

From: 4muddy@gmail.com
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: no on secondhand MJ smoke
Date: Thursday, January 12, 2017 9:00:28 AM

ventilation helps reduce odors, not clean the air.
smoke is smoke is smoke no matter the source.
no to smoking weed in lounges and stores!
thank you for your time.

Sent from my iPhone

From: [Amber Peltier](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Onsite Consumption Endorsements
Date: Wednesday, January 11, 2017 7:04:18 PM

I am opposed to onsite consumption of marijuana. If people want to smoke weed they should do it in the privacy of their own home.

Amber Peltier

Sent from my iPhone

From: [Heather Aronno](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment for the Marijuana Control Board regarding Onsite Consumption
Date: Friday, January 13, 2017 4:00:45 PM

Hello,

I'm writing to to the Marijuana Control Board today to voice my opposition to the proposal allowing onsite consumption of marijuana in a public business location. I care about this issue because I don't think employees should have to breathe secondhand smoke in the workplace. We don't know what the long term effects of breathing secondhand marijuana smoke may be, and I think it's important for this new industry to take the health of its employees seriously.

When I voted for the ballot initiative to legalize marijuana, I read that it would not be legal to use it in public. The people of Alaska had a lot of time and information to consider this measure, and I don't believe the Marijuana Control Board should take it upon itself to reinterpret the will of Alaska voters to change this provision in the law.

Alaska is cutting new ground regarding marijuana legalization and sales. Let's help ensure we aren't punishing the workers in this new industry with raised healthcare risks and costs down the road by allowing them to be exposed to secondhand marijuana smoke in the workplace.

Thank you,

Heather Aronno
Anchorage, AK

From: [Gloria Benson](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Marijuana letter
Date: Friday, January 13, 2017 3:51:16 PM
Attachments: [Marijuana letter.docx](#)

Thank you!!

Gloria A. Benson
Dept of Behavioral Services CDC 1
Yakutat Community Health Clinic
P.O. Box 112
Yakutat, Alaska 99689
907-784-3275 ext. 115

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To whom it my concern:
January 13, 2017

I am opposed to the proposed regulation allowing for onsite consumption in marijuana stores. I don't think Alaskans should have to breathe ___second hand smoke___ in a public business location. I care about public health because smoke contains carcinogens that are directly linked to cancer. Alaska would be the first state to have licensed marijuana bars and I think that's a really un-researched area. Alaska should be first at good things like promoting health and clean air for us to breathe not for exposing people to secondhand marijuana smoke and encouraging public use. When I voted on the ballot initiative to legalize marijuana, I read that it would not be legal to use it in public, and to me public means the space where I shop, walk, drive, hike and take family and friends to do the same. Please do not create more work for public safety officials, families along with organizations who are trying to be healthier. We need safe roads to drive on and not worry about impaired drivers from alcohol along with marijuana. Not enough research has been done to measure how high a person using nanograms while driving. We are to new in this field to allow permission in an area we need to do a lot more work in before permitting this regulation.

Thank you,

Gloria A. Benson CDC 1
YCHC
P.O. Box 112
Yakutat, Alaska 99689

From: [Cheryl Bowie](#)
To: [AMCO Admin \(CED sponsored\)](#)
Subject: Fwd: Cannabis Social Clubs
Date: Monday, December 05, 2016 11:29:23 AM

----- Forwarded message -----

From: Cheryl Bowie <cheryl.bowie@gmail.com>
Date: Mon, Dec 5, 2016 at 11:03 AM
Subject: Cannabis Social Clubs
To: marijuana@alaska.gov <marijuana@alaska.gov>

I support cannabis social clubs they provide a strong ground to establish the benefits and track community health impacts both positive and negative.

I have the following safety recommendations:

1. Medical staff/director onsite and or available in case of emergencies
2. Tested cannabis donations only because certain patient populations with immuno suppression issues can have potential fatal impacts from grey mold, aspergillus and pneumocystos.
- 3,. Members obtain TB testing due to the increase in TB in Alaska's high risk population and the airborne nature of transmission.
4. Members and patients be advised of safe marijuana use practices and equipment cleaning practices.

Thank you for supporting a safe and healthy cannabis community so we can clearly establish the benefits in a safe and inclusive manner.

