juneau-Douglas School Board, and parent of two teenagers, urged the committee to recriminalize marijuana. He is not concerned about adult use but about the message given to teenagers. He noted a study by the University of Alaska that indicated that the use of marijuana by high school students in this state is roughly twice as high as it is nationally.

Number 592

Mr. Crosby said that drug use arrests the emotional development of a child.

Number 609

Mr. Crosby said that the Anchorage Assembly and the Ketchikan Board of Education have called for the recriminalization of marijuana. He said that the committee should ask all people who testify if they have children.

Number 618

Representative Phillips said that the committee must have medical documents to support the bill.

TAPE ONE, SIDE TWO

Number 000

Mr. Crosby said that courts are political institutions and change their minds.

Number 010

Senator Josephson asked if the legislature should build a factual record before enacting the bill. Mr. Crosby responded that the medical community would give them all the needed facts. He also believes that the bill should be acted on this year because it is an issue now.

Number 066

Senator Josephson said that the problem could be addressed under the present law with greater enforcement.

Number 074

Representative Hanley said that it is necessary to change the message given to children. She said that it is the legislature's responsibility to disagree with the court when people all over the state want recriminalization.

Number 128

Senator Fischer said that it is not the legislature's responsibility to weigh the evidence. He noted that representatives from sixty Alaskan high schools met and voted unanimously to recriminalize marijuana. Legislators must represent these people too.

Number 153

Senator Josephson said that the record needs to be filled with medical testimony. He wants to see legislative laws upheld in court.

Number 194

Senator Fischer noted that he has medical backup and wishes to have medical doctors testify.

Number 259

Bob Trani, Alaskans for Drug Free Youth and a substance abuse counselor in the Juneau School District, supported

everything said by Mr. David Crosby. Because marijuana is legal in homes, kids have access to it at an early age. Kids are using it during school hours. SRA scores show regression when students use marijuana regularly. There are a lot of 19 year old high school seniors who can legally use marijuana.

There was discussion of doctors who would give testimony to the committee.

Number 382

Holly Gray, a senior at Juneau-Douglas High School, spoke on school programs against the use of marijuana. She mentioned the Chemical People program with Nancy Reagan. She said that if marijuana is bad for kids, it is also bad for adults.

Senator Fischer noted that the federal government says possession of any amount of marijuana is illegal.

Number 426

Miriam Sumner, Alaska Foster Parents Association, spoke in support of the bill. She described how children act under the influence of marijuana and said there is free access to marijuana. Federal money is becoming available to help with drug programs, but it would be hard for Alaskans to ask for federal money when marijuana is legal here.

Number 468

Senator Fischer adjourned the meeting.

SENATE HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE  
February 25, 1987  
7:07 p.m.

MEMBERS PRESENT

Senator Paul Fischer, Chair  
Senator Lloyd Jones

MEMBERS ABSENT

Senator Joe Josephson  
Senator Jay Kerttula  
Senator Rick Halford

COMMITTEE CALENDAR

SB 32: "An Act relating to marijuana; and providing for an effective date."

WITNESS REGISTER

Loree Wiltze, Anchorage, 276-1394  
Tom McKeowen, Anchorage, 265-6253  
Chris Hamre, 15851 Clarks Rd, Anchorage, 345-1840  
Mickey Bezak, 15851 Clarks Rd, Anchorage, 345-1840  
Sam Arrowood, 3605 Arctic, Anchorage, 376-4062  
Stuart Bigler, 2526 Arlington Dr, Anchorage, 277-5835  
Loy Bolt, 3206 Peterkin, Anchorage, 274-8280  
David Massie, 2303 E. 38th, Anchorage, 563-3029  
Jim Wood, 4179 Lunar, Anchorage, 333-2539  
Roy Gruver, 211 South Bunn, Anchorage, 333-0905  
Jackie Brauner, 4710 Mars Dr., Anchorage, 346-3649  
William Gallanger, Anchorage  
Dave Erlick, 2308 W. 47th, Anchorage, 243-7768  
Bob Sutter, Box 111573, Anchorage, 99511, 344-8750  
Doug Schmedlen, 3321 E. 41st, Anchorage, 99508, 563-3554  
Medo Fernandez, Box 2142, Fairbanks, 99707  
Doris Pfalmer, Box 55655, North Pole, 99705, 488-1823  
Keith Clark, 2482 Chena Hot Springs, Fairbanks, 99712,  
488-2254  
Ralph Chamblin, 2597 Lee Lane, North Pole, 99705, 488-3214  
Ray Luther, 411 "B" Street, Fairbanks, 99701, 456-7150  
Joanna Sanders, Box 337, Delta Junction, 99737, 895-5252  
Greg Whiteside, Box 845, Delta Junction, 895-4572  
Jeff Freeman, Gen. Del., Delta Junction  
North Star Willoughby, Box 76, Delta Junction, 895-5118  
Jon Norton, Box 1882, Valdez, 99686, 835-5020  
Matthew Kinney, Box 1502, Valdez, 835-4817

