

ALPHA Resolution 2015 - APPROVED
For the Taxation and Regulation on the Production, Sale, and Use of Marijuana
to Protect the Health of Alaskans

WHEREAS, as a result of public approval of the legalization of marijuana, Alaska will allow people age 21 and older to possess up to one ounce of marijuana and up to six plants. The manufacture, sale and possession of marijuana, its derivative products intended for consumption, and paraphernalia will also be legal;

WHEREAS, the commercialization and industrialization of marijuana would result in the promotion and advertising of marijuana, marijuana infused edibles, marijuana concentrates (such as butane hash oil, shatter and earwax) and marijuana accessories in Alaska, with the intention of increasing consumption of these products for the benefit of the industry;

WHEREAS, for the past 10 years, Alaska has consistently ranked among the highest in the nation for illicit drug use in each of the primary age categories tracked by the National Survey on Drug Use and Health. When marijuana is removed from the equation, Alaskan illegal drug use prevalence rates are closer to national average with youth and young adult rates below the national average¹;

WHEREAS, when marijuana is smoked, THC rapidly passes from the lungs into the bloodstream, which carries the chemical to the brain and other organs throughout the body. It is absorbed more slowly when ingested in food or drink.²

WHEREAS, there is very little research available on the safety of edible products. The Food and Drug Administration (FDA), and Centers for Disease Control and Prevention (CDC) do not have food safety standards for marijuana infused foods.

WHEREAS, “vaping” is a way of consumption by which marijuana infused oils are blended with secondary substances, usually propylene glycol, and inhaled. Propylene glycol, a common food additive and airplane de-icing agent, has not been approved by the FDA for use as inhalant.

WHEREAS, early initiation and regular adolescent use have been identified as particular risk factors for later problematic cannabis (and other drug) use, impaired mental health, delinquency, lower educational achievement, risky sexual behavior and criminal offending in a range of studies. It is estimated that approximately one in ten people who had ever used cannabis will become dependent with risk increasing markedly with frequency of use;³

WHEREAS, there is evidence that regular use of marijuana increases the risk of heart, lung, mental health problems, and possibly some types of cancer. Less is known about health issues that might be caused by

¹ National Survey on Drug Use and Health, 2013

² National Institute on Drug Abuse. Marijuana Retrieved from <http://www.drugabuse.gov/publications/drugfacts/marijuana> on January 11, 2015

³ Copeland, J., Swift, W. (2009). Cannabis use disorder: Epidemiology and management. *International Review of Psychiatry* Vol 21, No. 2, Pages 96-103.

casual or infrequent marijuana use, due to a limited scientific evidence base regarding marijuana consumption⁴;

WHEREAS there is evidence that there would be significant downstream health and social services costs and consequences with the legalization of marijuana including: reduced perception of risk of marijuana among youth; increased costs for addiction and substance abuse treatment; and an increase in child protection services for youth in homes with regular and persistent marijuana use;

WHEREAS, unintentional marijuana ingestion has increased by young children after modification of drug enforcement laws for marijuana possession in Colorado^{5,6};

WHEREAS, the issuance, renewal and revocation of all commercial licenses should be upheld by the Marijuana Control Board (MCB) with the full intent to use public health recommendations to effectively control the commercialization of marijuana.

WHEREAS, the taxation of marijuana should remain at least \$50 per ounce excise tax on the sale or transfer of marijuana from a cultivation facility to a retail store or marijuana product manufacturing facility.

WHEREAS, the implementation of the law must continue to allow a local government to prohibit the operation of commercial marijuana-related entities. A local government must be able to enact a local ordinance or through voter initiative. The ordinances may cover the time, place, manner, and registration of a marijuana entity's operations.

WHEREAS, the implementation of an evidence-based public education campaign by the Department of Health and Social Services will impact social norms around the use, health effects, and regulation of marijuana to support effective youth prevention and prevent poor public health impacts from the law.

THEREFORE BE IT RESOLVED, the Governor should allocate the appropriate level of resources for the development of regulations, which must include public health representatives from many sectors. The regulation of recreational marijuana use requires coordination between a number of disciplines and content areas, including:

- Chronic disease prevention and control (e.g., lessons from tobacco and alcohol)
- Maternal and child health (e.g., effects on adolescent brain development, use while pregnant or breastfeeding, secondhand smoke exposure in children)
- Injury prevention (e.g., impaired driving, workplace hazards)
- Food safety (e.g., edible preparations)
- Environmental health (e.g., disposal and waste, safe pesticide use)
- Mental health & substance abuse (e.g., psychosis and interactions with other substance abuse)

⁴ Colorado Department of Public Health and Environment: Retail Marijuana Public Health Advisory Committee's Marijuana Use and Injury, & Marijuana Use and Extra-Pulmonary Disease Findings Summary. Approved September 15, 2014

⁵ Wang G, Roosevelt G, Heard K. Pediatric Marijuana Exposures in a Medical Marijuana State. *JAMA Pediatrics*. 2013;167(7):630-633. doi:10.1001/jamapediatrics.2013.140.

⁶ Hurley W, Mazor S. Anticipated Medical Effects on Children From Legalization of Marijuana in Colorado and Washington State: A Poison Center Perspective. *JAMA Pediatrics*. 2013;167(7):602-603. doi:10.1001/jamapediatrics.2013.2273.

THEREFORE BE IT FURTHER RESOLVED, in the interest of the health and public safety, the Alcohol Beverage Control Board or its successor agency must adopt and implement strict regulations to protect the public's health. The production and sale of marijuana should be regulated so that:

- Individuals must have ID to purchase marijuana in a retail establishment for private use.
- Legitimate business persons will conduct cultivation, distribution, and retail sales.
- Businesses will be regulated through registration fees, state and local guidance for the location and density of retail outlets for marijuana, clear guidelines for responsible operations, and rigorous health and safety standards developed by the State of Alaska.
- Registration fees and fines above the current alcohol or tobacco regulations. Active enforcement of the sale of marijuana to Alaskans over the age of 21 with strict fines of greater than \$500 and a loss of ability to sell for 30 days post violation is necessary to effectively control responsible sales.
- Violations by registered marijuana businesses will be consistently enforced.
- Products will be labeled to inform and protect consumers.
- Taxes will be collected and part or all of the resulting revenue will be used for the administrative, quality testing, enforcement and public safety costs associated with the sale and use of marijuana. A portion of not less than 25% should be allocated to marijuana prevention and cessation programs.
- The Department of Revenue should not exempt certain parts of the marijuana plant from the tax or establish a lower tax rate for certain parts of the plant.
- Public education campaign by DHSS will be produced to be placed statewide.
- Inclusion of population level limits in licensing and density considerations.
- No advertising of products is allowed, this includes in television, print, radio or out of home.
- Signage of the buildings must be discrete, must have secured entry ways, and prohibit the entrance of minors.

FISCAL IMPACT ON ALPHA: This action will result in minor costs associated with sending this resolution and accompanying cover letter to the Governor, Alaska Alcohol Beverage Control Board, local governing bodies including the Municipality of Anchorage, the Fairbanks North Star Borough, the Matanuska-Susitna Borough, and the City and Borough of Juneau, and key political leaders.

PUBLIC HEALTH IMPACT: By adopting and implementing strict regulations on the production, sale and taxation of marijuana will protect the public from the health hazards and potential negative social consequences associated with marijuana use. Implementing a strong, evidence-based public education campaign and public health strategies will prevent youth from starting to use marijuana, prevent accidental ingestion of marijuana products, and support enforcement of marijuana policy regulations.