Sincerely,

Cheryl Bowie
[9079036513](tel:9079036513)

From: [Cheryl Bowie](#)
To: [AMCO Admin \(CED sponsored\)](#)
Subject: Public comments and other correspondence
Date: Tuesday, December 27, 2016 4:52:44 PM

Can you please remove anything from me for public comment or complaint. I have decided to stay out of this. it's too much and I can't get in the industry yet until regs are developed in other industries.

Thank you and sorry for the inconvenience and I don't want any turmoil or lash back.

Cheryl Bowie
Bowie Consulting

From: [Jennifer Brandt](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Opposed to Onsite consumption of Marijuana
Date: Friday, January 06, 2017 3:03:37 PM

To Whom It May Concern,

My name is Jennifer Brandt, I am writing to you today as a concerned parent and citizen. I would like to respectfully submit comments on proposed regulation 3 AAC 306.365 for onsite consumption of marijuana in licensed retail operations. I oppose the public consumption of smoked, dabbed, vaped or aerosolized for several reasons. I am particularly concerned with the aspect of second hand smoke from marijuana. The American Society of Heating, Refrigeration, & Air Conditioning Engineers stated in a 2010 position document "At present, the only means of effectively eliminating health risks associated with indoor exposure is to ban smoking activity". Even high quality ventilation systems will not prevent marijuana smoke or aerosol from moving from the consumption area to other parts of the retail store or the building they may be in. And second hand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as second hand tobacco smoke which could exacerbate health problems, including people with respiratory conditions like asthma, bronchitis or COPD.

Everyone has the right to breath clean air! Ballot Measure 2 was CLEAR, the public consumption of marijuana was intended to remain illegal.

Thank yo for your consideration on this matter!

Regards,
Jennifer Brandt
Wasilla Resident

From: [Anna Brawley](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Marijuana Consumption Endorsement
Date: Thursday, January 12, 2017 11:36:27 PM
Attachments: [MJ Reg 3 AAC 306.365, Comments, ABrawley, 1-12-17.pdf](#)

Hello,

Please find attached my comments on the proposed regulations 3 AAC 306.365 regarding onsite consumption of marijuana at retail stores.

Best,
Anna Brawley
Anchorage resident

To: Marijuana Control Board

Attn: Sara Chambers, Acting Director, via email marijuana@alaska.gov

From: Anna B. Brawley, Anchorage resident

Date: Submitted January 12, 2017

Re: Public comments on marijuana control regulations for onsite consumption at licensed retail stores, round 3, published November 22, 2016

The following comments are in response to the proposed regulations for consumption of marijuana at licensed retail stores. As always, thank you for the opportunity to comment and participate in this process.

3 AAC 306.365: I oppose the concept of onsite consumption at marijuana businesses at this time, and believe this concept was advanced by the Marijuana Control Board without sufficient public discourse or input. Ballot Measure 2 was clear, the public consumption of marijuana was intended to remain illegal unless subsequent law changed this. The language in the ballot measure, voted on by the public and now enacted in AS 17.38.040, does not allow for public consumption of marijuana. The first regulations adopted by the Board in February 2015 to define “public” supports this restriction. The draft regulations released for public comment in fall 2015 about business licenses specifically prohibited public consumption and onsite consumption at retail stores, and were only changed with an amendment during a Board meeting, after public comment was closed. The decision of whether to allow public consumption of marijuana did not provide sufficient opportunity for public input at the appropriate time, and has now been proposed for regulation without sufficient public discourse about the concept as a whole. This is still an untested concept in the U.S. and we have even fewer precedents to consider than we have had with legalization overall.

Existing state law has established retail stores as public places: AS 18.80.300(16) defines a public place as “a place that caters or offers its services, goods, or facilities to the general public,” even if (like alcohol and marijuana establishments) the law restricts who can enter the premises, in both cases adults at least 21 years of age. I believe that allowing this activity is not in accordance with the language or intent of the ballot measure, or the subsequent laws put into place in AS 17.38, and believe that it is also premature of our state to allow this activity when the legal market has only begun to operate, nor do we know what impacts this transitional period will have on the public. I urge the Board to seek additional legal counsel on this matter, and if possible publish a legal opinion from the Department of Law providing documentation of the legal authority (if any) that would allow the Board to enact regulations to allow this activity which seems to be expressly prohibited in statute.

