

MATANUSKA-SUSITNA BOROUGH

350 E. Dahlia Ave., Palmer, Alaska 99645

CHAIRPERSON

Sara Williams

VICE CHAIR

Darryl Dreher

COMMITTEE MEMBERS

Lisa Albert-Konecky

John Anderson

Lyn Carden

Savon Duchein



COMMITTEE MEMBERS

Link Fannon

Ed Gravley

Delena Johnson

Lance Ketterling

Ronda Marcy

Brandon Montano

John Norris

Crystal Nygard

Rebecca Rein

Mark Rempel

Joseph Schmidt

MARIJUANA ADVISORY COMMITTEE AGENDA

ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

SPECIAL MEETING

6 P.M.

FEBRUARY 29, 2016

I. CALL TO ORDER; ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. January 25, 2016

IV. AUDIENCE PARTICIPATION (Three minutes per person)

V. ITEMS OF BUSINESS

A. Discussion Regarding Possible Marijuana Tax; Possible Resolution to the Assembly Regarding a Marijuana Tax

VII. COMMITTEE AND STAFF COMMENTS

VIII. ADJOURNMENT

TO PROVIDE EMAIL COMMENT REGARDING AGENDA ITEMS

PLEASE EMAIL: Brenda.henry@matsugov.us

I. CALL TO ORDER; ROLL CALL

The meeting of the Matanuska-Susitna Borough Marijuana Advisory Committee was called to order at 6 p.m. by Chair Williams for the purpose of conducting a special meeting.

Board members present and establishing a quorum were:

Ms. Sara Williams, Chair
Mr. Darryl Dreher
Mr. Ed Gravely
Mr. Lance Ketterling
Ms. Savon Duchein
Ms. Lisa Albert-Konecky
Ms. Ronda Marcy
Ms. Rebecca Rein
Ms. Edna DeVries
Ms. Alyssa Farrar

Staff in attendance were:

Ms. Brenda J. Henry, CMC, Assistant Clerk
Ms. Susan Lee, Planner II

II. APPROVAL OF AGENDA

Chair Williams queried if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved as presented without objection.

III. APPROVAL OF MINUTES

A. November 15, 2015

Chair Williams queried if there were any changes or corrections to the November 15, 2015, or the September 17, 2015, meeting minutes.

VOTE: The minutes were approved as presented without objection.

IV. AUDIENCE PARTICIPATION

The following person spoke to concerns with the public process: Mr. Eugene Carl Haberman.

V. ITEMS OF BUSINESS

A. Elect Chair

MOTION: Ms. Rein nominated Ms. Williams for Chair.

The nomination was seconded.

VOTE: There was no objection noted.

B. Elect Vice Chair

MOTION: Ms. Marcy nominated Mr. Dreher as Vice Chair.

The nomination was seconded.

VOTE: There was no objection noted.

C. Public Comment, Committee Discussion, and Possible Approval of a Draft Ordinance Adopting MSB 8.41, Marijuana Related Facilities License Referral.

Chair Williams opened up the public comment period.

The following person spoke to concerns with the public process: Mr. Eugene Haberman.

There being no others present who wished to testify, public comment closed and discussion moved to the Committee.

Ms. Duchein spoke to concerns with the lack of public at the meeting and spoke to the possibility of postponement.

Ms. Henry:

- stated that in her experience when something is not controversial, that not a lot of public attend;
- noted that a license referral process is likely not considered controversial;
- spoke to the timeframes by the State regarding marijuana regulations;
- advised that the Committee address the legislation instead of postponing that; and
- noted that decision is up to the Committee.

Chair Williams:

- spoke to the Planning Commission and Assembly timeframes that will be required to address the legislation; and
- spoke in support of taking up the legislation this evening so that there is a process in place before the State begins to issue licenses.

Chair Williams queried if there was any objection to continuing on with taking up the legislation.

There was no objection noted.

MOTION: Ms. Marcy moved a primary amendment to MSB 8.41.040(A), by striking “one mile” and inserting “one-quarter mile” in its place to read: “A Borough resident who lives within one-quarter mile of where a marijuana related facility properly licensed by the Alaska State Alcohol and Marijuana Control Office is located, may file an objection to the Planning Department.”

The motion was seconded.

