

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672  
4585 HHS SB 32 (FILE 1) - SB 32 (FILE 2)

There is considerable debate as to the long-term effects of marijuana on mental functioning. Certain researchers cite evidence of an "amotivational syndrome" among long-term heavy cannabis users. However, the main examples of this effect are users in societies where large segments of the population exhibit such traits as social withdrawal and passivity even without drug use. The National Commission concludes that long-time heavy users do not deviate significantly from their social peers in terms of mental functioning, at least to any extent attributable to marijuana use.

Most authorities have accepted the theory that marijuana users develop a "reverse tolerance", that is, that a moderate user needs less and less marijuana over time to achieve a high. Recent research indicates that this may be true only up to a point, and that beyond a certain intensity of use a true tolerance begins to develop. If true, this may be relevant regarding only heavy use of concentrated forms of cannabis, since marijuana is physically addicting. It also rejected the notion that marijuana as used in the United States today presents a significant risk of causing psychological dependency in the user. Rather, the experimental or intermittent user develops little or no psychological dependency. Lengthy use on a regular basis does present a risk of such dependency and of subsequent heavier use, and strong psychological dependence is characteristic of heavy users in other countries. This pattern of use is rare in the United State today, however.

While there is no confirmed report of a human ever having died from an overdose of cannabis, the toxic levels of THC have been determined from tests on animals. The lethal dose for marijuana is approximately 40,000 times the dose needed to achieve intoxication. The equivalent ratio of intoxicating to lethal doses for alcohol is 4/10 and for barbiturates 3/50.

Ravin, supra., at 506-508 (Footnotes omitted).

I suspect that one key element in any judicial analysis would be the link between adult possession and use of marijuana and the impact of that use on, and opportunity for

Representative Max Gruenberg  
Page 12  
February 16, 1988

use by, adolescents living in the same home. In Ravin, citing a 1971 article in the American Medical Association Journal, the court related that "24% of Anchorage school children in grades six through twelve had used marijuana, as had 46% in grades eleven and twelve." Ravin, supra., at 505. In CSSB 32, the legislature finds that "the daily use of marijuana in the state has increased to as high as four percent among the general population and as high as six percent among secondary school students" (finding 2). The analysis prompts other, unanswered, questions. Are the figures cited for the Anchorage School District representative of the state as a whole? As to the purported increased usage of the drug on a regular basis, claimed now to be six percent among secondary school students, is that an increase when compared to patterns of use reported in the 1971 report of the Journal of the American Medical Association? And--most significantly in a bill that attempts to regulate possession of marijuana by adults--do public health officials and educators and others who might be familiar with the welfare of secondary school students provide testimony of the serious deleterious effects of either their use of marijuana or of their regular exposure to its use by adults?

JBC:bb  
wkb2/096

# STATE OF ALASKA THE LEGISLATURE

POUCHY - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

## LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H HESS	April 13, 1988	8:30 AM
H HESS	April 13, 1988	7.00 p.m
H HESS	April 14, 1988	8:30 Am
H HESS	April 15, 1988	8:30 Am

FISCAL NOTE

REQUEST:

Revision Date: April 8, 1988  
Title: "An Act relating to marijuana..."

Agency Affected: Department of Law  
BRU: Prosecution

Sponsor: Senate HESS  
Requestor: House HESS

Components: Third District, Fourth District, Criminal Appeals and Special Prosecution, and Criminal Justice Litigation

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		160.9	165.7	170.7	175.8	181.1
TRAVEL		5.4	5.6	5.8	6.0	6.2
CONTRACTUAL		53.7	36.5	11.9	12.3	12.7
SUPPLIES		12.6	9.3	9.6	9.9	10.2
EQUIPMENT		4.5	-0-	-0-	-0-	-0-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		237.1	217.1	198.0	204.0	210.2

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		237.1	217.1	198.0	204.0	210.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME		1	1	1	1	1
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672  
Division: Administrative Services Date: April 8, 1988  
Approved by Commissioner: Richard I. Pegues (FOR)  
Agency: Department of Law Date: April 8, 1988  
Approved by Commissioner: Grace Berg Schaible, Atty. Gen.

Distribution (by preparer):

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

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 32 (HESS)

The committee substitute for SB 32 makes changes in the legislative findings (Section 1); however, no substantive changes have been made in Section 2, which makes it a Class B misdemeanor to possess or use small amounts of marijuana. Consequently, the fiscal impacts noted in the Department of Law's fiscal note for SB 32, which was originally submitted on March 11, 1987, remain essentially the same. Our revised analysis is herewith attached.

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 32 (HESS)

CSSB 32 is a blanket provision which would make possession or use of less than one-half pound of marijuana by anyone a class B misdemeanor. Some of the conduct which this bill would cover (such as use or display of any amount in a public place, possession of any amount while operating a motor vehicle, or possession of more than four ounces of marijuana anywhere) is a class B misdemeanor under existing law. See AS 11.71.060. Some of the conduct which this bill would make a crime (such as delivery of less than one-half ounce or possession of less than one ounce in public) is classified under current law as a "violation", punishable by a fine. See AS 11.71.070. The penalties under current law for other conduct such as delivery of one-half ounce or more, delivery to a minor, or possession of any amount on school grounds would not be altered. Penalties under existing law for these offenses range from A misdemeanor to B felony level. See AS 11.71.030, .040, and .050.

The passage of CSSB 32 would have fiscal impact on the Department of Law in three general areas: (1) the cost of defending the new law against constitutional challenge; (2) the cost of processing the resulting additional criminal cases; and (3) the cost of educating the public about the new law. These three areas are discussed separately below.

## 1. Defending the New Law

In 1975 the Alaska Supreme Court in the case of Ravin v. State, 537 P.2d 497 (Alaska 1975), ruled that under Art. I, Sec. 22 of the Alaska Constitution the state could not prohibit possession of marijuana by adults in their own homes for personal use. The court held that the state had not demonstrated the existence of a legitimate state interest which was strong enough to justify the regulation of this conduct.

Since passage of CSSB 32 would make it a crime for an adult to possess any amount of marijuana anywhere, including in his or her own home, the constitutionality of the new law is certain to be challenged. An appellate court will have to decide whether the state has proved that there is a "compelling state interest" in the prohibition of the use of marijuana which is sufficient to outweigh an individual's right to privacy under the state constitution. It is extremely important, therefore, that the legislature's consideration of this bill include extensive public hearings, debate on the social policy merits of the proposal, and the collection of the results of the most recent scientific, medical, and pharmacological studies regarding the physical, emotional, and social effects of marijuana usage.

In addition to the necessary legislative hearings, evidentiary hearings at the trial court level can be expected when a challenge to the new law is filed. Challenges to the new law will most likely arise

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 32 (HESS)

in the context of a defendant's pretrial motion to dismiss a criminal prosecution. When responding to such a defense motion, the prosecutor would, in essence, have to convince a court to reverse the ruling in the Ravin case. In order to demonstrate that the result in Ravin is no longer correct, the prosecutor would have to present convincing, scientifically accurate, evidence that the effects of marijuana usage are so injurious to a person's mental and physical health as to justify the legislative decision to totally prohibit use of marijuana by anyone at any time (as opposed to use by minors or use by a person who is operating a motor vehicle--both of which are already prohibited under current law).

The presentation of this convincing evidence will require the prosecution to present expert testimony from authorities who have conducted recent research in this area. Out-of-state witnesses in medical and scientific fields charge a fee for their services. These fees will vary from individual to individual, but are expected to average at least \$100 per hour. This would include services for consultation, witness preparation and actual testimony. Costs will be incurred for expert witness transportation, food and lodging, and other incidental expenses. Additionally, there will be some costs for preparation of exhibits and written reports. To the extent possible, the Department of Law would attempt to present written testimony in situations where it is not feasible to fly a person to Alaska to testify in person. We estimate that a minimum of six expert witnesses will be required to attempt to successfully defend the new law at the trial court level.

Hearings at the trial court level can reasonably be expected to take several days. A substantial commitment of attorney time will be required for scientific and legal research in preparation for the hearings, actual court time, legal briefing, and the preparation of proposed findings of fact. Since prosecutions under the new law will occur statewide, defense challenges may be raised at the same time in different parts of the state. The extensive hearings described above may have to be held in more than one judicial district in the state.

Regardless of which side prevails at the trial court level, the lower court ruling would almost certainly be followed by an appeal. At a minimum, such an appeal (or appeals) would require additional legal research, a thorough review of the record, the drafting of briefs, and oral argument before the appellate court and the Supreme Court.

## 2. New Criminal Cases

Although some of the conduct included within the scope of SB 32 is already against the law, much behavior which is now classified as a "violation" or which is not now an offense of any sort will become

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 32 (HESS)

a misdemeanor crime. It is difficult to accurately predict in advance the impact which the passage of CSSB 32 will have on the criminal justice system.

In the past, some law enforcement officers who work primarily in the drug enforcement area indicated that the new law could potentially result in "thousands" of new misdemeanor cases a year. The police now doubt this but, nonetheless, a large number of the new cases would arise from situations where law enforcement officers now commonly discover small amounts of marijuana (as when an officer responds to a domestic disturbance call and sees some marijuana plants in a person's home, or when a person is arrested for a minor offense and a routine search for weapons reveals some marijuana cigarettes in the person's pocket, for example). Incidents of this sort occur frequently now, but do not generally result in any criminal prosecution for the marijuana possession. Many of these cases are likely to be referred for criminal prosecution if CSSB 32 becomes law, police officers will not ignore evidence of wrongdoing that is in plain view. Many of these defendants are middle-class people who we may expect to vigorously resist having a criminal record. Class B misdemeanors, as opposed to the violations, entitle a defendant to a jury trial. In every trial there will have to be an expert to testify as to the substance being marijuana.

Prosecutors generally predict a lesser number of new potential criminal cases under CSSB 32 than the "thousands" that were once predicted. Once the public becomes aware of the new law, some people are likely to become more careful about not allowing marijuana or smoking paraphernalia to be exposed in plain view in their homes, for example. Judging from the number of minor marijuana offenses prosecuted prior to the Ravin decision in 1975, prosecutors still expect a "few hundred" new criminal cases a year.

Cases which are accepted for prosecution will require attorney time both at trial and in preparation for trial (i.e., preparation of search warrants, response to defense motions, evaluation of results of laboratory analysis, pretrial witness preparation, etc.). To handle screening of the expected case referrals, and to prosecute the additional cases, the criminal division will require the addition of at least two Attorney III positions in Anchorage. It is anticipated that a half-time attorney will also be needed in the Fairbanks District Attorney's office.

This fiscal note reflects the fact that the pretrial diversion program was entirely eliminated in FY 88. Anticipating that more than fifty per cent of defendants would qualify for diversion, we must prepare for a gross increase in the number of cases that will go to trial.

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSS§ 32 (HESS)

## 3. Public Education

In order to inform the public of the changes in the law, the Department of Law will develop and disseminate public notices explaining the new law. These notices will include newspaper ads and brochures, and will be modeled upon the public education notices which were distributed statewide in connection with the new drug law in 1982 and the new DWI and drinking age laws in 1983. Based upon experience with these earlier notices, approximately \$18,000 will be needed to cover the costs of writing, layout, typesetting, publication, and distribution.

In addition to the costs explained above, it is anticipated that the passage of this bill will result in increased costs to other components of the criminal justice system, including law enforcement, the courts, the public defender agency, the Office of Public Advocacy, and corrections.