Alternatively, this issue could be resolved by allowing this activity through a new license created through legislative action—and become an approved set of activities like all other alcohol and marijuana licenses created in statute. Creating this license through legislation would also provide a forum for robust discussion about the costs and benefits of this concept, and establish clear legal basis for allowing this activity. Perhaps proponents of this concept should consider this avenue instead.

3 AAC 306.365: Objections to the entire concept notwithstanding, if this regulation is advanced and the Board has sufficient legal authority to do so, I support the language regarding what licensees can and cannot do with this endorsement. Specifically, I strongly

support provisions listed in (f). Allowing consumption of a psychoactive substance in a public place should have clear boundaries, as the effects of this activity will no doubt have other impacts and costs, as is the case with consumption (and overconsumption) of alcohol. Because we have no current precedent from another state to guide this regulation, it is important to proceed with caution and, to the extent possible, learn from regulation of alcohol, from which some of this language was taken. In particular, it is very important not to encourage overconsumption or irresponsible consumption by providing free samples, using pricing incentives or discounts to encourage more consumption, or allowing marijuana as a gaming prize. I also support the provision that does not allow delivery of more marijuana to someone who has already purchased products to consume onsite: given the length of time a person is affected by ingesting or inhaling THC, it is appropriate to limit consumption for a single session.

I support the ability of local governments to protest a consumption endorsement, and to be able to protest separately from the underlying license. Because the activity is significantly different from the underlying license—allowing people to consume the products at the store, rather than purchasing for consumption at home or elsewhere—it is appropriate for a local government to evaluate this activity separately and express any concerns with the possible impacts of that activity on the public health, safety and welfare. I also understand the rationale of requiring local governments to enforce and monitor any additional conditions placed on the license, as each jurisdiction may have its own concerns or regulations beyond those of the state. However, I am curious whether these would primarily enforced by local peace officers? Would other city or borough personnel be empowered to enforce conditions placed on a state-issued license, such as a health inspector or environmental health staff person? There may be additional need to clarify with local governments under what authority they would be enforcing state license provisions, if they do not have their own local licensing system.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anna B. Brawley', with a stylized, flowing script.

Anna B. Brawley

From: [Kristin Cox](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Fwd: Marijuana on-site endorsement round 2
Date: Tuesday, January 10, 2017 2:52:16 PM

I'm writing to urge the Marijuana Control Board to oppose the on-site consumption marijuana endorsement.

When I voted to approve marijuana legalization I did it with the understanding that this would legalize personal marijuana use as well as growing, buying and selling. The initiative specifically said NO public use. My understanding is that public places are public use.

Marijuana second-hand smoke is just as dangerous as tobacco second-hand smoke. It is not in the public's interest to be exposed to second-hand marijuana or tobacco smoke or to give the public, including youth, the impression that it is somehow safer.

Please don't prioritize profits over public health.

--

Kristin Cox, ND
Rainforest Naturopathic Medicine
2703 David St.
Juneau, AK 99801

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Kristin Cox, ND
Rainforest Naturopathic Medicine
2703 David St.
Juneau, AK 99801



Dear Marijuana Control Board,

December 13, 2016

I am submitting the following comments, on behalf of the Juneau Clean Air Coalition, in opposition to the proposed on-site regulation, for the third time.

First, the marijuana legalization initiative stated clearly there would be no public consumption of marijuana. Retail establishments are public places. Allowing marijuana consumption goes against what was originally stated in the initiative.

Second, the dangers of second-hand tobacco smoke have been well established. Peer-reviewed and published studies show that exposure to secondhand marijuana smoke has similar health and safety risks for the general public.

Secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand tobacco smoke, including significant levels of mercury, cadmium, nickel, lead, and chromium, as well as 20 times the amount of ammonia and 3-5 times more hydrogen cyanide ¹.

Marijuana smoke also contains fine particulate matter, like tobacco smoke, which has been shown to immediately and adversely affect the cardiovascular system. Marijuana smoke exposure had a greater and longer-lasting effect on blood vessel function than exposure to secondhand tobacco smoke ². Secondhand marijuana smoke can cause lung irritation, asthma attacks, and respiratory infections and can exacerbate conditions like asthma, bronchitis, or COPD ³.

In addition, people exposed to secondhand marijuana smoke can have detectable levels of THC in their blood and urine ⁴.

