



May 17, 2017

Dear Alaska State Legislator(s):

We are writing to state opposition to HCS CSSB 63(CRA) Regulation of Smoking as written and would urge that it either be amended or voted down if it makes it to the floor.

*Requested amendment to HCS CSSB 63(CRA)
Page 4 / Line 20-31 (specifically line 29)
18.35.301(h)(3)*

- (h) Nothing in this section prohibits an individual from smoking*
- (1) at a private residence, except a private residence described in (b) of this section or while a health care provider is present;*
 - (2) in a stand-alone shelter if the stand-alone shelter meets the following requirements:*
 - (A) food or drink may not be sold or served in the stand-alone shelter; and*
 - (B) the stand-alone shelter meets the minimum distance requirements of (c) of this section; or*
 - (3) in an establishment licensed under AS 17.38 that is **[freestanding if the smoking is]** in accordance with regulations adopted by the Marijuana Control Board created under AS 17.38.080.*

Reason for opposition/amendment:

First, a regulation project is currently open at the Department of Commerce which would clarify operations around allowable onsite consumption. Prohibiting something at a statutory level that is more

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appropriate at the regulatory or municipal level could yield a conflicting outcome for the regulators and the industry.

Second, there are many regions in Alaska where freestanding buildings are rare, example Juneau. Many AS 17.38 licensees have secured retail space (at great cost) that is not freestanding, however they are excited to comply with any and all regulations pertaining to air purification, public notice and rights of protest of neighbors, hours of allowable operation, municipal ordinances, etc. A statute as currently written would deter from public safety, as a primary goal of offering a place to consume is to ensure that legal marijuana is consumed away from minors and the public at large.

Lastly, it is evident that this language was provided by the same special interest group that provided it to Marijuana Control Board (MCB) member Loren Jones, as it is the same language he submitted on March 17, 2017 to the Director, her staff, and the Department of Law when board members were asked to weigh in. Attached is a copy of this email. We understand that lobbyists for the Cancer Society spend a tremendous amount of time in the capitol in their multi-year long quest to make smoking tobacco prohibited in the workplace statewide, but we are disturbed that they are now convincing policy makers to treat cannabis like tobacco. There is ample research to show the significant difference between the two substances from a second hand smoke perspective. We are happy to provide this research if one was interested in further dialogue. During the ballot measure campaign we agreed to be regulated like alcohol, not tobacco.

In general, we are disappointed with MCB member Loren Jones's recommendations, and feel it is important to bring this to the legislature's attention as he is likely consulted on these matters. You will see in the provided email that he is hoping to only offer onsite consumption in a limited capacity, if at all. He does not want anyone to enjoy their experience, as he puts it, "No onsite entertainment may be provided such as TV's, pool tables, dart games, etc. This space is to try marijuana or a marijuana product and then to leave." By not providing the supervised social atmosphere, we are offering people an intoxicating substance, then

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asking them to turn around and leave the premises. This makes us question his expertise as the board member tasked with safeguarding public health. Wouldn't it be in the interest of public health to offer a person a place to safely consume, under the supervision of trained, licensed, establishment staff, in the same way you would at an alcohol bar? Industry players can provide a regulated environment to consume, enjoy friends, sober up, and then get themselves to their next destination safely. We mention this in hopes that the legislature identifies with us, and sees the prohibitionist agenda that is likely being preached to them by board members posing as public policy experts and individuals who pander to special interests groups, etc.

In closing, we ask that you, in the interest of public safety and health, not push cannabis consumption to the sidewalks, where local law enforcers can't afford to enforce given our fiscal climate. Let the public process work for Alaska, and allow the regulations to be promulgated based on science, logic, and truth, not the hype, stigma and fear mongering of the few.

Please let us know if you have any questions. Thank you for your consideration.

Sincerely,

Board of Directors
Alaska Marijuana Industry Association

Attachment: Email to AMCO from Loren Jones dated 3/17/17