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 32

## Fiscal Analysis

### 1. Defending the New Law

Admin. & Support Component/Proce. - BRU

<u>Object</u>	<u>Total</u>
Contractual Services -	
Professional fees scientific experts 120 hrs. X \$100 = \$12,000	\$12,000
Experts' staff support, preparation of exhibits, written testimony 50 hrs. X \$40 = \$2,000	2,000
Experts' travel to attend hearings and offer testimony 6 trips X 4 days X \$80 = \$1,920 subsistence 6 trips X \$1,500 = \$9,000 travel	1,920 9,000
	<u>\$24,920</u>

This amount will be required for both FY 89 and FY 90, to cover both trials and appeals.

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSS# 32

Fiscal Analysis - (cont'd)

2. New Criminal Cases

Third Judicial District - Anchorage

	Atty III (PFT)	Atty III (PFT)	<u>Total</u>
Personal Services	62.6	62.6	125.2
Travel - Witness travel subsistence, atty. travel	1.8	1.8	3.6
Contractual Services			
office commo. equip. repairs	2.4	2.4	4.8
copy - postage	1.2	1.2	<u>2.4</u>
			7.2
Commodities - Ongoing			
office consumables	1.8	1.8	3.6
Law library	1.2	1.2	2.4
Commodities - one time			
New position materials	1.2	1.2	<u>2.4</u>
			8.4
Equipment - one time			
New position equipment	1.5	1.5	3.0
	<hr/>	<hr/>	<hr/>
	73.7	73.7	147.4

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 32

Fiscal Analysis - (cont'd)

Fourth Judicial District - Fairbanks

	Atty. III <u>(PPT)</u>	<u>Total</u>
Personal Services	35.7	35.7
Travel - Witness travel subsistence, Atty. travel	1.8	1.8
Contractual Services		
office commo., equip. repair	2.4	2.4
copy - postage	1.2	<u>1.2</u>
		3.6
Commodities - Ongoing		
office consumables	1.8	1.8
Law library	1.2	1.2
Commodities - one time		
New position materials	1.2	<u>1.2</u>
		4.2
Equipment - one time		
New position equipment	1.5	1.5
		<hr style="width: 10%; margin: 0 auto;"/>
		46.8

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 32

Fiscal Analysis - (cont'd)

3. Public Education

Admin. & Support Component/Prosc. BRU

<u>Object</u>	<u>Total</u>
Contractual Services - one time writing, layout, typesetting, publication and distribution of public notices and information brochures describing the changes in the law.	18.0 18.0
	18.0

Summary of Expenses

	<u>Defending the new law</u>	<u>New Criminal Cases</u>	<u>Public Education</u>	<u>Total</u>
Personal Services		160.9		160.9
Travel		5.4		5.4
Contractual	24.9	10.8	18.0	53.7
Commodities		12.6		12.6
Equipment		4.5		4.5
	24.9	194.2	18.0	237.1

Costs beyond FY 89 include a 3 per cent inflation factor, less one-time items. The costs for defending the new law will occur in both FY 89 and FY 90 and they will be eliminated thereafter.

Position Title <b>Attorney III</b>		No. of Positions <b>2</b>	Range/Step <b>22A</b>	Barg. Unit <b>PX</b>	
Time Status <b>PFT</b>	Staff Months <b>24</b>	Location <b>EBA - Anchorage</b>		Election District <b>8</b>	
Type of Expenditure		Justification			
		<p>These two full-time attorney positions are required at Anchorage to handle the influx of new cases that will result when marijuana violations, or any use of marijuana, which is not now a violation, become misdemeanor offenses. Prosecutors expect that at least a few hundred such offenses will occur each year as a result of the enactment of this bill. These positions will be responsible for prosecuting those new cases that are brought in the Third Judicial District and handling appellate briefs and appeals hearings. Because these new cases will be classed as misdemeanor offenses, allocation of the positions to the Attorney III level is appropriate.</p>			
1	2				3
Salary	98,380				
Benefits	26,834				
Premium Pay					
Other					
Total Personal Services					125,214
Travel					3,600
Contractual					7,200
Commodities					8,400
Equipment		3,000			
Other					
Total Cost		147,414			
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003				
General Fund	1004		147,414		
GF Program Receipts	1005				
Other					

**Request For  
New Position**

Agency Department of Law  
 BRU Prosecution  
 Component Third Judicial District

Page 1 of 2  
 Revised Date 4/08/88

**FY 89**

Position Title <b>Attorney III</b>		No. of Positions 1	Range/Step 22A	Barg. Unit PX	
Time Status PPT	Staff Months 12	Location JBA - Fairbanks		Election District 16	
Type of Expenditure		Justification			
		<p>This permanent part-time position at Fairbanks is required to handle the influx of new cases that will result when marijuana violations, or any use of marijuana, which is not now a violation, become misdemeanor offenses. Prosecutors expect that at least a few hundred offenses will occur each year as a result of the enactment of this bill. This position will be responsible for prosecuting those new cases that are brought in the Fourth Judicial District. Because these new cases will be classed as misdemeanor offenses, allocation of the position to the Attorney III level is appropriate.</p>			
Amount					
1	2				3
Salary	28,128				
Benefits	7,576				
Premium Pay					
Other					
Total Personal Services					35,704
Travel					1,800
Contractual					3,600
Commodities		4,200			
Equipment		1,500			
Other					
Total Cost		46,804			
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003				
General Fund	1004	46,804			
GF Program Receipts	1005				
Other					

**Request For  
New Position**

Agency Department of Law  
 BRU Prosecution  
 Component Fourth Judicial District

Page 2 of 2  
 Revised Date \_\_\_\_\_

**FY 89**

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Tide: "An Act relating to Marijuana"  
Sponsor: Senator Fischer  
Requestor: \_\_\_\_\_

Agency Affected: Department of Corrections  
BRU: \_\_\_\_\_  
Components: Statewide Programs

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	238.0	238.0	238.0	238.0	238.0	238.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	238.0	238.0	238.0	238.0	238.0	238.0
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	238.0	238.0	238.0	238.0	238.0	238.0
FEDERAL FUNDS						
OTHER						
TOTAL	238.0	238.0	238.0	238.0	238.0	238.0

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Due to an increase in the number of drug enforcement officers, through a federal grant program, this legislation will have an effect on the Department of Corrections. This fiscal note reflects an increase in the number of community residential beds. It reflects increases of 10 beds in Anchorage, 5 in Fairbanks and 2 in Juneau.

Prepared by: Susan F. Knighton, Director Phone: 465-3376  
Division: Administrative Services Date: 3-2-88

Approved by Commissioner: Susan Humphrey-Barnett Date: 3-2-88  
Agency: Department of Corrections

Distribution (by preparer):

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

FISCAL NOTE

REQUEST

Revision Date: \_\_\_\_\_ Agency Affected: Public Safety  
 Title: "An Act relating to the  
recriminalization of marijuana.." BRU: Alaska State Troopers  
 Sponsor: Sen. Fischer Components: Criminal Investigation  
 Requestor: Senate Rules Bureau

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY88	FY89	FY90	FY91	FY92	FY93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

JMR  
2/19/88

Prepared by: Francis C. Allan *G.C.A.*  
 Division: Alaska State Troopers

Phone: 269-5691  
 Date: 1/29/88

Approved by Commissioner: Arthur English *A.H.*  
 Agency: Public Safety

Date: 1/29/88

Distribution: (by preparer):

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

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: "An Act relating to marijuana" Agency Affected: Dept. of Administration  
BRU: Public Defender Agency

Sponsor: Fiscner and Falke  
Requestor: Judiciary and Finance Components: Third Judicial District

EXPENDITURES REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		140.4	146.0	151.8	157.9	164.2
TRAVEL		-0-	-0-	-0-	-0-	-0-
CONTRACTUAL		27.5	10.4	10.8	11.2	11.6
SUPPLIES		2.0	2.1	2.2	2.3	2.4
EQUIPMENT		3.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		172.9	158.5	164.8	171.4	178.2

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		172.9	158.5	164.8	171.4	178.2
FEDERAL FUNDS						
OTHER						
TOTAL		172.9	158.5	164.8	171.4	178.2

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

(See attached)

Prepared by: Dana Fabe, Public Defender  
Division: Public Defender Agency

Phone: 279-7541  
Date: January 21, 1988

Approved by Commissioner: John Andrews  
Agency: Department of Administration

Date: 2/1/88

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CS SB 32

This bill would re-institute the prosecution of offenses relating to the possession of marijuana in any amount or location and would result in a significant number of new cases for the Department of Law, the Public Defender Agency and the Office of Public Advocacy. The Department of Law is requesting 2.5 new attorney positions while the Public Defender Agency is requesting an Attorney III in Anchorage and an Attorney III in Fairbanks for a total of 173.4.

BUDGET ANALYSIS

100	Attorney III - Anchorage	66.0	
	Attorney III - Fairbanks	74.4	140.4
200	Travel		-0-
300	Contractual - Space, phone, etc.	10.0	
	Litigation, one time	17.5	27.5
400	Supplies - Law Library, office, etc.		2.0
500	Equipment - One time		<u>3.0</u>
		TOTAL	172.9

Position Title <b>Attorney III</b>		No. of Positions <b>1</b>	Range/Step <b>22/A</b>	Barg. Unit <b>PX</b>																																							
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage</b>		Election District <b>92</b>																																							
<table border="1"> <thead> <tr> <th colspan="2">Type of Expenditure</th> <th>Amount</th> </tr> <tr> <th>1</th> <th>2</th> <th>3</th> </tr> </thead> <tbody> <tr> <td>Salary</td> <td>49,140</td> <td></td> </tr> <tr> <td>Benefits</td> <td>16,334</td> <td></td> </tr> <tr> <td>Premium Pay</td> <td></td> <td></td> </tr> <tr> <td>Other</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Total Personal Services</td> <td>65,974</td> </tr> <tr> <td>Travel</td> <td></td> <td>-0-</td> </tr> <tr> <td>Contractual</td> <td></td> <td>22,500</td> </tr> <tr> <td>Commodities</td> <td></td> <td>1,000</td> </tr> <tr> <td>Equipment</td> <td></td> <td>1,500</td> </tr> <tr> <td>Other</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Total Cost</td> <td>90,974</td> </tr> </tbody> </table>		Type of Expenditure		Amount	1	2	3	Salary	49,140		Benefits	16,334		Premium Pay			Other			Total Personal Services		65,974	Travel		-0-	Contractual		22,500	Commodities		1,000	Equipment		1,500	Other			Total Cost		90,974	Justification  This bill would result in a significant increase in criminal prosecutions as it would apply to any amount of marijuana in any location. The Public Defender Agency is requesting an Attorney III for Anchorage plus an additional 17.5 (one time) in contractual to litigate the constitutionality of this bill.		
Type of Expenditure		Amount																																									
1	2	3																																									
Salary	49,140																																										
Benefits	16,334																																										
Premium Pay																																											
Other																																											
Total Personal Services		65,974																																									
Travel		-0-																																									
Contractual		22,500																																									
Commodities		1,000																																									
Equipment		1,500																																									
Other																																											
Total Cost		90,974																																									
<table border="1"> <thead> <tr> <th colspan="2">Funding Source for Total Cost</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Federal Receipts</td> <td>1002</td> <td></td> </tr> <tr> <td>G F Match</td> <td>1003</td> <td></td> </tr> <tr> <td>General Fund</td> <td>1004</td> <td>90,974</td> </tr> <tr> <td>GF Program Receipts</td> <td>1005</td> <td></td> </tr> <tr> <td>Other</td> <td></td> <td></td> </tr> </tbody> </table>		Funding Source for Total Cost		Amount	Federal Receipts	1002		G F Match	1003		General Fund	1004	90,974	GF Program Receipts	1005		Other																										
Funding Source for Total Cost		Amount																																									
Federal Receipts	1002																																										
G F Match	1003																																										
General Fund	1004	90,974																																									
GF Program Receipts	1005																																										
Other																																											