Barb Koenigs, Families in Action, Box 674, Petersburg,  
772-4757

Karen Hofstad, Box 203, Petersburg, 772-4770

Dick Hindman, Box 1431, Petersburg, 772-3552

Bob Altman, 801 Lincoln, Sitka

Lloyd Hames, Box 397, Sitka

Michael Mayo, Box 3027, Sitka

Kathleen Boehm, Box 1042, Cordova, 99574

John Mehelick, Box 965, Cordova

Cherie Leblanc, Box 1026, Cordova

John Shue, Box 1026, Cordova

Marie Middleton, Box 870862, Wasilla, 99687, 376-3367

Betty Barker, SRD 9076, Palmer, 99645, 745-0691

Jim Rogan, 380 N. Eklutna, Palmer

Carol Palmer, SRA Box 6862, Palmer, 376-4177

Aaron Belzer, Wasilla

George Dodge, Box 520427, Big Lake, 99652, 892-6333

John Holst, Rt. 2, Box 104, Ketchikan, 225-9815

Betty Wilson, 659 Main, Ketchikan, 225-5231

Robb Watson, Box 8162, Ketchikan, 225-2193

Marcia Hilley, Box 7483, Ketchikan, 225-5775

Delores Churchill, Box 5091, Ketchikan, 225-5416

Katherine McGee, 429 Edmond, Ketchikan, 225-5516

Martin Jackson, Box 692, Ward Cove, 99928, 225-9726

Frances Young, 537 Tower, Ketchikan 225-3528

Ken Lanfield, Box 2013, Homer, 99603, 235-7663

Jack Polster, 1506 Ocean Dr., Homer

Jack Helgens, General Delivery, Homer

#### PREVIOUS ACTION

See HESS committee minutes of 2/18/87 - 3:38 and 7:10 p.m.

#### ACTION NARRATIVE

TAPE ONE, SIDE ONE

Number 000

Senator Fischer called the meeting to order.

Number 013

John Holst, principal of the high school in Ketchikan, spoke in support of the bill. He is concerned that the wrong message is being sent to teenagers.

Number 088

Betty Wilson spoke in support of the bill. She said that apathy is a frequent symptom of marijuana use and gave documentation.

Number 179

Doris Pfallmer, North Pole, spoke against the bill because adults should be able to smoke marijuana in their own home.

She suggested extremely harsh penalties for selling drugs and alcohol to minors.

Senator Fischer said that use of marijuana in the home is illegal according to federal law.

Number 278

Marie Middleton, Mat-Su, testified in support of SB 32. She said that marijuana is a gateway drug and spoke about her five sons who use drugs.

Number 309

Betty Barker, Palmer, supported the bill. She spoke on research findings of the harmful effects of marijuana.

Number 376

Jim Rogan, Palmer, spoke against the bill as he has been smoking it since 1975. He said that more education is needed in the schools.

Number 432

Senator Fischer said that schools teach the importance of laws. It is difficult to teach this when the state is in defiance of federal law. This is a double standard.

Number 444

Bud Altman, Sitka, supported of the bill because marijuana is a detrimental drug, more addictive than smoking.

Number 464

Lloyd Hames, Sitka, spoke in support of the bill. He said that according to the University of Mississippi Research Institute of Pharmaceutical Sciences, smoking one marijuana cigarette today is like smoking seven, ten years ago.

Number 517

Loree Wiltze, Anchorage, supported the bill because of the affects marijuana smoke had on her when it filtered up to her apartment from the one beneath hers.

Number 592

Tom McKeowen, Anchorage Crime Commission, spoke in support of the bill. He said that a survey was conducted in 1986 that showed that the Anchorage public wanted recriminalization of marijuana by a margin of two to one.

Number 614

Chris Hamre, Anchorage, spoke against the bill.

TAPE ONE, SIDE TWO

Number 631

Mr. Hamre noted that public sentiment has been evenly split during the teleconferences.

Number 741

Sam Arrowood, Anchorage, opposed the bill because adults should be able to use marijuana in their own homes.

Number 860

Stuart Bigler, Anchorage, spoke in support of the bill and talked about crime problems associated with marijuana.

Number 905

Dick Hindman, Director of the Petersburg Council on Alcoholism, spoke in support of the bill. He said that marijuana is usually the gateway drug; no one intends to become addicted to it.

Number 924

Barbara Koenigs, Families in Action, Petersburg, spoke in support of the bill. She said that the present law sends a confused message to the young.

Number 960

Karen Hofstad, Petersburg, supported the bill because of the children who become involved with drugs.

Number 972

Kathleen Boehm, Cordova, opposed the bill because of loss of personal freedom.

Number 1016

Joanna Sanders, Delta Junction high school student, opposes the use of marijuana by students but feels it should be up to adults to choose for themselves.

Number 1048

Greg Whiteside, Delta Junction, supported the bill because what adults do in the home affects what children do.

Number 1072

Ken Lanfield, Homer, spoke against the bill which he said will not stop people from smoking marijuana just as prohibition did not stop people from drinking alcohol. Marijuana should be decriminalized and regulated.

Number 1109

Jack Polster, Homer, testified against the bill even though he does not use marijuana.

Number 1161

Jon Norton, Valdez high school student, supported recriminalization of marijuana because: (1) of the negative effect it is having on the youth of Alaska, (2) it has been a gateway drug, and (3) federal law prohibits its use.

Number 1185

Robb Watson, Ketchikan Youth to Youth group, spoke for the bill because he was dependent on chemicals from age 13 to 26. He said that marijuana is definitely a gateway drug.

Number 1211

Marsha Hilley, Ketchikan, supported recriminalization of marijuana because people who are the decision makers are often using the drug.

Number 1256

Delores Churchill, Ketchikan, said that the use of marijuana affects all of society. She said that consenting adults do their smoking regardless of whether there are children present or not.

Number 1277

Medo Fernandez, Fairbanks, spoke on breaking federal law.

Number 1282

Keith Clark, Fairbanks, opposed the bill because of the right to privacy.

TAPE TWO, SIDE ONE

Number 1318

Carol Palmer, Palmer, supported the bill. It should be against the law for adults to smoke marijuana in front of children.

Number 1345

Aaron Belzer, Wasilla, spoke against the bill because it is not possible to legislate general, human conditions.

Number 1396

Jack Helgens, Homer, supported the bill but said that cigarettes and alcohol are also gateway drugs.