Alaskan communities fought long and hard to pass local comprehensive clean indoor air laws. Allowing onsite marijuana consumption will greatly undermine the integrity of these initiatives passed to protect their citizens.

Everyone has the right to breathe smokefree air. Smokefree policies are designed to protect the public and all workers from the health hazards of secondhand smoke. Scientific evidence shows the same should be true for secondhand marijuana smoke.

In the interest of health for all Alaskans and long-term savings in healthcare costs, the use of combustible or aerosolized marijuana should be prohibited in public places.

Respectfully submitted,

Juneau Clean Air

1. Moir, D., et al., A comparison of mainstream and sidestream marijuana and tobacco cigarette smoke produced under two machine smoking conditions. *Chem Res Toxicol* 21: 494-502. (2008).
<http://www.ncbi.nlm.nih.gov/pubmed/18062674>
2. Wang, X., et al., "Brief exposure to marijuana secondhand smoke impairs vascular endothelial function" (conference abstract). *Circulation* 2014; 130: A19538.
http://circ.ahajournals.org/content/130/Suppl_2/A19538.abstract
3. "Air and Health: Particulate Matter." National Environmental Public Health Tracking Network, U. S. Environmental Protection Agency. <http://ephtracking.cdc.gov/showAirHealth.action#ParticulateMatter>
4. Herrmann ES, et al., "Non-smoker exposure to secondhand cannabis smoke II: Effect of room ventilation on the physiological, subjective, and behavioral/cognitive effects." *Drug and Alcohol Dependence*. 2015 Jun 1;151:194-202. <http://www.ncbi.nlm.nih.gov/pubmed/25957157>

From: [Noel Crowley-Bell](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Online Consumption Endorsements
Date: Tuesday, January 10, 2017 9:27:04 AM



Healthier Mat-Su communities through clean air and tobacco-free environments.

Noel Crowley-Bell
Chair Breathe Free Mat-Su
1825 S Chugach St
Palmer, AK 99645

Dear Ms. Franklin,

January 4, 2017

My Name is Noel Crowley Bell. On behalf of the Breathe Free Mat-Su Coalition, and in line with our vision and mission statements, that being to promote a healthier Mat-Su community through clean air and empowering community members to advocate for clean air, we respectfully submit again our written opposition on proposed regulation 3 AAC 306.365. Our opposition to secondhand marijuana smoke is based on the following facts:

No type of ventilation system will protect workers and patrons from the effects of secondhand smoke, vapor or aerosol. The licensee would be required to provide a ventilation plan to address byproducts of using marijuana onsite. Ventilation may reduce odors, but will not protect workers' health from marijuana smoke as ascertained by The American Society for Heating, Refrigerating and Air Conditioning Engineering. ASHRAE is the national professional organization that develops engineering standards for building ventilation systems.

Secondhand marijuana smoke is known to exacerbate health problems, of individuals with respiratory conditions like asthma, bronchitis, or COPD, as well as heart disease and stroke. **In addition, Ballot Measure 2 was clear, the public consumption of marijuana was intended to remain illegal. .**

We support the rights of workers and non-smoking patrons to breathe clean air. Smoke-free policies are designed to protect the public and all workers from exposure to the health hazards caused by secondhand tobacco smoke. The same needs to be true for marijuana smoke. **Secondhand smoke is secondhand smoke whether from tobacco or marijuana. Based on the available science, we recommend the Board not allow smoked, dabbed, vaporized or aerosolized marijuana consumption where workers are present.**

Thank you for your consideration in supporting worker health and prohibiting the consumption of smoked, dabbed, vaped or aerosolized marijuana in workplaces.

Sincerely,

Noel Crowley-Bell

Co-Chair Breathe Free Mat-Su

Noel Crowley-Bell

Alaska Family Services

Tobacco Program Coordinator

1825 S. Chugach Street

Palmer, Alaska 99645

907.746.6131

F 907.746.1177

From: [noelcbell](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Date: Wednesday, January 11, 2017 7:56:37 PM

Ahem...