**Request For  
New Position**

Agency Department of Administration  
 BRU Public Defender Agency  
 Component Third Judicial District

Page 3 of 4  
 Revised Date 1/21/88

**FY 89**

Position Title <b>Attorney III</b>		No. of Positions <b>1</b>	Range/Step <b>22/A</b>	Barg. Unit <b>PX</b>																										
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Fairbanks</b>	Election District <b>94</b>																											
<table border="1"> <thead> <tr> <th>Type of Expenditure</th> <th>Amount</th> </tr> <tr> <th>1</th> <th>2</th> </tr> </thead> <tbody> <tr> <td>Salary</td> <td>56,244</td> </tr> <tr> <td>Benefits</td> <td>18,129</td> </tr> <tr> <td>Premium Pay</td> <td></td> </tr> <tr> <td>Other</td> <td></td> </tr> <tr> <td><b>Total Personal Services</b></td> <td><b>74,373</b></td> </tr> <tr> <td>Travel</td> <td>-0-</td> </tr> <tr> <td>Contractual</td> <td>5,000</td> </tr> <tr> <td>Commodities</td> <td>1,000</td> </tr> <tr> <td>Equipment</td> <td>1,500</td> </tr> <tr> <td>Other</td> <td></td> </tr> <tr> <td><b>Total Cost</b></td> <td><b>81,873</b></td> </tr> </tbody> </table>		Type of Expenditure	Amount	1	2	Salary	56,244	Benefits	18,129	Premium Pay		Other		<b>Total Personal Services</b>	<b>74,373</b>	Travel	-0-	Contractual	5,000	Commodities	1,000	Equipment	1,500	Other		<b>Total Cost</b>	<b>81,873</b>	<b>Justification</b>  This bill would result in a significant increase in criminal prosecutions as it would apply to any amount of marijuana in any location. The Public Defender Agency is requesting an Attorney III for Fairbanks to respond to the anticipated increased caseload.		
Type of Expenditure	Amount																													
1	2																													
Salary	56,244																													
Benefits	18,129																													
Premium Pay																														
Other																														
<b>Total Personal Services</b>	<b>74,373</b>																													
Travel	-0-																													
Contractual	5,000																													
Commodities	1,000																													
Equipment	1,500																													
Other																														
<b>Total Cost</b>	<b>81,873</b>																													
<table border="1"> <thead> <tr> <th colspan="2">Funding Source for Total Cost</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Federal Receipts</td> <td>1002</td> <td></td> </tr> <tr> <td>G F Match</td> <td>1003</td> <td></td> </tr> <tr> <td>General Fund</td> <td>1004</td> <td>81,873</td> </tr> <tr> <td>GF Program Receipts</td> <td>1005</td> <td></td> </tr> <tr> <td>Other</td> <td></td> <td></td> </tr> </tbody> </table>		Funding Source for Total Cost		Amount	Federal Receipts	1002		G F Match	1003		General Fund	1004	81,873	GF Program Receipts	1005		Other													
Funding Source for Total Cost		Amount																												
Federal Receipts	1002																													
G F Match	1003																													
General Fund	1004	81,873																												
GF Program Receipts	1005																													
Other																														

**Request For  
New Position**

Agency Department of Administration  
BRU Public Defender Agency  
Component Fourth Judicial District

Page 4 of 4  
Revised Date 1/21/88

**FY 89**

FISCAL NOTE

REQUEST:

Revision Date: 1/21/88  
Title: "An Act relating to marijuana;..."  
Sponsor: Fischer, Faiks  
Requestor: Judiciary, Finance

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	-0-	98.2	102.3	106.4	110.7	115.1
TRAVEL			0	0	0	0
CONTRACTUAL		60.0	62.4	64.9	67.5	70.2
SUPPLIES		2.0	2.8	2.9	3.0	3.1
EQUIPMENT		9.3	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	169.7	167.5	174.2	181.2	188.4
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	169.7	167.5	174.2	181.2	188.4
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	169.7	167.5	174.2	181.2	188.4

POSITIONS:

FULL-TIME	-0-	2.0	2.0	2.0	2.0	2.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Brant McGee  
Division: Office of Public Advocacy

Phone: 274-1684  
Date: 1/20/88

Approved by Commissioner: John Andrews  
Agency: Department of Administration

Date: 2/1/88

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 32 (HESS)

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 = 65,977 \$ 66.0

Legal Secretary I  
Salary & Benefits = 32,363 32.4

Subtotal Personal Services 98.4

## Contractual

Contract attorneys in rural areas  
and expert witnesses. 60.0

## Supplies

Stationary and library supplies  
for two new positions. 2.0

## Equipment

Office furniture and equipment for one  
professional position at \$2,429 and  
one secretary position at \$6,838 = \$9,267 9.3

TOTAL \$169.7

Position Title <b>Attorney III</b>		No. of Positions	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>
Type of Expenditure		Amount		
1	2	3		
Salary	49,140			
Benefits	16,837			
Premium Pay				
Other				
Total Personal Services		65,977		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		65,977		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	65,977		
GF Program receipts	1005			
Other				
Justification				
<p>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.</p>				

**Request For  
New Position**

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

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

**FY 89**

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>
Justification				
<p>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.</p>				
Type of Expenditure		Amount		
1	2	3		
Salary	22,020			
Benefits	10,343			
Premium Pay				
Other				
Total Personal Services		32,363		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		32,363		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	32,363		
GF Program Receipts	1005			
Other				

**Request For  
New Position**

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

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

**FY 89**

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: SB 32  
Publish Date:

REQUEST:

Revision Date:  
Title: An act relating to marijuana

Agency Affected: Alaska Court System  
BRU: Trial Courts

Sponsor: Fischer  
Requestor: Senate Judiciary

Components:

<u>EXPENDITURES/REVENUES:</u>		(Thousands of Dollars)				
	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
Personal Services	. . . .	143.6	143.6	143.6	143.6	143.6
Travel	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Contractual	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Supplies	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Equipment	. . . .	11.5	. . . .	. . . .	. . . .	. . . .
Land & Structures	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Grants & Claims	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
TOTAL OPERATING	0.0	155.1	143.6	143.6	143.6	143.6
CAPITAL	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
REVENUE	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .

<u>FUNDING:</u>		(Thousands of Dollars)				
	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
General Funds	0.0	155.1	143.6	143.6	143.6	143.6
Federal Funds	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Other	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
TOTAL	0.0	155.1	143.6	143.6	143.6	143.6

<u>POSITIONS:</u>						
	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
Full-time	. . . .	4.0	4.0	4.0	4.0	4.0
Part-time	. . . .	1.0	1.0	1.0	1.0	1.0
Temporary	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis.

Prepared by: Karla Forsythe, General Counsel  
Division: Alaska Court System

Phone: 264-8228  
Date: 4-23-87

Approved by: *Stephanie J. Cole*  
Stephanie J. Cole, Deputy Director  
Agency: Alaska Court System

Date: 4-23-87

- Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management & Budget  
Affected Agency(ies)  
Senate Secretary

ALASKA COURT SYSTEM  
SB 32 - Fiscal Analysis

The Court System's fiscal note is based on the assumption that this bill will be enforced if enacted into law. The fiscal note submitted by the Department of Law reports that enforcement personnel anticipate several thousand new cases. This figure does not include prosecution resulting from municipal enforcement. Municipal police will generate a significant volume of cases for the courts, since they are responsible for enforcement in Alaska's urban communities and are more likely to arrest a large number of individuals than state troopers who focus on organized drug activity.

Using a conservative estimate of 2,000 cases annually, it appears that the increased caseload could be absorbed with existing judicial resources, but additional clerical support would be needed to process the high volume of paperwork attributable to these new criminal offenses which will be entering the criminal justice system.

ALASKA COURT SYSTEM  
SB 32 - Fiscal Analysis

Personal Services:

	Salary	Benefits	Total
2 - Court Clerk II, Range 10B, Anchorage, PFT - 12 months	\$45,672	\$16,580	\$62,252
1 - Court Clerk II, Range 10B, Fairbanks, PFT - 12 months	25,740	8,936	34,676
1 - Court Clerk II, Range 10B, Juneau, PFT - 12 months	22,836	8,290	31,126
1 - Court Clerk II, Range 10B, Ketchikan, PPT - 6 months	11,418	4,145	15,563 -----
Total Personal Services			143,617

Equipment: (one-time cost)

Desk, chair, typewriter, and filing cabinet for each new position	11,540 -----
Total First-Year Cost	\$155,157 =====

FISCAL NOTE

REQUEST:

Revision Date: 3-31-88  
Title: An Act relating to marijuana; and providing for an effective date.  
Sponsor: Fischer and Faiks  
Requestor: \_\_\_\_\_

Agency Affected: Health & Social Services  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

N/A

Prepared by: Yvonne M. Chase, Director Phone: 465-3170  
Division: Division of Family and Youth Services Date: 04-11-88  
Approved by Commissioner: Myra M. Munson, Commissioner Date: 4-12-88  
Agency: Department of Health and Social Services

Distribution (by preparer):

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

MATERIALS AVAILABLE THROUGH THE HOUSE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE REGARDING SB 32

---

Abel, Carol T. Letter to Ketchikan Police Department re analysis of cannabis sample, September 14, 1987, 1p.

Adams, Mike. "Marijuana Potency Increases." The Oregonian November 28, 1985:P10. Photocopy, 1p.

American Lung Association. Marijuana: A Second Look at Health Hazards. The American Lung Association, No. 4835, August 1985. Photocopy, 2p.

American Medical Association. "Marijuana in the '80s." Report of the Council on Scientific Affairs. Report B. December 1980. Photocopy, 10p.

American Psychiatric Association. "Position Statement on Psychoactive Substance Abuse and Dependence: Update on Marijuana and Cocaine." American Journal of Psychiatry 144, no. 5 (May 1987):698-702.

\_\_\_\_\_. "Facts About: Substance Abuse." American Psychiatric Association flier. Photocopy, 2p.

Office of Alcoholism and Drug Abuse. Annual Report to the Legislature 1986. Alaska Department of Health and Social Services (DHSS, SOADA) 87-1.

Associated Press. "Lung Study: 1 Joint of Pot as Bad as 4-5 Tobacco Cigarettes." The Olympian February 11, 1988:5A. Photocopy, 1p.

\_\_\_\_\_. "15-Year Study Links Marijuana Use to Schizophrenia." Peninsula Clarion December 24, 1987:15. Photocopy, 1p.

Biernson, George and Otto Moulton. "Synopsis of Marijuana." Drug Awareness Information Newsletter January 1988. Photocopy, 1p.

Clare, Anthony W. "Drugs Are Big Business." World Health June 1986:18-19. Photocopy, 2p.

Cohen, Sidney and Phyllis J. Lessin. Marijuana and Alcohol. Rockville, Maryland: The American Council for Drug Education. 1982. 27p.

\_\_\_\_\_. "Marijuana Smoking--A National Epidemic." American Lung Association of California reprint. 1981. Photocopy, 3p.

Committees of Correspondence, Inc. "Biological Effects of Marijuana." Drug Abuse Newsletter Issue #16, March 1984. Photocopy, 3p.

Dalterio, Susan L. "Marijuana and The Unborn." Listen November 1984. Reprinted by Committees of Correspondence, Inc. Photocopy, 4p.

Donnelly, Christine. "Hawaii's Pot Crop Flourishes Despite Official Crackdown." Juneau Empire March 10, 1988:2.

Economist. "American Survey: The Long, Losing Battle Against Drugs." The Economist March 5, 1988:23-24. Photocopy, 2p.

Fehr, Kevin O'Brien, et al. Cannabis: Adverse Effects on Health. Photocopy of article on State of California, Department of Justice letterhead, 1980. 13p.