Number 1424

Loy Bolt, Anchorage, supported the bill. Because of his work in the Department of Corrections, he has spoken with hundreds of drug users and every one acknowledged that the first drug used was marijuana.

Number 1453

David Massie, Anchorage, testified against the bill. He agrees with the present law.

Number 1500

Jim Wood, Anchorage, said that the individual users make a good case, but many of them will lead youngsters astray. He urged passage of SB 32.

Number 1582

Michael Mayo, Sitka, said that kids smoke because they see other people doing it, but kids should not be lied to.

Number 1631

Roy Gruver, Anchorage, testified against the bill because of the right to privacy in the home.

Number 1701

Matthew Kinney, Valdez, opposed SB 32. Six members of his family smoked marijuana, got college degrees, and have had no ill effects. He said that he was discharged from the Coast Guard when THC was found in his urine.

Number 1746

Senator Fischer noted that a previous speaker indicated that there is no conflict between federal and state law because state law supersedes federal law. He asked if Mr. Kinney brought this up when he was discharged from the Coast Guard. Mr. Kinney said that he let the issue drop with his discharge. He could have taken the issue to court martial but didn't because if he had been found guilty, it would have been placed into his record as a felony, and the information would have been public.

Number 1766

Katherine McGee, Ketchikan high school student, said that drug use in the school starts out with marijuana and alcohol causing students to drop, run away, and commit suicide. Marijuana should be recriminalized.

Number 1769

Martin Jackson, Ketchikan, a recovering drug addict, spoke in support of the bill. He knows that marijuana is addictive because he fights it daily. The government should send a message to our youth that marijuana smoking is not OK.

Number 1814

Frances Young, the mother of Martin Jackson, spoke in support of the bill because of the effects that marijuana has had on her son.

Number 1835

John Shue, Cordova, opposed the bill because of the right to privacy.

Number 1846

Cherie LeBlanc, Cordova, said that she has a petition signed by over 20 people opposing the bill because of the right to privacy and because it would strain the judicial system.

Number 1855

John Mehelick, Cordova, opposed the bill. He said that pot smokers are generally mellow. It is the alcohol abusers who are violent.

Number 1872

Senator Fischer said that the findings of the bill were taken from medical journals printed since 1975.

Mr. Mehelick noted that you can find prominent doctors on both sides of the issue.

Number 1889

Ralph Chamblin, Fairbanks, urged the legislature to pass the bill. He was once a marijuana smoker but now wants it to be illegal.

Number 1905

Ray Luther, Fairbanks, supported the bill because society condoned alcohol use, and now, society is high in alcohol abuse. The state should not condone the use of marijuana in the home. He said that 90% of the people in prison will tell you that their crimes were committed while under the influence of alcohol or drugs.

Number 1921

North Star Willoughby, Delta Junction, said that legislators must listen to the will of the people.

TAPE TWO, SIDE TWO

Number 1928

Ms. Willoughby suggested the body of the bill be reworked to be an objective statement of fact and that marijuana plants should be registered with the state so they could be taxed.

Number 2057

Jeff Freeman, Delta Junction, said that if marijuana is made more illegal, the profit margin for dealers will go up. He spoke on the findings, cigarette smoking, and taxation.

Number 2159

Jackie Brauner, Anchorage Tough Love Group, supported the bill. She said that teenagers use marijuana because they say it must be OK to use since there is no law against adults using it. The double standard has to be addressed.

Number 2190

William Gallanger, Anchorage, spoke against the bill calling it a scare tactic, political tool, and the financial bread and butter of the state's narcotic enforcement agency.

Number 2225

Dave Erlick, chairman of the Spenard Action Committee, said the committee should not be fooled by the personal freedom issue. If something is wrong, it should be wrong both in the home as well as outside it.

Number 2243

Bob Sutter, Anchorage, supported the bill because adults have not been able to keep marijuana from children. He also suggested that capital punishment should be considered for any adult that gives chemicals, alcohol, or cigarettes to youth.

Number 2260

Doug Schmedlen, Anchorage, testified in support of the bill. Government should not allow people to continue to use substances that are harmful to themselves or to others.

Number 2268

Senator Fischer said that SB 32 will be passed out of the Senate HESS committee.

Number 2277

Mickey Bezak, Anchorage, spoke against the bill because there are responsible users in the state.

Number 2298

George Dodge, a Vietnam veteran from Big Lake, was adamantly opposed to the bill. He said that the sponsor of the bill just put in certain issues to make the bill look good to him.

Senator Fischer said that when a bill is written, the sponsor will try to put the best case forward to get the bill passed. The hearings are to listen to other people's concerns about the bill.

Number 2321

Francis Young, Ketchikan, said she has been interested in the issue for a long time. She said that since 1982, she has sent brochures and pamphlets to the legislature and asked if those are still available.

Senator Fischer said that the problem is that not everyone believes the research that has been done. You can't make people believe. He said that he has plenty of medical evidence.

Senator Fischer adjourned the meeting at 9:50 p.m.

SENATE HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE  
February 27, 1987  
3:30 p.m.

MEMBERS PRESENT

Senator Paul Fischer, Chair  
Senator Joe Josephson  
Senator Jay Kerttula

MEMBERS ABSENT

Senator Lloyd Jones  
Senator Rick Halford

COMMITTEE CALENDAR

SB 122: "An Act relating to the term of office of the student member of the Board of Regents of the University of Alaska; and providing for an effective date."

SB 66: "An Act relating to student loans; creating the Alaska Student Loan Corporation; and providing for an effective date."

SR 10: "Establishing a Senate Special Committee on AIDS Prevention."

SB 32: "An Act relating to marijuana; and providing for an effective date."