I am opposed to the proposed regulation allowing for onsite consumption in marijuana stores. I don't think Alaskans should have to breathe second hand marijuana smoke in a public business location. I care about clean air because it is in everyone's best health interest to not expose ourselves to toxins and other combustibles that endanger our airways. Alaska would be the first state to have licensed marijuana bars and I think that's an incredibly dangerous and bad idea. Alaska should be first at good things like ensuring it's citizen's rights to clean air, not for exposing people to secondhand marijuana smoke and encouraging public use. When I voted on the ballot initiative to legalize marijuana, I read that it would not be legal to use it in public, and to me public means everywhere outside the privacy of my privately owned home.

Thank you,

Noel Crowley-Bell

Sent from my GCI smartphone

From: [Charlie Daniels](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Cc: [Charlie Daniels](#)
Subject: Marijuana On site consumption
Date: Friday, January 13, 2017 12:38:57 PM

To who it may concern,

We, Healthy Voices, Healthy Choices Coalition with Volunteers of America Alaska, are opposed to the proposed regulation allowing for onsite consumption in marijuana stores.

We don't think Alaskans should have to breathe second hand marijuana smoke in a public business location. I care about messages this sends to our youth and young adults in

Anchorage. Youth follow the lead of adults and by allowing the smoke from these locations and seeing adult community members consume marijuana,

then potentially leave via car or other motorized vehicle this sends a message to our youth that it is OK to drive under the influence and they should not be concerned about their lung health.

Alaska would be the first state to have licensed marijuana bars and I think that's a really harmful to our community and State. Alaska should be first at good things like positive youth development, not for exposing people to secondhand marijuana smoke and encouraging public use. When I voted on the ballot initiative to legalize marijuana, I read that it would not be legal to use it in public, and to me public means parks, businesses, restaurants, and retail shops to name a few.

Thanks you for taking the time to read our concerns about this issues,

Charlie Daniels

Vice President Prevention Services

Volunteers of America Alaska

Director of Healthy Voices Healthy Choices Coalition

From: ms1050ak@aol.com
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: On site consumption of marijuana
Date: Friday, January 13, 2017 1:00:22 PM

To who it may concern,

I am writing to let you know that I am opposed to the proposed regulation allowing for onsite consumption in marijuana stores. As a young adult I don't think I should have to breathe second hand marijuana smoke in a public business location and I care about the message this sends to myself and others who are not of legal age to make the decision to use marijuana. As a young adult, It becomes very confusing when adults or government says one thing and then demonstrates the opposite. This would be a clear example of "do as I say not as I do" mixed messages we as youth and young adults get on our way to adulthood.

As a first time voter, I am confused by my the fact that my vote didn't count the first time I voted on this issue. When I voted, my understanding was that if this passed, the ability to consume on site who not be allowed. I believe this will be the third time the board is deciding on an issue that has already been decided on.

Again, I state, that I don't feel that passing on site consumption is what is in the best interest of our State and sends a confusing message to myself and my peers. If this passed, Alaska would be the first state to encourage public use and I do not want to see my tax dollars being used to deal with the fall out of the behavior that can/could result in this kind of message being sent to my generation.

I respectfully ask you to think about the unintended consequences this could have on the youth in our communities and across our State.

Thanks for you time in addressing my concerns,
Logan Daniels-Engenvold

From: [Char Day](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Cc: [Marge Stoneking](#); [Emily Nenon](#); [Heather Aronno](#)
Subject: comments for the AK Marijuana Control Board
Date: Friday, January 13, 2017 11:57:18 AM
Attachments: [Letter to AK Marijuana Control Board for regulation January 2017.pdf](#)
[secondhand-marijuana-smoke \(4\).pdf](#)

Dear Marijuana Control Board Members,

Thank you for the opportunity to submit comments for your marijuana regulations. Please see the attached letter and fact sheet respectfully submitted by Americans for Nonsmokers' Rights.

Sincerely,
Char Day,
Program Manager
Americans for Nonsmokers' Rights

January 12, 2017

State of Alaska
Department of Commerce, Community, and Economic Development
Alcohol & Marijuana Control Office
Marijuana Control Board
550 W. 7th Ave, Suite 1600, Anchorage, AK 99501

Re: Comment on Onsite Consumption Endorsements

Dear Members of the Marijuana Control Board,

On behalf of our members in Alaska, Americans for Nonsmokers' Rights (ANR) encourages the Alaska Marijuana Control Board to **prohibit public marijuana smoking and vaping of aerosolized marijuana in all public places and workplaces, at all times, without exception.**

ANR is a national, public health non-profit organization established in 1976 that advocates for smokefree environments to protect nonsmokers' health and safety.