Gettman, Jon B. Letter to Karla Hart re Senate Bill 32, March 17, 1988. 10p.

Gilkeson, Robert C. "The Emperor Smokes 'Pot'." Committees of Correspondence Inc. January 1987. Photocopy, 1p.

\_\_\_\_\_. "Marijuana: Myths and Misconceptions." Reprinted by Committees of Correspondence, Inc. No date. Photocopy, 2p.

\_\_\_\_\_. "Marijuana: Toxic to Cells." Drug Awareness Information Newsletter October 1987. Photocopy, 7p.

Gregg, Sandra R. "Taking on Big Tobacco in Dixie." U.S. News & World Report (February 8, 1988):20.

Hanley, Alyce and Fritz Pettyjohn. "Marijuana Today is Far More Potent and Harmful." Anchorage Daily News March 29, 1988:C-7.

Harvard Medical School. "Marijuana." The Harvard Medical School Mental Health Letter 4, no. 5 (November, 1987). Photocopy, 4p.

Heath, Robert G. Marijuana and the Brain. Rockville, Maryland: The American Council on Marijuana and Other Psychoactive Drugs. 1981. Reprinted by Committees of Correspondence, Inc. Photocopy, 8p.

Hofman, Fredrick G. A Handbook on Drug and Alcohol Abuse: The Biomedical Aspects. 2nd ed. rvsd. New York: Oxford University Press. 1983. 329p.

Institute of Medicine, Marijuana and Health, Washington, D.C.: National Academy Press, 1982. Photocopy, Chapter 1.

Johnson, Terry. "Reagan Aide: Pot Can Make You Gay." Newsweek October 27, 1986:95. Photocopy, 1p.

King, John. "New Evidence May Burn Cigarette Makers." Anchorage Daily News March 27, 1988:A4. Photocopy, 1p.

Krauthammer, Charles. "The Ginsburg Test: Bad Logic." Time November 23, 1987:102. Photocopy, 1p.

Leerhsen, Charles. "Alcohol and the Family." Newsweek January 18, 1988:62-68. Photocopy, 7p.

McClintik, David. "We've Won Some Battles, But We're Still Losing the War on Drugs." The Washington Post National Weekly Edition March 7-13, 1988:23-24. Photocopy, 2p.

Middaugh, John, Editor. "Hepatitis A Outbreak Strikes Alaskans." Division of Public Health Bulletin no. 3, January 23, 1987. Photocopy, 1p.

\_\_\_\_\_. "Hepatitis A Continues Rural Spread." Division of Public Health Bulletin no. 9, July 17, 1987. Photocopy, 1p.

\_\_\_\_\_. "Hepatitis A--Rural Spread Continues." Division of Public Health Bulletin no. 13, September 11, 1987. Photocopy, 1p.

\_\_\_\_\_. "Hepatitis A Recommendations." Division of Public Health Bulletin no. 1, January 15, 1988. Photocopy, 1p.

Mikuriya, Tod and Michael Aldrich. "Cannabis 1988: Old Drug, "New Dangers"--The Potency Question." to be printed in Journal of Psychoactive Drugs, April 1983. Photocopy of text. 33p.

Nahas, Gabriel G. "Marijuana Legalization Flouts U.N. Treaty." The Wall Street Journal. October 17, 1986. Photocopy, 1p.

\_\_\_\_\_. "Mary Jane and the Sex Cells." Alive and Well (April 1974). Photocopy, 1p.

National Institute on Drug Abuse. Adolescent Peer Pressure: Theory, Correlates, and Program Implications for Drug Abuse Prevention. U.S. Department of Health and Human Services, DHHS (ADM)86-1152. 1986. Photocopy of part of publication, 11p.

\_\_\_\_\_. Drug Use Among American High School Students, College Students, and Other Young Adults: National Trends through 1985. U.S. Department of Health and Human Services, DHHS (ADM)86-1450. 1986. Photocopy of pages 133-134.

\_\_\_\_\_. Marijuana and Youth: Clinical Observation on Motivation and Learning. Washington, D.C.:U.S. Government Printing Office, DHHS (ADM) 82-1186. 1982. 120p.

National Research Council. An Analysis of Marijuana Policy. Washington D.C.:National Academy Press. 1982. 41p.

Office for Substance Abuse Prevention. National Clearinghouse for Alcohol and Drug Information Publications Catalog. Spring 1988. 36p.

Parents Association to Neutralize Drug and Alcohol Abuse. PANDAA Newsletter November 1984. Photocopy, 12p.

Petersen, Robert C., ed. Marijuana Research Findings: 1980. National Institute on Drug Abuse Research Monograph 31, Washington, D.C., U.S. Government Printing Office, DHSS (ADM) 80-1001. 1980. 225p.

Russell, George K. Marijuana Today: A Compilation of Medical Findings for the Layman. Rev.ed. New York, The Myrin Institute for Adult Education. 1983. 89p.

Segal, Bernard. "Adolescent Drug-Taking Behavior Followup Study: Fairbanks North Star Borough School District." Center for Alcohol and Addiction Studies, University of Alaska-Anchorage. Preliminary Report. January 1988. Photocopy, 13p.

\_\_\_\_\_. "Adolescent Drug-Taking Behavior Followup Study: Juneau." Center for Alcohol and Addiction Studies, University of Alaska-Anchorage. Preliminary Report. October 1988. Photocopy, 47p.

\_\_\_\_\_. "Prevalence of Drug-Taking Behavior Among Alaskan Youth: Comparisons With National Findings." Alaska Medicine 29 no. 1 (January-March 1987):9-14. Photocopy, 6p.

Segal, Bernard, et al. Patterns of Drug Use: Community Survey. Center for Alcohol and Addiction Studies, University of Alaska-Anchorage. 1983. 110p.

\_\_\_\_\_. Patterns of Drug Abuse: School Survey. Center for Alcohol and Addiction Studies, University of Alaska-Anchorage, 1983. 150p. + appendix.

Smith, Carol Grace and Ricardo H. Asch. Marijuana and Reproduction. Rockville, Maryland, The American Council for Drug Education, 1982.

Spargo, Sandy. "Contact List for Senate Bill 32." 1988, photocopy, 1p.

Spencer, Hal. "Pot's Effects at Issue." Anchorage Daily News March 18, 1988:B-1. Photocopy, 3p.

Surgeon General. The Health Consequences of Smoking: The Changing Cigarette: a report of the Surgeon General. U.S. Department of Health and Human Services, Washington, D.C., U.S. Government Printing Office, DHHS (PHS) 81-50156, 1981. 252p.

\_\_\_\_\_. The Health Consequences of Smoking for Women: a report of the Surgeon General. U.S. Department of Health and Human Services, Rockville, Maryland, Public Health Service, 1980. 359p.

\_\_\_\_\_. The Health Consequences of Using Smokeless Tobacco: a report of the Advisory Committee to the Surgeon General. U.S. Department of Health and Human Services, Bethesda, Maryland, National Institute of Health Publication No. 86-2874, 1986. 195p.

Tashkin, Donald P. et al. "How the Lungs are Affected by Marijuana Smoking." The Journal of Respiratory Diseases, November 1987.

Tashkin, Donald P. and Sidney Cohen. Marijuana Smoking and Its Effects on the Lungs. New York, The American Council on Marijuana and Other Psychoactive Drugs, 1981.

Tashkin, Donald P., Henry Gong, Jr. and Suzanne E.G. Fligiel. "How the Lungs are Affected by Marijuana Smoking." The Journal of Respiratory Diseases 8, no. 11 (November 1987):87-107. Photocopy, 12p.

Tennant, Forest S., Jr. "The Clinical Syndrome of Marijuana Dependence." Psychiatric Annals 16 no. 4:225-234. Photocopy, 6p.

\_\_\_\_\_. "Marijuana Information." West Coyins, CA, Veract, Inc., 1984. Photocopy, 2p.

U.S. Department of Health and Human Services. "Alcohol and Drug Abuse Among Adolescents." Adamha Update: Facts and Figures from the Alcohol, Drug Abuse, and Mental Health Administration. No. 1, April 1986. Photocopy, 1p.

\_\_\_\_\_. Drug Abuse and Drug Abuse Research: The First in a Series of Triennial Reports to Congress. Rockville, Md.:National Institute on Drug Abuse. DHSS (ADM)85-1372. 1984.

\_\_\_\_\_. Drug Abuse and Drug Abuse Research: The Second in a Series of Triennial Reports to Congress. Rockville, Md.:National Institute on Drug Abuse. DHSS (ADM)87-1486. 1987.

U.S. News & World Report. "People Who Didn't Say No." U.S. News & World Report March 21, 1988:73. Photocopy, 1p.

Voth, Eric A. "Addiction as a Primary Disease." Drug Abuse Newsletter August 1987. Photocopy, 4p.

Wagstaff, Rober' "Legislators' Anti-Marijuana Case Full of Smoke." Anchorage Daily News March 19, 1988:C-11.

Weiss, Rick. "Take Two Puffs and Call Me in the Morning: Proponents of Marijuana's Medical Benefits Take their Case to Court." Science News 133 no. 8 (February 20, 1988):122-123.

World Health. "The Chronology of U.S. Warning Against Cigarettes," World Health. October, 1984. Photocopy, 1p.

Wu, Tzu-Chin et al. "Pulmonary Hazards of Smoking Marijuana as Compared with Tobacco." The New England Journal of Medicine 318 no. 6 (February 11, 1988):347-351. Photocopy, 5p.

#### Legal, Constitutional and Policy

Grinspoon, Lester. Marihuana Reconsidered. Presidents and Fellows of Harvard College, 1971. Paperback, 416p.

Research Agency, Alaska State Legislature. "Effects of the Recriminalization of Marijuana," Research request 86.078. February 7, 1986. Photocopy, 4p + supplemental information.

\_\_\_\_\_. "Recriminalization of Marijuana," Research request 87.047. Photocopy, December 3, 1986. 7p.

\_\_\_\_\_. "New York Drug Legislation," Research request 87.059. December 11, 1986. Photocopy, 2p + attachments.

\_\_\_\_\_. "City Ordinances and Federal Laws on Possession of Marijuana," Research request 88.180. February 24, 1988. Photocopy, 1p + attachments.

Supreme Court of the State of Alaska. Ravin vs. State. Brief of the Petitioner. June 11, 1974. Photocopy, 81p.

\_\_\_\_\_. Ravin vs. State. Brief of Respondent. September 4, 1974. Photocopy, 60p.

\_\_\_\_\_. Ravin vs. State. Petitioner's Reply Brief. October 7, 1974. Photocopy, 27p.

#### Resolutions

Alaska Association of School Governments. October 18, 1986.

Alaska PTA. 1987.

Anchorage Assembly of the Municipality of Anchorage. AR No. 86-284. December 9, 1986.

City Council of the City of Fairbanks. Resolution 2947. March 7, 1988.

City of Ketchikan. Resolution No. 87-1498.

City of Saxman. Resolution 87-01-030.

City and Borough of Sitka. Resolution No. 87-341. March 24, 1987.

City of Valdez. Resolution 8711. February 17, 1987.

City of Wrangell. Resolution No. 02-87-263. February 10, 1987.

Cook Inlet Council on Alcohol and Drug Abuse. March 16, 1987.

Fairbanks North Star Bourough. Resolution 88-038.

Greater Fairbanks Chamber of Commerce. Resolution 14-0388. March 28, 1988.

Kenai Peninsula Borough School District. Resolution 86-87-9. March 16, 1987.

Ketchikan Gateway Borough School District. Resolution 210.

### Position Statements

Alaska Chiefs of Police Association, Alaska Peace Officers Association, and FBI National Academy Associates. January 1988.

American Civil Liberties Union.

Anchorage Chamber of Commerce Crime Commission. November 1985.