WITNESS REGISTER

Senator Jim Duncan, Box V, Juneau, 99811  
Lance Bowsley, Student Regent, Juneau  
Representative Terry Martin, Box V, Juneau, 99811

PREVIOUS ACTION

SB 66: See committee minutes of February 25, 1987.

SR 10: See committee minutes of February 25, 1987.

SB 32: See committee minutes of February 18 and 25, 1987.

ACTION NARRATIVE  
TAPE ONE, SIDE ONE  
Number 000

Senator Fischer called the meeting to order and opened the public hearing on SB 122.

Number 011

Senator Duncan, sponsor of SB 122, said that the bill clarifies the term of the student regent. At present, the term begins in February which does not coincide with the semester school schedule which begins in January. The bill amends the term to match the student's schedule.

Number 059

Senator Kerttula said that by the time the student regent gets used to the job, the term is over. Senator Duncan agreed that two years is not long enough.

Number 078

Lance Bowsley, Juneau student regent, said that with this bill, there would be one or two months of overlap so that the incoming and outgoing student regents would have time to work together. The Student Leadership Conference was also in favor of the bill.

Number 108

Senator Fischer closed the public hearing on SB 122.

Senator Kerttula moved that SB 122 be passed out of committee with individual recommendations. It was so moved.

Number 117

Senator Fischer brought SR 10 before the committee.

Senator Josephson moved that SR 10 be passed out of committee with individual recommendations. It was so moved.

Number 129

Senator Fischer brought SB 66 before the committee.

Senator Kerttula: You have the exact amendment on your desk, but I would move on page 14, line 23, to remove that default position. Do we have the exact structure? The 150%, we wish removed.

Senator Josephson: I just came from the Post Secondary Commission today and this was discussed. The House Finance Committee had the same language which was deleted because it is not workable. It has the effect of making community colleges ineligible.

Senator Kerttula: Mr. Chairman, it would just be to remove all of the lines 21, 22, and 23, and the period, all item 4. I'd make that motion.

Senator Fischer: Any discussion?

Senator Josephson: There would have to be a period on line 20 after study.

Senator Fischer: We have the bill before us as amended.

Senator Josephson: Move the bill.

Senator Fischer: Any objections? So be it.

There was a discussion of the next week's bills

Number 204

Senator Fischer said that Representative Martin would read documents on marijuana into the record.

Number 249

Representative Martin said that he felt it would be proper to read documentation into the record on marijuana and the effects that it has that are different from 1975. He said that one of the most important ones is: "Marijuana and Health" by the Institute of Medicine, Division of Health Sciences Policy dated 1982.<sup>1</sup> It documents problems discovered since 1975.

Senator Kerttula asked if different varieties have been developed that provide more of this chemical substance or are the methods of growing different now. He was told by a horticulturist that there is not enough heat to grow the plants outdoors in Alaska and develop the THC content.

Number 282

Representative Martin recommended the "1984 Annual Drug Report to the Alaska Legislature" from the state troopers and Public Health Department.<sup>2</sup> He said that aerial surveys are done to detect greenhouses growing marijuana.

Number 359

Senator Kerttula said that the growing should be stopped.

Number 367

Representative Martin said the next report is produced by the Anchorage Chamber of Commerce Crime Commission dated November, 1985.<sup>3</sup> This is an in depth study on marijuana. They have shown the physical harm to the fetus as well as the sex cells.

The state troopers report and the crime commission study include human health, welfare and public safety issues. There is a direct relationship between marijuana and drug use and crime.

Representative Martin entered a number of documents showing public support from various police departments throughout the state.<sup>4</sup> The Anchorage Assembly had a hearing last fall

where 39 people gave testimony.<sup>5</sup> There were many people there to ask the legislature, through the assembly, to repeal the permissive laws. It is important to note that people are asking the legislature to say no to drugs.

Number 435

Senator Fischer said that there was a two hour statewide public testimony on February 18th in the afternoon, two hours that evening, and three hours on February 25th. The committee was kept busy for a total of 7 hours.

Representative Martin said that the scientific information as well as the public testimony will be weighed by the Supreme Court judges. He said that many people in every community are asking their local school boards and assemblies to pass resolutions requesting the legislature to change the law.

Number 446

Representative Martin again referred to the Anchorage Crime Commission did a survey of opinions on marijuana. Over 62 percent of those interviewed want the laws changed. He submitted editorials from the Juneau Empire and the Anchorage Times in support of repeal of the marijuana law. There was also a special report on "Marijuana and the Unborn Child" done in the Journal of Better Living in 1984.<sup>6</sup>

Number 462

Senator Fischer asked if that study shows the adverse affects of the child in the womb. Representative Martin said that it does and it shows that THC crosses the placenta.

He showed a quick reference chart from a pharmaceutical firm showing the affects of marijuana on the heart, eyes, brains, and childbirth.

Representative Martin said that marijuana should be illegal in the private home because government ends up having to pay the bills. People demand their freedom, and after they get hooked on the drugs, they ask for health centers.

A Report to Congress from the Secretary of the Department of Health and Human services called "Drug Abuse Research" dated January, 1984, was quoted: "Although in earlier years, confiscated marijuana rarely averaged above .5% THC, more recent samples grown in this country and abroad, average about 4%."<sup>8</sup> Some samples exceed 10%. This also confirms the report by the Department of Public Safety.

Number 506

Representative Martin said that in the February 22nd issue of We Alaskans, there is an article showing that children are being used and victimized.<sup>9</sup>

Another report is "Marijuana and Health," eighth annual report to the U.S. Congress from the Secretary of Health and Human Services, 1980.<sup>10</sup>

Senator Fischer asked if it specifically tells where there are health hazards involved with marijuana. Representative Martin responded that it speaks to reproductive problems, psychological problems, acute affects, long range affects, etc. Most users do not know these things are happening.