Much like secondhand tobacco smoke, marijuana smoke contains particulate matter and is a form of indoor air pollution. In several peer-reviewed research studies, tobacco and marijuana smoke have been shown to impair blood vessel function and contain significant amounts of chemicals harmful to public health (see attached fact sheet). Therefore, people who choose to smoke marijuana should not smoke it in public where it could harm others. To protect the health of non-users, the smoking and vaping of marijuana **should not be allowed in indoor spaces** where smoking poses a serious health hazard to workers and others in the building.

Currently, the proposed marijuana regulations contain a requirement for HVAC (ventilation) systems. The American Society for Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE), the standard setting body for the HVAC industry, affirms that mechanical solutions like **ventilation cannot control for the health hazards of secondhand smoke**, and it recently amended its ventilation standard (62.1) for acceptable indoor air quality to address marijuana. The standard is based on a tobacco and marijuana smoke and secondhand aerosol free environment.

As written, the proposed ventilation requirements in the regulations would cause businesses to invest money in structural changes and yet do nothing to address the health hazards of exposure to marijuana secondhand smoke. For this reason, ANR suggests that marijuana regulations **not include a requirement for HVAC systems** and should not include a provision for an HVAC engineer to sign off on building plans.

In addition, the marijuana guidelines should **INCLUDE explicit anti-preemption language** to make clear that license holders are subject to both current and future local smokefree laws.



It is unclear if the proposed guidelines allow marijuana smoking or vaping in businesses that sell alcohol. Because marijuana use combined with alcohol is a potentially dangerous mix, ANR recommends that all guidelines **SHOULD make explicitly clear that marijuana cannot be smoked or vaped in businesses that sell alcohol.**

As of January 1, 2017, there are at least **193** U.S. municipalities and **9** states that now restrict, prohibit or limit smoking of marijuana in public and/or workplaces in some manner. Many cities and states now recognize that it is important to protect public health from exposure to marijuana secondhand smoke. Regardless of how one feels about marijuana use, no one should have to breathe marijuana secondhand smoke at their workplace or in public places.

Given these facts, ANR urges the Alaska Marijuana Control Board to prohibit smoking and vaping of marijuana in workplaces and enclosed places to protect the health of people who breathe in these venues.

Please feel free to contact me at 510-841-3045 if you have any questions, comments, or feedback.

Sincerely,



Cynthia Hallett, MPH
President and CEO

Attachment: Marijuana Secondhand Smoke Fact Sheet

Secondhand Marijuana Smoke

“Smoke is smoke. Both tobacco and marijuana smoke impair blood vessel function similarly. People should avoid both, and governments who are protecting people against secondhand smoke exposure should include marijuana in those rules.”

-Matthew Springer, cardiovascular researcher and Associate Professor of Medicine, University of California, San Francisco

Facts about secondhand marijuana smoke:

- Marijuana smoke is created by burning components of plants in the genus Cannabis.
- Secondhand marijuana smoke is a complex chemical mixture of smoke emitted from combusted marijuana and the smoke that is exhaled by the user.
- Secondhand marijuana smoke contains fine particulate matter that can be breathed deeply into the lungs.
- Secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand tobacco smoke. Some of the known carcinogens or toxins present in marijuana smoke include: acetaldehyde, ammonia, arsenic, benzene, cadmium, chromium, formaldehyde, hydrogen cyanide, isoprene, lead, mercury, nickel, and quinoline.¹
- Marijuana smoke contains tetrahydrocannabinol (THC), the active chemical in cannabis.

Health risks of exposure to secondhand marijuana smoke:

Since marijuana is illegal under federal law, there have been a limited number of studies examining health risks associated with marijuana use and exposure in the United States. Health risks from primary and secondhand smoke exposure may also be difficult to determine as marijuana is often used in combination with tobacco.

However, peer-reviewed and published studies do indicate that exposure to secondhand marijuana smoke may have health and safety risks for the general public, especially due to its similar composition to secondhand tobacco smoke.