### Surveys

Alaska Association of Student Governments. November 1986.

### Medical and Usage Information

American Psychiatric Association. "Position Statement on Psychoactive Substance Use and Dependence: Update on Marijuana and Cocaine". May 1987. Photocopy, 5p.

Anchorage Chamber of Commerce Crime Commission. "Marijuana Study". November 1985.

National Council on Alcoholism, Inc. "Alcoholism and Other Alcohol-Related Problems Among Children and Youth." Photocopy, 1p.

Research Agency. Alaska State Legislature. "Driving Under the Influence of Drugs," Research request 83-120. April 15, 1983. Photocopy, 4p.

\_\_\_\_\_. "Findings on Marijuana (House Bill 55)," Research request 87.158. February 27, 1987. Photocopy, 8p.

\_\_\_\_\_. "The Physiological Effects of Marijuana, Alcohol, Tobacco, Aspirin, and Salt," Research request 87.155. March 3, 1987. Photocopy, 8p + attachments.

Trani, Bobi and Sandy Spargo. "Alcohol and Drug Abuse."

### Newspaper Articles and Comment

"Anti-dope vote is just grandstanding". Editorial in Anchorage Daily News. February 20, 1988.

"Board pushes for tougher pot laws". Anchorage Daily News. January 17, 1987.

"Drugs in the schools". Editorial in Fairbanks Daily News-Miner. March 16, 1988.

Bippus, Scan. "For the children's sake, recriminalize pot." Opinion in the Fairbanks Daily News-Miner. April 2, 1988.

Harper, Patti. "Laws governing marijuana use tougher than many may realize." Anchorage Times.

Johnson, Robert Curtis. "Individuals can decide on pot." Letter to the editor.

Ortega, Bob. "Marijuana: A controversy re-ignites." Anchorage Times. February 28, 1988.

Spencer, Hal. "Alaska Legislature unlikely to ban marijuana use in home." Anchorage Daily News. February 5, 1987.

#### Correspondence

Letters from various people, organizations, etc.

# 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 Commisior. 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 Sperm 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) Marijuana Warnings: New Evidence Against the Soft Drug	Sept, '80	Milan Korcok Canadian Medical Association
27) Miscellaneous Copies of Various Drug Abuse Newsletters and pamphlets.		

From House Research

## BIBLIOGRAPHY

- Abel, Carol T. Letter to Ketchikan Police Department re analysis of cannabis sample, September 14, 1987, 1p.
- Adams, Mike. "Marijuana Potency Increases." The Oregonian November 28, 1985:P10. Photocopy, 1p.
- American Lung Association. Marijuana: A Second Look at Health Hazards. The American Lung Association, No. 4836, August 1985. Photocopy, 2p.
- American Medical Association. "Marijuana in the '80s." Report of the Council on Scientific Affairs. Report B. December 1980. Photocopy, 10p.
- American Psychiatric Association. "Position Statement on Psychoactive Substance Abuse and Dependence: Update on Marijuana and Cocaine." American Journal of Psychiatry 144, no. 5 (May 1987):698-702.
- \_\_\_\_\_. "Facts About: Substance Abuse." American Psychiatric Association flier. Photocopy, 2p.
- Office of Alcoholism and Drug Abuse. Annual Report to the Legislature 1986. Alaska Department of Health and Social Services (DHSS, SOADA) 87-1.
- Associated Press. "Lung Study: 1 Joint of Pot as Bad as 4-5 Tobacco Cigarettes." The Olympian February 11, 1988:5A. Photocopy, 1p.
- \_\_\_\_\_. "15-Year Study Links Marijuana Use to Schizophrenia." Peninsula Clarion December 24, 1987:15. Photocopy, 1p.
- Biernson, George and Otto Moulton. "Synopsis of Marijuana." Drug Awareness Information Newsletter January 1988. Photocopy, 1p.
- Clare, Anthony W. "Drugs Are Big Business." World Health June 1986:18-19. Photocopy, 2p.
- Cohen, Sidney and Phyllis J. Lessin. Marijuana and Alcohol. Rockville, Maryland: The American Council for Drug Education. 1982. 27p.
- \_\_\_\_\_. "Marijuana Smoking--A National Epidemic." American Lung Association of California reprint. 1981. Photocopy, 3p.

## BIBLIOGRAPHY

---

- Committees of Correspondence, Inc. "Biological Effects of Marijuana." Drug Abuse Newsletter Issue #16, March 1984. Photocopy, 3p.
- Dalterio, Susan L. "Marijuana and The Unborn." Listen November 1984. Reprinted by Committees of Correspondence, Inc. Photocopy, 4p.
- Donnelly, Christine. "Hawaii's Pot Crop Flourishes Despite Official Crackdown." Juneau Empire March 10, 1988:2.
- Economist. "American Survey: The Long, Losing Battle Against Drugs." The Economist March 5, 1988:23-24. Photocopy, 2p.
- Fehr, Kevin O'Brien, et al. Cannabis: Adverse Effects on Health. Photocopy of article on State of California, Department of Justice letterhead, 1980. 13p.
- Gettman, Jon B. Letter to Karla Hart re Senate Bill 32, March 17, 1988. 10p.
- Gilkeson, Robert C. "The Emperor Smokes 'Pot'." Committees of Correspondence Inc. January 1987. Photocopy, 1p.
- \_\_\_\_\_. "Marijuana: Myths and Misconceptions." Reprinted by Committees of Correspondence, Inc. No date. Photocopy, 2p.
- \_\_\_\_\_. "Marijuana: Toxic to Cells." Drug Awareness Information Newsletter October 1987. Photocopy, 7p.
- Gregg, Sandra R. "Taking on Big Tobacco in Dixie." U.S. News & World Report (February 8, 1988):20.
- Hanley, Alyce and Fritz Pettyjohn. "Marijuana Today is Far More Potent and Harmful." Anchorage Daily News March 29, 1988:C-7.
- Harvard Medical School. "Marijuana." The Harvard Medical School Mental Health Letter 4, no. 5 (November, 1987). Photocopy, 4p.
- Heath, Robert G. Marijuana and the Brain. Rockville, Maryland: The American Council on Marijuana and Other Psychoactive Drugs. 1981. Reprinted by Committees of Correspondence, Inc. Photocopy, 8p.

## BIBLIOGRAPHY

Hofman, Fredrick G. A Handbook on Drug and Alcohol Abuse: The Biomedical Aspects. 2nd ed. rvsd. New York:Oxford University Press. 1983. 329p.

Institute of Medicine, Marijuana and Health, Washington, D.C.:National Academy Press, 1982. Photocopy, Chapter 1.

Johnson, Terry. "Reagan Aide: Pot Can Make You Gay." Newsweek October 27, 1986:95. Photocopy, 1p.

King, John. "New Evidence May Burn Cigarette Makers." Anchorage Daily News March 27, 1988:A4. Photocopy, 1p.

Krauthammer, Charles. "The Ginsburg Test: Bad Logic." Time November 23, 1987:102. Photocopy, 1p.

Leerhsen, Charles. "Alcohol and the Family." Newsweek January 18, 1988:62-68. Photocopy, 7p.

McClintik, David. "We've Won Some Battles, But We're Still Losing the War on Drugs." The Washington Post National Weekly Edition March 7-13, 1988:23-24. Photocopy, 2p.

Middaugh, John, Editor. "Hepatitis A Outbreak Strikes Alaskans." Division of Public Health Bulletin no. 3, January 23, 1987. Photocopy, 1p.

\_\_\_\_\_. "Hepatitis A Continues Rural Spread." Division of Public Health Bulletin no. 9, July 17, 1987. Photocopy, 1p.

\_\_\_\_\_. "Hepatitis A--Rural Spread Continues." Division of Public Health Bulletin no. 13, September 11, 1987. Photocopy, 1p.

\_\_\_\_\_. "Hepatitis A Recommendations." Division of Public Health Bulletin no. 1, January 15, 1988. Photocopy, 1p.

Mikuriya, Tod and Michael Aldrich. "Cannabis 1988: Old Drug, "New Dangers"--The Potency Question." to be printed in Jornal of Psychoactive Drugs, April 1988. Photocopy of text. 33p.

Nahas, Gabriel G. "Marijuana Legalization Flouts U.N. Treaty." The Wall Street Journal. October 17, 1986. Photocopy, 1p.

## BIBLIOGRAPHY

\_\_\_\_\_. "Mary Jane and the Sex Cells." Alive and Well (April 1974). Photocopy, 1p.

National Institute on Drug Abuse. Adolescent Peer Pressure: Theory, Correlates, and Program Implications for Drug Abuse Prevention. U.S. Department of Health and Human Services, DHHS (ADM)86-1152. 1986. Photocopy of part of publication, 11p.

\_\_\_\_\_. Drug Use Among American High School Students, College Students, and Other Young Adults: National Trends through 1985. U.S. Department of Health and Human Services, DHHS (ADM)86-1450. 1986. Photocopy of pages 133-134.

\_\_\_\_\_. Marijuana and Youth: Clinical Observation on Motivation and Learning. Washington, D.C.:U.S. Government Printing Office, DHHS (ADM) 82-1186. 1982. 120p.

National Research Council. An Analysis of Marijuana Policy. Washington D.C.:National Academy Press. 1982. 41p.

Office for Substance Abuse Prevention. National Clearinghouse for Alcohol and Drug Information Publications Catalog. Spring 1988. 36p.

Parents Association to Neutralize Drug and Alcohol Abuse. PANDAA Newsletter November 1984. Photocopy, 12p.

Petersen, Robert C., ed. Marijuana Research Finding: 1980. National Institute on Drug Abuse Research Monograph 31, Washington, D.C., U.S. Government Printing Office, DHSS (ADM) 80-1001. 1980. 225p.

Russell, George K. Marijuana Today: A Compilation of Medical Findings for the Layman. Rev.ed. New York, The Myrin Institute for Adult Education. 1983. 89p.

Segal, Bernard. "Adolescent Drug-Taking Behavior Followup Study: Fairbanks North Star Borough School District." Center for Alcohol and Addiction Studies, University of Alaska-Anchorage. Preliminary Report. January 1988. Photocopy, 13p.

\_\_\_\_\_. "Adolescent Drug-Taking Behavior Followup Study: Juneau." Center for Alcohol and Addiction Studies, University of Alaska-Anchorage. Preliminary Report. October 1988. Photocopy, 47p.

## BIBLIOGRAPHY

\_\_\_\_\_. "Prevalence of Drug-Taking Behavior Among Alaskan Youth: Comparisons With National Findings." Alaska Medicine 29 no. 1 (January-March 1987):9-14. Photocopy, 6p.

Segal, Bernard, et al. Patterns of Drug Use: Community Survey. Center for Alcohol and Addiction Studies, University of Alaska-Anchorage. 1983. 110p.

\_\_\_\_\_. Patterns of Drug Abuse: School Survey. Center for Alcohol and Addiction Studies, University of Alaska-Anchorage, 1983. 150p. + appendix.

Smith, Carol Grace and Ricardo H. Asch. Marijuana and Reproduction. Rockville, Maryland, The American Council for Drug Education, 1982.

Spargo, Sandy. "Contact List for Senate Bill 32." 1988, photocopy, 1p.

Spencer, Hal. "Pot's Effects at Issue." Anchorage Daily News March 18, 1988:B-1. Photocopy, 3p.

Surgeon General. The Health Consequences of Smoking: The Changing Cigarette: a report of the Surgeon General. U.S. Department of Health and Human Services, Washington, D.C., U.S. Government Printing Office, DHHS (PHS) 81-50156, 1981. 252p.

\_\_\_\_\_. The Health Consequences of Smoking for Women: a report of the Surgeon General. U.S. Department of Health and Human Services, Rockville, Maryland, Public Health Service, 1980. 359p.