Another report was "Marijuana and Health," the ninth report to the U.S. Congress from the Secretary of Health and Human Services, 1982.<sup>11</sup> A special report done by the U.S. Department of Health and Human Services by the Public Health Service, "For Parents Only: What you need to know about marijuana."<sup>12</sup>

There are many reports: "Marijuana" by the National Institute on Drug Abuse.<sup>13</sup> Another pamphlet produced by the Department of Health and Human Services, 1984, "For Kids Only, and What you should know about Marijuana."<sup>14</sup>

Representative Martin listed another group of reports:

Readers Digest, "Marijuana Look #3, Devastation of the Personality through Marijuana."<sup>15</sup>

Good Housekeeping, "How I got my daughter to stop smoking pot."<sup>16</sup>

He submitted other small reports to the committee:

A detailed report in the New Alaskan newspaper included two special editions on drugs in Southeast Alaska in 1982.<sup>17</sup> There was an editorial done by the Ketchikan Daily News.<sup>18</sup> Kiwanis Clubs all over the state have made "Just Say No" a statewide project.<sup>19</sup> There was a letter from President Reagan to all legislators saying what they are going to do on a national level.<sup>20</sup> The War on Drug papers describes what Congress has passed, and what is available for education, law enforcement, etc.<sup>21</sup>

Number 611

Representative Martin introduced a paper that reviewed what happened in the Raven case.<sup>22</sup> It is a reminder that we need to emphasize compelling state interest in prohibiting the use of marijuana sufficient to outweigh an individual's right to privacy. With all of these reports, we have more than enough background to show that we are passing a law that the people want. The Supreme Court will be convinced by the scientific information.

Last year, the Department of Law had to defend the state and refuse permission to a prisoner to smoke marijuana in

the jail. The prisoner had contested that the jail was going to be his home; therefore, he should have the right to use marijuana. In that case, the court said that since it is a controlled substance, the individual would not be permitted to have it in jail,<sup>23</sup> even though it would be his home for the next five years.

TAPE ONE, SIDE TWO

Number 000

Representative Martin presented a House Research report done in March of 1986<sup>24</sup> on the problems of the criminalization of marijuana. Of the students responding to a questionnaire, 50% had tried marijuana. A survey of high school students done in 1971, four years before decriminalization, found that 24% had tried marijuana. We are giving the wrong message to the students.

Number 024

One report came from the FBI National Academy Associates dated February 5, 1987: "If we do nothing more than stamp out the false illusion by recriminalization of marijuana, then in my personal and professional opinion, we have done a great service to the young people of our state and to those who are coming along."<sup>25</sup>

Number 049

There is also a summary of the speech by Senator Frank Murkowski requesting the state to do something about the marijuana law.<sup>26</sup>

There are papers from the Association of School Governments, the Cities of Saxman, Wrangell, Ketchikan, Anchorage, Valdez, the Galena and Ketchikan<sup>27</sup> School Districts asking for repeal of the marijuana law.

Another report, dated February 18, 1985, is from the Communicable Disease Center: "Based on scientific evidence published to date, the public health service has concluded that marijuana has a broad range of psychological and biological effects, many of which are dangerous and harmful to health. Marijuana use is a major public health problem in the United States. The Public Health Service review of the health consequences of marijuana support the major conclusion of the National Academy of Science Institutes of Medicine. What little we know for certain about the effects of marijuana on human health, and all that we suspect, justifies serious national concerns."

The last report is "Research 31, The Marijuana Research Findings of 1980."<sup>28</sup>

Number 139

Senator Fischer said that the reports would become part of the record and adjourned the meeting at 4:15 p.m.

LIST OF DOCUMENTS

1. Institute of Medicine, Division of Health Sciences Policy. Marijuana and Health. 1982.
2. State Troopers and Public Health Department. Annual Drug Report to the Alaska Legislature. 1984.
3. Anchorage Crime Commission. Marijuana Study. 1985.

Harold Heinze, Chairman of the Anchorage Crime Commission. Letter dated 2/25/87.

4. Robert A. Harrington, Chief of Galena Police Department. Letter dated 2/24/87.

Brent C. Moody, Village Public Safety Officer. Letter to Senator Paul Fischer.

Central Council, Tlingit and Haida Indian Tribes of Alaska. Letter dated 2/23/87.

D. A. Anslinger, III, Chief of Ketchikan Police Department. Letter dated 2/24/87.

5. Municipality of Anchorage, Anchorage Assembly. Resolu-  
tion.
6. Dalterio, Dr. Susan L. "Marijuana and the Unborn."  
Listen, a Journal of Better Living. 1984.
7. Spence, W.R., M.D. Marijuana and Its Effects. March,  
1985.
8. Secretary of the Department of Health and Human Servic-  
es. Drug Abuse and Drug Abuse Research: The First in a  
Series of Triennial Reports to Congress. 1984.
9. McCoy, Kathleen. "Scared Straight." We Alaskans.  
February, 1987.
10. Secretary of Health and Human Services. Marijuana and  
Health: Eighth Annual Report to the U.S. Congress. 1980.
11. Secretary of Health and Human Services. Marijuana and  
Health: Ninth Annual Report to the U.S. Congress. 1982.
12. National Institute on Drug Abuse, Department of Health  
and Human Services. For Parents Only: What you need to  
know about marijuana. 1981.

13. National Institute on Drug Abuse, Department of Health and Human Services. Marijuana: Just Say No.

14. National Institute on Drug Abuse, Department of Health and Human Services. For Kids Only: What you should know about marijuana.