VOTE: The primary amendment failed with Mr. Dreher, Ms. Duchein, and Ms. Marcy in support and Ms. Williams, Mr. Gravely, Mr. Ketterling, Ms. Albert-Konecky, Ms. Rein, Ms. DeVries, and Ms. Farrar in opposed.

The Committee continued to discuss the legislation.

MOTION: Ms. Rein moved to forward the draft legislation to the Assembly for consideration.

The motion was seconded.

VOTE: The motion passed without objection.

VI. BOARD COMMENTS

Ms. Henry:

- advised that she would like to schedule the next meeting for February 29, 2016, at 6 p.m.;
- noted that the topic of discussion would be regarding taxes and that the Borough Attorney would be present to answer questions; and
- requested that members provide their questions in advance if possible in order to facilitate the efficiency of the meeting.

Ms. Albert-Konecky queried if a tax would be in different than the State tax.

Chair Williams affirmed the query and noted that any tax would be only for the benefit of the Borough.

Mr. Dreher:

- thanked the body for voting him in as Vice Chair; and
- thanked the public for their participation.

Mr. Gravely stated that he is pleased that the body is able to work together cohesively.

Ms. Duchein thanked the public for their participation.

Ms. Marcy thanked everyone for their attendance.

Ms. Rein thanked Ms. Henry for writing clear and concise legislation that is very easy to follow.

Ms. DeVries:

- echoed the comments of Ms. Rein;
- stated that she would like to know whether marijuana taxes can be allocated; and
- queried if there was a tax cap that could impact marijuana taxes.

Ms. Rein:

- stated that she would like to know the difference between an excise tax and a sales tax; and
- continued that she would also like to know how the two are implemented.

Ms. DeVries queried if discussion regarding business licenses has been addressed.

Ms. Henry advised that current code requires those who do business in the Borough to have a business license.

Ms. Rein queried if there would

VII. ADJOURNMENT

The meeting adjourned at 6:43 p.m.

To Provide Comment to the Marijuana Advisory Committee regarding this draft resolution, please click on "For Comment."

FOR COMMENT

Action:

**MATANUSKA-SUSITNA BOROUGH
MARIJUANA ADVISORY COMMITTEE
RESOLUTION SERIAL NO. 16-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH MARIJUANA ADVISORY COMMITTEE RECOMMENDING THAT THE ASSEMBLY ENACT A MARIJUANA EXCISE TAX.

WHEREAS, on November 4, 2014, Ballot Measure 2 was approved by the voters of Alaska; and

WHEREAS, Ballot Measure 2 generally legalized marijuana and provided the framework for municipalities to exercise local control options; and

WHEREAS, the Matanuska-Susitna Borough Marijuana Advisory Committee (MAC) was created by Assembly Resolution Serial No. 15-007; and

WHEREAS, the purpose of the MAC was to advise the Assembly on the implementation of Ballot Measure 2; and

WHEREAS, the MAC has recommended that the Assembly adopt land use regulations for marijuana related facilities; and

WHEREAS, the MAC has recommended that the Assembly adopt a marijuana related facilities license referral process;

WHEREAS, the MAC recognizes the positive impact that a marijuana excise tax could have upon the Borough's budget.

WHEREAS, it is not the recommendation of the MAC that the Assembly adopt an excise tax in such an excessive amount as to

encourage the black market;

WHEREAS, there is a citizens' initiative petition on the ballot of the October 4, 2016, Borough election could ban commercial marijuana within the Borough; and

WHEREAS, due to the initiative petition, there is a lot of uncertainty about the future of commercial marijuana in the Borough; and

WHEREAS, it is the intent of the MAC to support the public process and provide for governmental transparency.

NOW, THEREFORE, BE IT RESOLVED, that the MAC hereby recommends an excise tax not be adopted until after the outcome of the vote on the citizens' initiative petition slated to be on the ballot of the October 4, 2016, general Borough election.

BE IT FURTHER RESOLVED, that the MAC recommends that whatever excise tax is adopted, not be excessive so as to encourage the black market.

ADOPTED by the Marijuana Advisory Committee this ___ day of
February, 2016.

SARA WILLIAMS, MAC Chair

ATTEST:

BRENDA J. HENRY, CMC, Assistant Clerk

DRAFT ONLY