\_\_\_\_\_. The Health Consequences of Using Smokeless Tobacco: a report of the Advisory Committee to the Surgeon General. U.S. Department of Health and Human Services. Bethesda, Maryland, National Institute of Health Publication No. 86-2874, 1986. 195p.

Tashkin, Donald P. et al. "How the Lungs are Affected by Marijuana Smoking." The Journal of Respiratory Diseases, November 1987.

Tashkin, Donald P. and Sidney Cohen. Marijuana Smoking and Its Effects on the Lungs. New York, The American Council on Marijuana and Other Psychoactive Drugs, 1981.

Tashkin, Donald P., Henry Gong, Jr. and Suzanne E.G. Fligel. "How the Lungs are Affected by Marijuana Smoking." The Journal of Respiratory Diseases 8, no. 11 (November 1987):87-107. Photocopy, 12p.

## BIBLIOGRAPHY

---

Tennant, Forest S., Jr. "The Clinical Syndrome of Marijuana Dependence." Psychiatric Annals 16 no. 4:225-234. Photocopy, 6p.

\_\_\_\_\_. "Marijuana Information." West Coyins, CA, Veract, Inc., 1984. Photocopy, 2p.

U.S. Department of Health and Human Services. "Alcohol and Drug Abuse Among Adolescents." Adamha Update: Facts and Figures from the Alcohol, Drug Abuse, and Mental Health Administration. No. 1, April 1986. Photocopy, 1p.

\_\_\_\_\_. Drug Abuse and Drug Abuse Research: The First in a Series of Triennial Reports to Congress. Rockville, Md.:National Institute on Drug Abuse. DHSS (ADM)85-1372. 1984.

\_\_\_\_\_. Drug Abuse and Drug Abuse Research: The Second in a Series of Triennial Reports to Congress. Rockville, Md.:National Institute on Drug Abuse. DHSS (ADM)87-1486. 1987.

U.S. News & World Report. "People Who Didn't Say No." U.S. News & World Report March 21, 1988:73. Photocopy, 1p.

Voth, Eric A. "Addiction as a Primary Disease." Drug Abuse Newsletter August 1987. Photocopy, 4p.

Wagstaff, Robert. "Legislators' Anti-Marijuana Case Full of Smoke." Anchorage Daily News March 19, 1988:C-11.

Weiss, Rick. "Take Two Puffs and Call Me in the Morning: Proponents of Marijuana's Medical Benefits Take their Case to Court." Science News 133 no. 8 (February 20, 1988):122-123.

World Health. "The Chronology of U.S. Warning Against Cigarettes," World Health. October, 1984. Photocopy, 1p.

Wu, Tzu-Chin et al. "Pulmonary Hazards of Smoking Marijuana as Compared with Tobacco." The New England Journal of Medicine 318 no. 6 (February 11, 1988):347-351. Photocopy, 5p.



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

M E M O R A N D U M

TO: All LIO's

FROM: Rep. Niilo Koponen, Co-Chair  
Rep. Johnny Ellis, Co-Chair *JE*

DATE: April 6, 1988

SUBJECT: Hearings on CSSB 32 (HESS), Penalty for Possession of  
Marijuana

-----

The House Health, Education and Social Services Committee has scheduled hearings on CSSB 32 (HESS), penalty for possession of marijuana, on Wednesday, April 13th and Thursday, April 14th. Due to the amount of interest on this subject, we have had to structure the hearings in order for committee members to hear expert testimony on the pertinent issues contained in the bill. We have also scheduled an evening hearing for public testimony.

Attached is the proposed structure for the hearings. Please distribute this information to those who contact you regarding this issue.

April 6, 1988

Dr. Gilkeson  
2 Horatio St  
Apt. 10 P  
New York, NY 10014

Dear Dr. Gilkeson:

As Co-Chairs of the House HESS Committee we would sincerely appreciate your testimony on Senate Bill 32, copy enclosed. Currently in Alaska, the possession of less than four ounces of marijuana by adults for personal use in the home is legal. This bill would recriminalize such possession.

In 1975 the Alaska Supreme Court struck down an earlier law stating that the harm to the public health from marijuana did not outweigh the citizens' right to privacy which is firmly guaranteed under the Alaska Constitution; and thus allowed for the possession of small amounts by adults in the home. The Court did allow for the reconsideration of its decision based on new evidence of harmful public health effects of marijuana.

In the findings section of CSSB 32 (HESS), there is alleged new evidence of such harmful effects, and we are seeking expert testimony to substantiate, refute or comment on these findings. Your testimony in this regard would be of great assistance in our deliberations.

Enclosed is the proposed format for the hearings. Your testimony would be most appropriate on Thursday, April 14, beginning at 8:30 a.m. Alaska time, which is one hour earlier than Pacific time.

The Alaska Legislature has a very good teleconference network, so you could testify from your office or from any other phone. On the day of the hearing, at approximately 8:20 a.m. Alaska time, you should call the teleconference operator at (907) 562-2867. You are welcome to call collect.

We suggest that you open with a short statement; there will be other medical experts testifying also. We would appreciate if you could stay on line, listen to the other testimony and then comment and answer Committee members' questions when appropriate. Use of a speakerphone would make your call more comfortable. The hearing will not go beyond 10:00 a.m.

You may Jim Nordlund of our staff at (907) 465-3759 if you have any questions or need more information. We look forward to your testimony. Thank you.

Sincerely,

Rep. Niilo Koponen

Rep. Johnny Ellis

April 6, 1988

Dr. Arnold Trebach  
School of Justice  
American University  
Room 216, Ward Circle Bldg.  
Washington, D.C. 20016

Dear Dr. Trebach:

As Co-Chairs of the House HESS Committee we would sincerely appreciate your testimony on Senate Bill 32, copy enclosed. Currently in Alaska, the possession of less than four ounces of marijuana by adults for personal use in the home is legal. This bill would recriminalize such possession.

In 1975 the Alaska Supreme Court struck down an earlier law stating that the harm to the public health from marijuana did not outweigh the citizens' right to privacy which is firmly guaranteed under the Alaska Constitution; and thus allowed for the possession of small amounts by adults in the home.

Enclosed is the proposed format for the hearings. Your testimony would be most appropriate on Wednesday, April 13, beginning at 8:30 a.m. Alaska time, which is one hour earlier than Pacific time.

The Alaska Legislature has a very good teleconference network, so you could testify from your office or from any other phone. On the day of the hearing, at approximately 8:20 a.m. Alaska time, you should call the teleconference operator at (907) 562-2867. You are welcome to call collect.

We suggest that you open with a short statement as our time is extremely limited. If you have time, we would appreciate if you could stay on line, listen to the other testimony and then comment and answer Committee members' questions when appropriate. Use of a speakerphone would make your call more comfortable. The hearing will not go beyond 10:00 a.m.

You may Jim Nordlund of our staff at (907) 465-3759 if you have any questions or need more information. We look forward to your testimony. Thank you.

Sincerely,

Rep. Niilo Koponen

Rep. Johnny Ellis



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

FOUCHV  
JUNEAU, AK 99811  
465-3759

April 18, 1988

Dr. Harold Kalant  
University Toronto  
Department of Pharmacology  
Medical Sciences Building  
Toronto, Ont. CANADA M5S1A8

Dear Dr. Kalant:

Doctor Arnold Relman, Editor of The New England Journal of Medicine and chairman of the report Marijuana and Health, suggested that you may be available to comment on Senate Bill 32 which is presently in our committee. Since we have already had a hearing on the bill, oral testimony is no longer possible, but as a member of the committee that wrote Marijuana and Health, your written comments can still be of great assistance to our committee.

We have referred SB 32 to a subcommittee due to serious questions about the validity of the findings in the bill. Since many of the findings were derived from Marijuana and Health, your help would be extremely valuable in determining if the findings accurately represent your research. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes the findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State, allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The bill sponsor intended the findings section to be new evidence of marijuana's dangers.

Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony we heard last week, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from our Legislative Legal Counsel states that the bill as it presently exists would probably not meet the constitutional test and would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation.

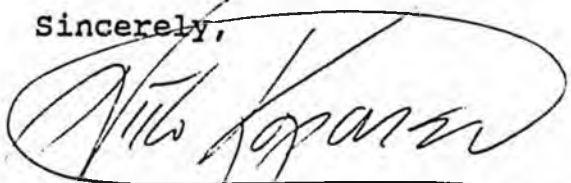
Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

The legislature must adjourn by May 9th, so your response would be needed as soon as possible for the Committee to act this year. If such a quick response is not possible, we would still welcome your comments to be included as part of the official legislative record. A bill similar to this has been in the legislature for the past six legislative sessions, and could be introduced again.

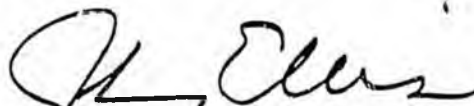
If you have any questions please contact us or Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

April 18, 1988

Dr. Charles P. O'Brien  
Professor of Psychiatry  
University of Pennsylvania  
School of Medicine  
3400 Spruce St.  
Philadelphia, PA 19104

Dear Dr. O'Brien:

Doctor Arnold Relman, Editor of The New England Journal of Medicine and chairman of the report Marijuana and Health, suggested that you may be available to comment on Senate Bill 32 which is presently in our committee. Since we have already had a hearing on the bill, oral testimony is no longer possible, but as a member of the committee that wrote Marijuana and Health, your written comments can still be of great assistance to our committee.

We have referred SB 32 to a subcommittee due to serious questions about the validity of the findings in the bill. Since many of the findings were derived from Marijuana and Health, your help would be extremely valuable in determining if the findings accurately represent your research. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes the findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State, allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The bill sponsor intended the findings section to be new evidence of marijuana's dangers.

Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony we heard last week, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from our Legislative Legal Counsel states that the bill as it presently exists would probably not meet the constitutional test and would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation.

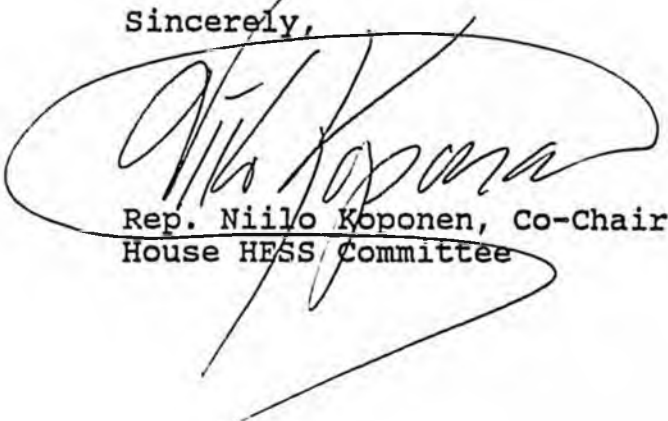
Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

The legislature must adjourn by May 9th, so your response would be needed as soon as possible for the Committee to act this year. If such a quick response is not possible, we would still welcome your comments to be included as part of the official legislative record. A bill similar to this has been in the legislature for the past six legislative sessions, and could be introduced again.