15. Mann, Peggy. "Marijuana Alert III: The Devastation of Personality." Readers Digest. December, 1981.

16. Bromwell, Susan. "How I got my Daughter to Stop Smoking Pot." Good Housekeeping. March, 1979.

17. "Drugs: Use and Abuse in the Southern Panhandle." New Alaskan. September, 1983.

"Drugs: Use and Abuse in the Southern Panhandle." New Alaskan. January and February, 1982.

18. Editorial from Ketchikan Daily News. Anchorage Times.

Konet, Bob. Letter to the Editor. Ketchikan Daily News. 2/6/84.

19. Kiwanis Club of Anchorage. Resolution.

20. Reagan, President. The White House, Office of the Press Secretary, Remarks by the President. 8/4/86.
21. The War on Drug Abuse
22. Continuation of Fiscal Note Analysis for HB 55.
23. Alaska Court of Appeals. Marijuana is a controlled substance: State v. Resek.
24. Jennings, Mary. Effects of the Decriminalization of Marijuana. March, 1986.
25. FBI National Academy Associates, Alaska Chapter. Letter to Representative Martin from Pat Wellington, President. 2/9/87.
26. Congressional Delegation Request.
27. City of Saxon. City of Wrangell. City of Ketchikan. City of Valdez. Ketchikan Gateway Borough School District. Galena City School District. Alaska Association of School Governments.
28. National Institute on Drug Abuse, Department of Health and Human Services. Research 31: Marijuana Research Findings. June, 1980.

Others:

National Institute of Justice, U.S. Department of Justice.  
Drug Use and Pretrial Crime in the District of Columbia.  
October, 1984.

Konet, Bob. Letter to Walt Furnace. Ward Cove. 2/18/85.

Smith, Carol, Dr. "Retarding Reproduction: How marijuana users impair their sexuality and fertility." Listen.  
February, 1983.

Committees of Correspondence. "Nipping marijuana in the bud: A comparison of paraquat, the herbicide, with Cannabis, nature's toxic plant." Drug Abuse Newsletter.

Adams, Robert. Letter to all House members. 4/30/84.

Burrell, Sharon. Letter to Joe Hayes. 4/16/84.

Committees of Correspondence. "A Straight Pitch about Marijuana." Junior League of Dallas. 1982.

Committees of Correspondence. "What Parents Must Learn about Marijuana."

Mann, Peggy. "Death on the Highways: Driving on Drink and Pot." Published in Families, a Reader's Digest Publication condensed from The Saturday Evening Post. 1981.

# Alaska State Legislature

SENATOR PAUL FISCHER, Chairman  
SENATOR JOE JOSEPHSON, Vice Chairman  
SENATOR LLOYD JONES  
SENATOR JAY KERTULLA  
SENATOR RICK HALFORD



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## Senate Committee on Health, Education and Social Services

### REFERENCES FOR LEGISLATIVE FINDINGS TO CS SB 32 (HESS)

#### Subsection (a)

1. Marijuana and Health, Institute of Medicine, National Academy Press, 1982. Page 10
2. Institute, page 20.
3. Institute, page 26
4. original (*original bill finding, see House Research Report #87.158*)
5. original
6. Institute, page 16. Also, conversation with officials at state crime lab.
7. Conversation with crime lab officials.
8. original
9. original
10. original
11. original
12. original
13. original
14. 21 U.S.C. 812.

#### Subsection (b)

1. Essentially a conclusion
2. "Patterns of Drug Use: Community Survey", Center for Alcohol and Addiction Studies, UAA; Benard Segal, Ph.D., editor; 1983. Also "Patterns of Drug Use: School Survey", same publisher and editor.

3. Same as 2.

4. Conversation with Teresa Johnson, Anchorage School District, March 1987. Includes elements of a legislative conclusion and finding.

5. Conclusion.

6. A conclusion

Consult the attached House Research Agency report dated February 27, 1987 for those items marked as being from the original bill.



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

P.O. Box Y, State Capitol  
Juneau, Alaska 99811-3100  
Mail Stop 3100  
(907) 465-3991

February 27, 1987

MEMORANDUM

TO: Representative Terry Martin

ATTN: John Manley

FROM: Penelope Weyhrauch  
Legislative Analyst *PW*

RE: Findings on Marijuana (House Bill 55)  
Research Request 87.158

You asked us to substantiate the findings on marijuana included in House Bill 55. I have addressed each of the findings included in the bill with the most applicable research available to me. Wherever possible, I have presented the research without paraphrasing it. For this reason, the memorandum may not read smoothly. As you requested, I have not included any research which disputes the findings set out in the bill.

1. Delta-9-tetrahydrocannabinol (THC), the mind-altering ingredient in marijuana, is not soluble in water, but goes into the fatty tissues of the brain, testicles, ovaries, and other internal organs, and takes 30 days to be eliminated from the body.

According to Dr. W.D.M. Paton, Professor of Pharmacology at Oxford University, "the various cannabinoid substances are highly soluble in fat, but have a low solubility in water".<sup>1</sup> Other research shows that "THC--the principal psychoactive ingredient of marijuana...tends to accumulate in the brain and gonads and other fatty tissues..."<sup>2</sup>

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<sup>1</sup>George K. Russell, "Marihuana Today--A Compilation of Medical Findings for the Layman," p. 45.

<sup>2</sup>Senator Eastland, Chairman of the Internal Security Subcommittee of the United States Senate, May 1974, summarizing testimony given before the Subcommittee. Quoted in "Marihuana Today", p. 14.