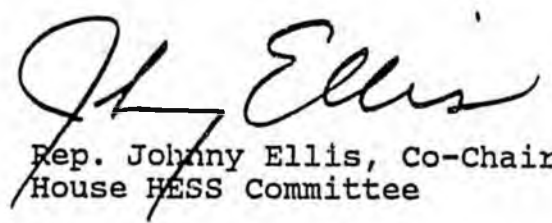
If you have any questions please contact us or Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Edward Jacobs  
117 East Live Oak Ave.  
Arcadia, CA 91006

Dear Dr. Jacobs:

Thank you for your testimony on April 14th regarding CSSB 32 (HESS). Members of the Committee would sincerely appreciate if you could provide written comments and other documentation regarding this bill. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

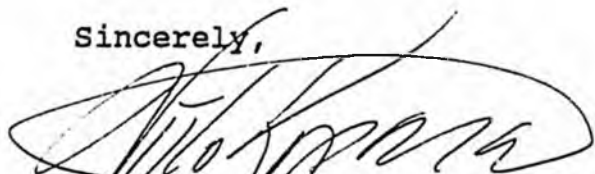
Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would most likely not meet the constitutional test and again would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

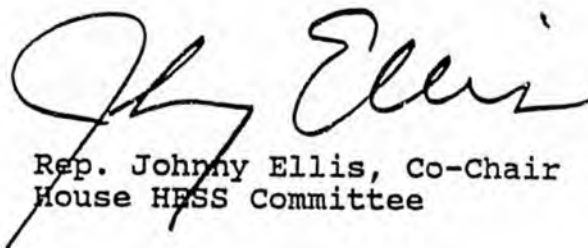
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

April 15, 1988

POUCH V  
JUNEAU, AK 99811  
465-3759

Dr. Robert C. Gilkeson  
2 Horatio St.  
Apt. 10 P  
New York, NY 10014

Dear Dr. Gilkeson:

We are sorry that we were unable to hear your testimony on CSSB 32 (HESS) on April 14th and apologize if it caused you any inconvenience. Members of the Committee would sincerely appreciate, however, if you could provide written comments. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

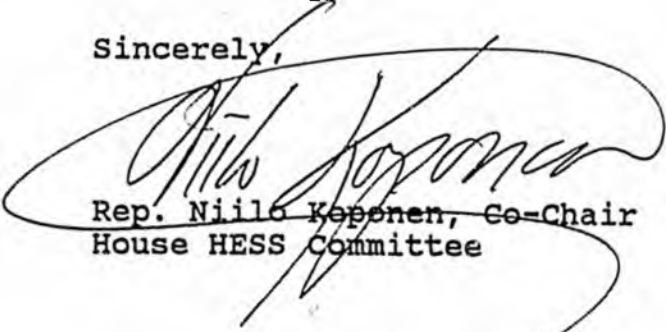
Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would probably not meet the constitutional test and would be thrown out by the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

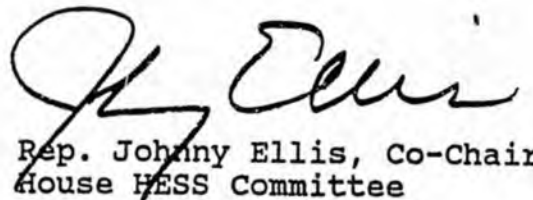
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Norman Zinberg  
11 Scott St.  
Cambridge, MA 02138

Dear Dr. Zinberg:

Thank you for your testimony on April 14th regarding CSSB 32 (HESS). Members of the Committee would sincerely appreciate if you could provide further written comments. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

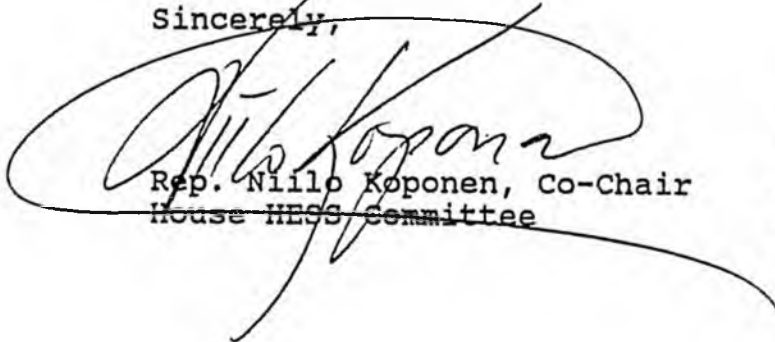
Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would most likely not meet the constitutional test and again would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

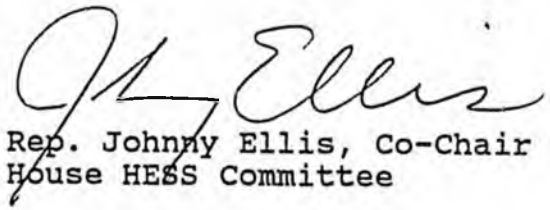
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Lester Grinspoon  
Massachusetts Mental Health Center  
74 Fenwood Rd.  
Boston, MA 02115

Dear Dr. Grinspoon:

Thank you for your testimony on April 14th regarding CSSB 32 (HESS). Members of the Committee would sincerely appreciate if you could provide further written comments. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

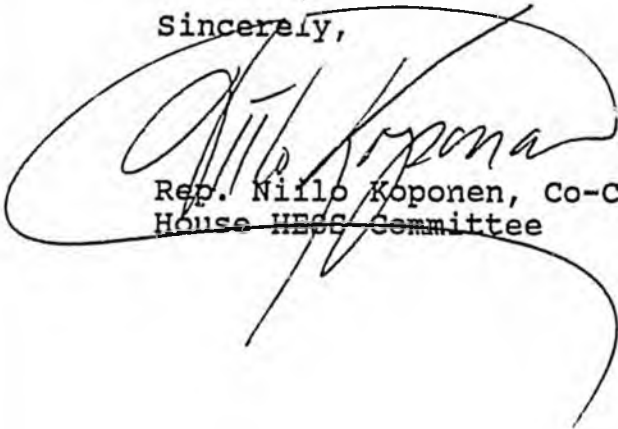
Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would most likely not meet the constitutional test and again would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

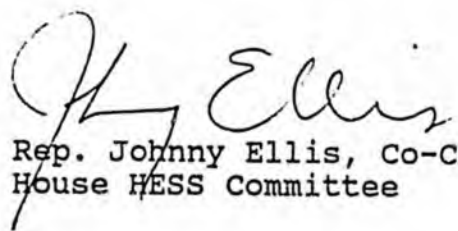
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Nillo Koponen, Co-Chair  
House ~~HESS~~ Committee



Rep. Johnny Ellis, Co-Chair  
House ~~HESS~~ Committee



# Alaska State Legislature

## House of Representatives

COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Tod Mikuriya  
1168 Sterling Ave.  
Berkley, CA 94708

Dear Dr. Mikuriya:

Thank you for your testimony on April 14th regarding CSSB 32 (HESS). Members of the Committee would sincerely appreciate if you could provide further written comments. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

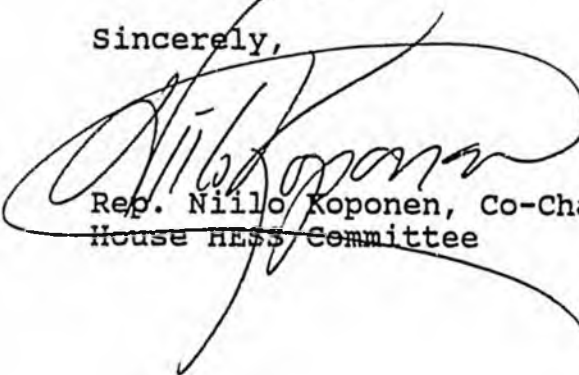
Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would most likely not meet the constitutional test and again would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

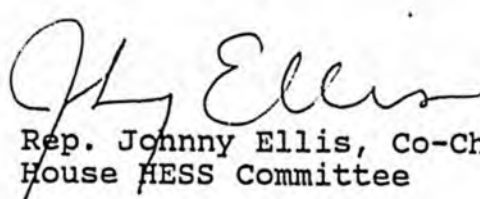
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

TO: Senator Paul Fischer

FROM: Rep. Niilo Koponen, Co-Chair House HESS Committee  
Rep. Johnny Ellis, Co-Chair House HESS Committee

RE: SB 32

DATE: April 21, 1988

\*\*\*\*\*

We wanted to provide you with a copy of the minutes for each of the four hearings we had on SB 32, as well as to update you on the status of the bill.

In the first hearing, we concentrated on the background, legal and constitutional aspects of the bill, and during the next hearing, that evening, we took four hours of public testimony. The next morning we heard from medical experts, and the day following we discussed the fiscal impacts of the bill.

It became abundantly clear through these hearings that the findings section was the heart of this bill. In the Ravin decision, the Supreme Court allowed for their decision to be reversed based on new evidence of marijuana's danger to the public health. This is what the findings section is designed to do.

During the hearing on the findings, various doctors testified both to support and to refute the findings. Several of the findings were either unsupported or simply false according to the testimony. It is extremely important that each of these findings be substantiated by well documented and valid medical research in order to make a strong case in front of the court. While doctors can be found to argue both sides of these findings, the burden of proof lies with proving them.

Since evidence proving many of these findings has not been made available to the Committee, we put the bill in subcommittee in order to gather more information. As the sponsor of the bill, we request that you provide backup that will support the findings. Please refer specifically to the attached House Research Report for areas where the findings are unsupported.

We will have a subcommittee meeting next week, and we invite you to present your backup at that time. If you have any questions, please contact us or Jim Nordlund of our staff.



# Alaska State Legislature

## House of Representatives

COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Bernard Segal  
Center for Alcohol and Addiction Studies  
University of Alaska  
3211 Providence Dr.  
Anchorage, AK 99508

Dear Dr. Segal:

Thank you for your testimony on April 14th regarding CSSB 32 (HESS). Members of the Committee would sincerely appreciate if you could provide further written comments. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would most likely not meet the constitutional test and again would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

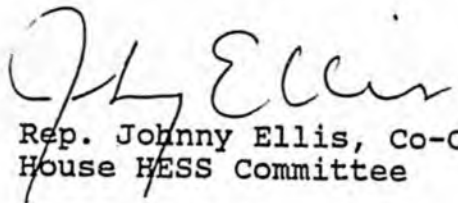
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



# Alaska State Legislature

## House of Representatives

COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. John Morgan  
Director of Pharmacology  
City University of New York  
138th St. at Convent  
New York, NY 10031

Dear Dr. Morgan:

Thank you for your excellent, detailed testimony on April 14th regarding CSSB 32 (HESS). Members of the Committee would sincerely appreciate if you could provide written comments and other documentation regarding this bill. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

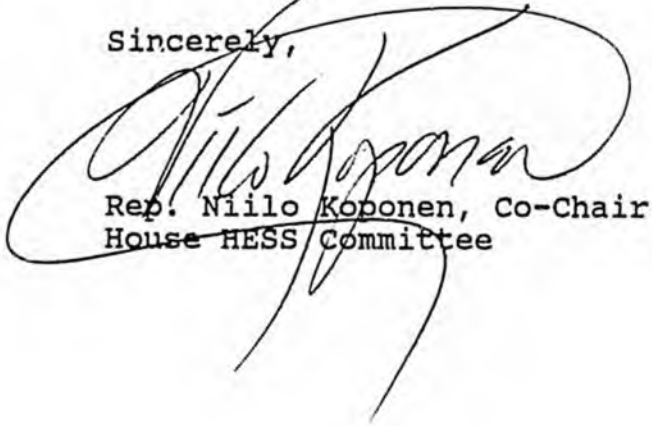
Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would most likely not meet the constitutional test and again would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

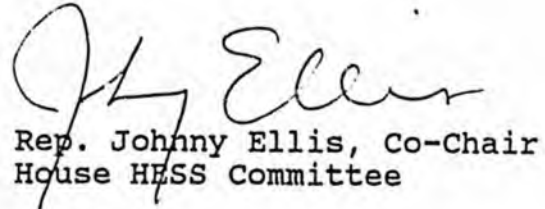
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



# Alaska State Legislature

## House of Representatives

COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Jean Bonar  
Providence Professional Bldg.  
3300 Providence Dr. Suite 301  
Anchorage, AK 99508

Dear Dr. Bonar:

Thank you for your testimony on CSSB 32 (HESS) last Thursday. Members of the Committee would sincerely appreciate if you could provide written comments. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would probably not meet the constitutional test and would be thrown out by the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Arthur McBay  
Chief Medical Examiner  
State of North Carolina  
Department of Human Resources  
Chapel Hill, NC 27514

Dear Dr. McBay:

We are sorry that we did not have time to hear your testimony on CSSB 32 (HESS) last Thursday and apologize if it was an inconvenience for you. Members of the Committee would sincerely appreciate, however, if you could provide written comments. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.