Research completed by the National Institute on Drug Abuse shows that THC tends to remain for long periods of time in fatty tissues. Five days after a single injection of THC, 20 percent of the THC remains stored in body fats. Complete elimination of a single dose can take 30 days.<sup>3</sup>

2. The buildup of THC in the body causes the user to smoke more marijuana to achieve the desired high and may result in loss of sleep, appetite, initiative, as well as moodiness and depression.

Studies indicate that a tolerance to THC can develop, when increasing doses of a drug are required to produce the same effect.<sup>4</sup> "It appears now, both in animals and in humans, that tolerance develops quite rapidly to many of the effects of THC. The more frequent the administration and the higher the dose the more rapidly it develops, but even subjects smoking as little as one marijuana cigarette per day in a laboratory experiment demonstrate tolerance on some behavioral and physiologic dimensions."<sup>5</sup>

To maintain constant blood levels of THC, healthy subjects were given doses of the oral equivalent of several marijuana cigarettes a day. Within hours after the last dose of THC, subjects showed "irritability, restlessness, decreased appetite, sleep disturbances, sweating, tremor, nausea, vomiting and diarrhea."<sup>6</sup>

3. It is possible for a human being to overdose from the use of marijuana especially if it is used in conjunction with alcohol, because it increases the effects of alcohol.

"We have found that...behaviors are linked behaviors, so that the consumption of any substance, licit or illicit, is positively correlated with an increased consumption of all other substances."<sup>7</sup> "Taking the total of animal and human research, simultaneous use of both alcohol and marijuana

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<sup>3</sup>"Marijuana Research Findings: 1980," Research Monograph Series 31, National Institute on Drug Abuse, U.S. Department of Health and Human Services, p. 57.

<sup>4</sup>"Marijuana Today," pp. 73 - 74.

<sup>5</sup>"Marijuana Research Findings: 1980," p. 74.

<sup>6</sup>"Marijuana Research Findings: 1980," p. 75. See also "Marijuana and Health," Report of a Study by a Committee of the Institute of Medicine, Division of Health Sciences Policy, 1982, p. 27.

<sup>7</sup>R.L. DuPont, testimony before the Senate Subcommittee on Internal Security, May 1975, ref. 90, pp. 461-471. Quoted in "Marijuana Today," p. 16.

typically has more profound effect than the use of either alone."<sup>8</sup> "From the evidence it can be said that these two psychochemicals add to the effects of each other. This is common 'street' knowledge, and it is confirmed in the laboratory. The degree of intoxication is increased, and it lasts longer. This means that behavior and psychomotor functioning are more impaired."<sup>9</sup>

4. The THC content of a marijuana cigarette 10 years ago was one percent, but it is as high as 10 percent per cigarette today.

"The marijuana used today is many times--five to ten times--stronger than in the 60s. At the beginning of the drug movement, marijuana with THC content as low as .02 to .5 percent was commonly available and marijuana with two percent THC was considered 'real good grass.' Now confiscated marijuana analyzed in government laboratories has been found to have THC content as high as 14 percent."<sup>10</sup>

"'Street' marijuana has increased markedly in potency over the past five years. Confiscated materials in 1975 rarely exceeded one percent THC content. By 1979, samples as high as five percent THC content were common. 'Hash oil,' a marijuana extract unavailable a decade ago, has been found to have a THC content as high as 28 percent, with more typical samples analyzed by University of Mississippi chemists ranging from 15 to 20 percent THC."<sup>11</sup>

5. Marijuana causes schizophrenia, illusions, and hallucinations, including a dulling of the senses, creating the possibility that the user is unable to respond to body signals, such as pain.

"The acute anxiety reaction that may occur during marijuana intoxication can include paranoid delusions,... a full blown acute toxic psychosis with loss of contact with reality, delusions, hallucinations... These acute reactions seem to occur most frequently in individuals who are under stress, depressed, or have a history of schizophrenia."<sup>12</sup>

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<sup>8</sup>"Marijuana Research Findings: 1980," pp. 38, and 170.

<sup>9</sup>Sidney Cohen, M.D., and Phyllis J. Lessin, "Marijuana and Alcohol," American Council for Drug Education, 1982, p. 21.

<sup>10</sup>Helen C. Jones, "On Marijuana Reconsidered," Executive Health, Volume 10, Number 5, February, 1984.

<sup>11</sup>"Marijuana Research Findings: 1980," p. 2.

<sup>12</sup>"Marijuana Research Findings: 1980," pp. 71-72. See also "Marijuana and Health," p. 126.

One researcher described a higher dose-related phase of cannabis intoxication as "...the appearance of delusions, labile emotions, particularly anxiety, decreased impulse control and, at the highest doses, profound sensory illusions and hallucinations."<sup>13</sup> Dr. Harris Isbell, with the University of Kentucky Medical Center, confirmed these findings, stating that "...the data in our experiments definitely indicate that the psychotomimetic (capable of inducing altered states of consciousness) effects of THC are dependent on dosage and that sufficiently high doses can cause psychotic reactions in any individual." Dr. Isbell classified cannabis among the hallucinogens.<sup>14</sup>

One report stated that "...acute psychotic behavior resembling schizophrenic psychosis..." had been reported.<sup>15</sup> Another said that "Sufficient clinical information is available to recommend abstinence for schizophrenics in remission, because of the danger of relapse."<sup>16</sup>

6. Although it may take a heavy cigarette smoker as long as 20 years to develop lung cancer, one marijuana cigarette a day may cause lung cancer in three years.