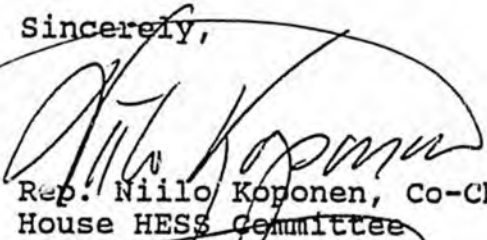
Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would probably not meet the constitutional test and would be thrown out by the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

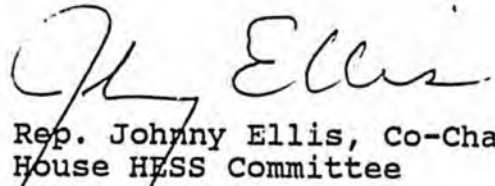
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Forest Tennant  
336 1/2 S. Glendora Ave.  
West Covina, CA 91790

Dear Dr. Tennant:

We are sorry that we were unable to hear your testimony on CSSB 32 (HESS) on April 14th. Our staff contacted your office several times to confirm your availability. Unfortunately it was not manageable to connect you to the Legislative Teleconference Network with such late notice. Members of the Committee would sincerely appreciate, however, if you could provide written comments. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes given findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The Senate intended the findings section to be new evidence of marijuana's dangers.


Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from Legislative Legal Counsel states that the bill as it presently exists would probably not meet the constitutional test and would be thrown out by the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

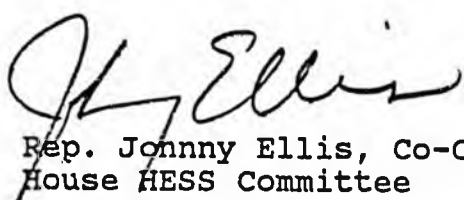
The legislature must adjourn by May 9th, so your response would be needed as soon as possible in order for the Committee to act this year. If you have any questions please contact Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Jonny Ellis, Co-Chair  
House HESS Committee



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

April 15, 1988

Dr. Arnold Relman  
Editor  
The New England Journal of Medicine  
1440 Main St.  
Waltham, MA 02254

Dear Dr. Relman:

Thank you for providing us with the names of individuals who could testify authoritatively on the report, Marijuana and Health. Unfortunately, we received the names the day after the hearing. You and the other doctors, however, can still be of great assistance to our committee.

We have referred the legislation in question, CSSB 32 (HESS) to a subcommittee due to serious questions about the validity of the findings in the bill. Since many of the findings were derived from Marijuana and Health, your help and the help of the other doctors would be extremely valuable in determining if the findings accurately represent your research. Members of the Committee would sincerely appreciate if you could provide written comments and other documentation regarding this bill. We are specifically looking for the scientific documentation from which each of the findings in this bill were taken. We are interested also in any scientific evidence which refutes the findings.

We realize that this is a large task given the complexity of the findings. It is very important, however, to the fate of this bill and the future of marijuana laws in Alaska. As you probably know, in 1975 the Alaska Supreme Court, in Ravin v. State allowed for the possession of under four ounces of marijuana, by an adult, in the home, for personal use, due to the strong right to privacy in the State Constitution. The Court's opinion stated that the use of marijuana did not pose a significant public health problem, and was far more innocuous than alcohol and tobacco. The court did allow for a reversal of this decision based on the presentation of new evidence of the dangers of marijuana. The bill sponsor intended the findings section to be new evidence of marijuana's dangers.

Since this bill, if passed, will undoubtedly come again before the court, the validity and substantiation of these findings is critical to a convincing argument leading the court to overturn the Ravin decision. Based on the testimony we heard last week, Committee members feel that several of the findings either need better documentation or need to be deleted altogether. An opinion from our Legislative Legal Counsel states that the bill as it presently exists would probably not meet the constitutional test and would be thrown out by the court. This would result in a waste of time and money by the legislature, and would serve to discredit the legislature in the eyes of the court. If we are to pass this bill, we need better documentation, and your help in this regard would be greatly appreciated.

Enclosed is a copy of the bill, a copy of the Ravin decision and a copy of the legal opinion from Legislative Legal Counsel.

The legislature must adjourn by May 9th, so your response would be needed as soon as possible for the Committee to act this year. If such a quick response is not possible, we would still welcome your comments to be included as part of the official legislative record. A bill similar to this has been in the Legislature for the past six legislative sessions, and could be introduced again.

Our staff informs us that you preferred to defer to the other research professionals regarding any comment on the report. We would still appreciate your personal comments however, given your preeminence in the medical community and since Marijuana and Health is known colloquially as the "Relman Report".

If you have any questions please contact us or Jim Nordlund of our staff at (907) 465-3759.

Thank you.

Sincerely,



Rep. Niilo Koponen, Co-Chair  
House HESS Committee



Rep. Johnny Ellis, Co-Chair  
House HESS Committee

SB

32

file 2

The Most Relevant  
Information on Medical, ~~and~~  
Usage, Constitution, Legal

---

---

Finding #	MORGAN	JONES	McBay	BONAR	Mikuriya	Segal
-----------	--------	-------	-------	-------	----------	-------

1	T	T	T	T	T	T
2	?	T	?	T	T	T
3	F	T	?	T	F	F
4	F	?	?	T	F	F
5	F	F	F	T	F	F
6	?	T	F	T	F	?
7	T	T	T	T	-	T
8	F	F	?	T	F	F
9	F	F	F	?	F	F
10	F	?	?	T	?	F
11	-	?	?	T	F/T	?
12	-	T	?	T	T	T
13	-	?	?	T	F	F
14	-	T	T	T	-	T

Forest S. Tennant, Jr., M.D., Dr. P.H.  
Community Health Projects, Inc.  
336½ South Glendora Avenue  
West Covina, California 91790  
(818) 919-1879

April 29, 1988

Rep. Niilo Koponen and  
Rep. Johnny Ellis  
House HESS Committee  
Alaska State Legislature  
Juneau, Alaska 99811

RE: New Medical Information on Marijuana

Dear Rep. Koponen and Ellis:

I am pleased to provide my opinion relative to new medical information on marijuana.

In contrast to the 1970's, the latter part of the 1980's has witnessed a new medical event and that is the emergence of marijuana dependence among large numbers of persons. This has been primarily evidenced by marijuana addicts applying for medical detoxification. The seeking of treatment for marijuana addiction was something rarely observed in the 1970's, but it is now commonplace primarily due to the fact that the potency of marijuana has increased to a point that dependence is relatively easy to achieve. I have attached a recent article on marijuana dependence written by me.

In addition to the emergence of marijuana dependence as a serious public health problem, there are two other new findings with marijuana:

1. It's breakdown products or metabolites remain in the blood for at least two or three days after smoking;
2. Chronic marijuana use depletes certain brain chemicals.

In contrast to previous reports and beliefs, many medical authorities now believe that the breakdown or metabolite products are not inactive. Even though these breakdown products do not cause changes in blood pressure, pulse rate, or produce euphoria, they likely exert some type of activity on brain chemical function and they likely produce eye changes. For example, we have been able to document effects on the eye (non-reactive pupil; non-convergence) for two to four days after a joint is smoked. In a study conducted at Stanford University trained pilots performed very poorly on a flight simulator twenty-four hours after smoking a joint and this is likely due to the fact that the breakdown products are still exerting some type of adverse neurologic activity and likely effects on the eye.

April 29, 1988

Rep. Niilo Koponen and

Rep. Johnny Ellis

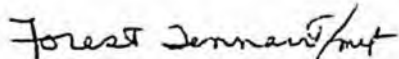
Page 2

A number of studies now document that the chronic use of marijuana reduces or depletes the brain levels of certain chemicals. Just how permanent these changes can be after drug use has stopped is uncertain, but there is growing scientific evidence that permanent biochemical changes can result from the chronic use of marijuana and some other psychoactive drugs.

The new findings about marijuana dictate that steps be taken in Alaska to protect the public health. The current law in Alaska allows any person to take marijuana in any dosage and chronicity that they desire. This effectively means that you have more control over nicotine and alcohol than you do marijuana. The major problem with your current law, in my opinion, is that it symbolically gives the public, particularly the teenagers, the idea that marijuana is perfectly safe and less harmful than nicotine and alcohol which is not necessarily the case.

The overall trend in the United States is to pass laws which bring down the overall levels of intake of all of the common drugs. For example, the new law prohibiting smoking on flights of less than two hours is a case which attempts to lower the intake of nicotine. It certainly appears to me that Alaska can modernize their marijuana law and reduce the overall intake of marijuana in Alaska and this should be the ultimate goal of new legislation.

Respectfully submitted,



Forest Tennant, M.D., Dr., P.H.

Attachment

FST/mlf

INTERNAL MEDICINE  
ENDOCRINOLOGY

JEANNE R. BONAR, M.D.  
3300 PROVIDENCE DRIVE, SUITE 301  
ANCHORAGE, ALASKA 99508-4683

(907)  
561-1363

April 25, 1988

Hess Committee  
Alaska State Legislature  
Committee on Health, Education and Social Services

Attn: Representative Niilo Koponen  
Representative Johnny Ellis

Dear Representative Koponen and Representative Ellis:

Thank you very much for hearing my testimony on April 15, 1988 by teleconference. You asked me to testify only on the medical findings, and I tried to limit my discussion to specific proofs of medical toxicity related to marijuana. With the exception of Dr. Jacobs, the pediatrician from California, the psychiatrists who testified did not present scientific knowledge. Psychiatrists look at drug research from a different perspective than an internist/pediatrician. As an internist and endocrinologist, I have been more involved with the specific toxicology side effects. When a psychiatrist sees side effects from a drug or drug abuse, he would be bound by ethics to refer that patient to an internist or pediatrician who could evaluate any medical complications.

I have enclosed a humorous excerpt from Art Buchwald which is entertaining but gives you a message. It is called "Smoking and Research." He describes a situation in a research laboratory where they throw out the "sick rats" to prove their point that smoking is not harmful. I implore you not to overlook the "sick rats."

Legislators do not have the expertise to evaluate the medical literature. The sheer volume of medical literature and implications of complications of toxicity to marijuana is impressive. Many of the articles are published in referee journals. By that term I mean the article is reviewed by other experts and evaluated for authenticity. Dr. Zinberg remarked that a lot of the research was poorly done, and I will have to concur there is a lot of medical research that is poorly done. More commonly the psychiatric research is extremely poor, and not objective. They base conclusions on anecdotal and subjective or clinical impressions.

The burden of proof is on the Representatives in the Alaska state legislature to prove that marijuana is safe, rather than for the experts to say it is toxic and offer you proof of ill effects. It is your responsibility now to make that decision, and I do not envy you. I would advise you to say strongly that this is a toxic drug and should not be used in the home. There is certainly new medical evidence in several areas, endocrinology, immunology, and genetics. There is no doubt the marijuana cigarette contains a higher amount of carcinogens (a setup for lung cancer).

Although a few responsible, well meaning adults could conceivably use marijuana occasionally at home, and derive some pleasurable experiences, I do not think that is of benefit to the society as a whole, and the risk you are taking to continue to legalize the use of this drug strongly outweighs the benefits. It would be irresponsible to not act immediately on this evidence.