"Recent clinical evidence and findings from several research laboratories demonstrate that cannabis inhalation may have seriously damaging effects on human lung tissue... The damage is described as 'pre-cancerous.' The caustic and irritating effects of cannabis smoke are well known to users, and recent work has shown that 'like tar from tobacco cigarettes, reefer tar is carcinogenic when painted onto mouse skin.' Benzopyrene, a potent carcinogenic agent, is 50 percent more concentrated in the smoke of marijuana than smoke from varieties of high tar Kentucky tobacco."<sup>17</sup>

Dr. Cecile Leuchtenberger of the Swiss Institute for Experimental Cancer Research exposed small portions of excised mouse lung tissue to standardized puffs of marijuana. She summarized her work by stating: "The observations that marijuana cigarette smoke stimulates irregular growth in the respiratory system which resembles closely precancerous lesions would indicate that long-term inhalation of marijuana cigarette smoke may either directly evoke lung cancer or may at least contribute to the development of lung cancer."<sup>18</sup>

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<sup>13</sup>"Marijuana Research Findings: 1980," p. 62.

<sup>14</sup>"Marijuana Today," p. 24.

<sup>15</sup>Robert G. Heath, M.D., "Marijuana and the Brain," The American Council on Marijuana and Other Psychoactive Drugs, 1981, p. 6.

<sup>16</sup>"Drug Abuse and Drug Abuse Research," The first in a Series of Triennial Reports to Congress, Department of Health and Human Services, 1984, p. 77.

<sup>17</sup>"Marijuana Today," pp. 54 - 55.

<sup>18</sup>"Marijuana Today," pp. 55 - 56.

"According to researchers at the American Health Foundation, marijuana smoke contains 50 percent more cancer-producing hydrocarbons than tobacco smoke."<sup>19</sup> Further, "...abnormalities suggestive of cancerous lesions have been recorded."<sup>20</sup>

7. THC affects eggs, sperm, sexual hormones, and the development of a fetus, and marijuana use may result in deformed or undersized offspring.

"Studies have shown that THC accumulates in the ovaries of the female, where it will kill and injure eggs" and that a "...significant decrease in sperm concentration and total sperm count occurs."<sup>21</sup> "This effect is apparently accompanied by a decline in sperm motility and an increase in abnormal sperm forms."<sup>22</sup>

"Studies with laboratory animals clearly show that the crude drug marijuana and THC...inhibit secretion of the pituitary hormones, luteinizing hormone and follicle stimulating hormone as well as prolactin. These changes in pituitary hormone levels produce decreases in sex steroid hormones and cause disruption of ovulation and spermatogenesis. With chronic drug use, disruption of sex accessory organs (e.g., uterus and vagina in the female; prostate gland and seminal vesicles in the male) has also been observed."<sup>23</sup>

Other studies show that "...the risks of pregnancy loss and other adverse effects on the fetus are increased by marijuana use...significant changes consistent with retardation of fetal growth and development have been observed."<sup>24</sup>

"Low maternal weight gain during pregnancy, maternal illnesses during pregnancy, and cigarette and marijuana smoking during pregnancy were consistently related to adverse fetal development. Women who used marijuana during pregnancy delivered infants with significantly smaller

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<sup>19</sup>"On Marijuana Reconsidered," p. 2.

<sup>20</sup>"Marijuana and Health," p. 63. See also "Effects of Long Term Marijuana Use", p. 156, and, "Marijuana and Health," pp. 3, and 62.

<sup>21</sup>"Marijuana," Narcotic Information Bulletin, No.1-80, p. 2.

<sup>22</sup>Carol Grace Smith, Ph.D. and Ricardo H. Asch, M.D., "Marijuana and Reproduction," the American Council for Drug Education, 1982, pp. 16, 17.

<sup>23</sup>"Marijuana and Reproduction," p. 7.

<sup>24</sup>"Marijuana and Reproduction", p. 8.

birth weight, body length and head circumference, as well as infants who were five times more likely to have features compatible with the fetal alcohol syndrome."<sup>25</sup>

"In males, marijuana has been found temporarily to lower testosterone, the principal male sex hormone, decrease sperm count, cause abnormalities in the sperm...In women, a study of marijuana users done at the Masters and Johnson Institute found that the drug disrupted the menstrual cycle...At the University of California, Davis, Dr. Ethel Sassenrath, on exposing pregnant rhesus monkeys (who have a reproductive system similar to humans), to THC in doses equal to one or two marijuana cigarettes a day for humans, found significantly lower weight gains during pregnancy and 40 percent of the conceptions ending in miscarriages, fetal deaths, stillbirths, or infant deaths shortly after birth."

8. Other physical reactions to marijuana include irreversible changes in the brain, sinusitis, pharyngitis, bronchitis, emphysema, increased heart rate, and decreased blood circulation.

One study stated that "The findings reported here indicate that exposure to ...THC...at doses commensurate with those used by human marijuana smokers, produces permanent changes in brain function and structure of monkeys, a subhuman primate close to man."<sup>26</sup>

Testimony on this subject before the Senate Subcommittee on Internal Security was summarized by finding that: "1) Chronic cannabis smoking can produce sinusitis, pharyngitis, bronchitis, emphysema and other respiratory difficulties in a year or less, as opposed to ten or twenty years of cigarette smoking to produce similar complications; and 2) Cannabis smoke, or cannabis smoke mixed with (tobacco) cigarette smoke, is far more damaging to lung tissue than tobacco smoke alone."<sup>27</sup>

"There is good evidence to show that marijuana increases the work of the heart, usually by raising heart rate and in some persons, by raising blood pressure."<sup>28</sup>

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<sup>25</sup>"Marijuana and Reproduction," p. 16, 17.

<sup>26</sup>Robert G. Heath, M.D., "Marijuana and the Brain," The American Council on Marijuana and Other Psychoactive Drugs, Inc., 1981, p. 10.

<sup>27</sup>"Marijuana Today," p. 14. See also "Marijuana and Health," p. 60.

<sup>28</sup>"Marijuana and Health," p. 3.