- Secondhand smoke from combusted marijuana contains fine particulate matter that can be breathed deeply into the lungs,² which can cause lung irritation, asthma attacks, and makes respiratory infections more likely. Exposure to fine particulate matter can exacerbate health problems especially for people with respiratory conditions like asthma, bronchitis, or COPD.³
- Significant amounts of mercury, cadmium, nickel, lead, and chromium are found in marijuana smoke, as well as 20 times the amount of ammonia and 3-5 times more hydrogen cyanide in marijuana smoke than is in tobacco smoke.⁴
- In 2009, the California Office of Environmental Health Hazard Assessment added marijuana smoke to its Proposition 65 list of carcinogens and reproductive toxins, also known as the Safe Drinking Water and Toxic Enforcement Act of 1986. It reported that at least 33 individual constituents present in both marijuana smoke and tobacco smoke are Proposition 65 carcinogens.^{5, 6}

- Secondhand smoke from marijuana has many of the same chemicals as smoke from tobacco, including those linked to lung cancer.⁷
- Secondhand marijuana exposure impairs blood vessel function. Thirty minutes of exposure to secondhand marijuana smoke at levels comparable to those found in restaurants that allow cigarette smoking led to substantial impairment of blood vessel function. Marijuana smoke exposure had a greater and longer-lasting effect on blood vessel function than exposure to secondhand tobacco smoke.⁸
- Secondhand marijuana smoke and secondhand tobacco smoke likely have similar harmful health effects because of their similar chemical composition, including atherosclerosis (partially blocked arteries), heart attack, and stroke.⁹
- People who are exposed to secondhand marijuana smoke can have detectable levels of THC in their blood and urine.¹⁰
- Marijuana also can be contaminated with mold, insecticides or other chemicals that may be released in secondhand smoke.¹¹

Including Marijuana Smoking in Smokefree Public Place and Workplace Laws:

- Everyone has the right to breathe smokefree air. Smokefree policies are designed to protect the public and all workers from exposure to the health hazards caused by exposure to secondhand tobacco smoke. The same should be true for secondhand marijuana smoke.
- The percent of U.S. adults who use marijuana more than doubled from 4.1% to 9.5% between 2001-2002 and 2012-2013,¹² which may also indicate an increase in exposure to secondhand marijuana smoke.
- The American Society for Heating, Refrigeration, and Air Conditioning Engineering (ASHRAE) is the organization that develops engineering standards for building ventilation systems. ASHRAE now bases its ventilation standard for acceptable indoor air quality on an environment that is completely free from secondhand tobacco smoke, secondhand marijuana smoke, and emissions from electronic smoking devices.¹³
- In order to protect public health, improve consistency, and aid enforcement, smokefree laws for public places and workplaces should include tobacco as well as marijuana, whether it is smoked or aerosolized. Allowing marijuana smoking in places where smoking is now prohibited could undermine laws that protect the public from exposure to secondhand smoke. The Tobacco Control Legal Consortium issued an informative brief on [Lessons from Tobacco Control for Marijuana Regulation](#).¹⁴
- Smokefree policies provide incentives to quit smoking, help denormalize smoking behavior, and are particularly effective among youth and young adults who are vulnerable to visual cues and social norms of smoking. It is likely that smokefree policies for marijuana will have a similar effect.
- Currently, there are approximately 157 municipalities and 5 states that explicitly restrict marijuana use in smokefree spaces in some manner.

In the interest of public health, the use of combustible or aerosolized marijuana should be prohibited wherever tobacco smoking is prohibited.

ANR's Position on Exposure to Secondhand Marijuana Smoke:

Marijuana smoke is a form of indoor air pollution. Therefore, ANR includes marijuana within our definition of smoking, and all of our model laws and policies include a prohibition on smoking marijuana wherever smoking of tobacco products is not allowed. ANR does not have a position on whether marijuana should be legalized; however ANR is against smoking in ways that harm other people. In states where marijuana is legalized, marijuana use should be prohibited in all smokefree spaces.

Nobody should have to breathe secondhand marijuana smoke at work, in public, or where they live. If we want healthy, smokefree air for workers and the public, then products like marijuana and electronic smoking devices (which can be used to “vape” a wide range of substances, including marijuana and hash oil) must not be used in smokefree environments where others are forced to breathe the secondhand emissions.

References

- ¹ Moir, D., et al., A comparison of mainstream and sidestream marijuana and tobacco cigarette smoke produced under two machine smoking conditions. *Chem Res Toxicol* 21: 494-502. (2008). <http://www.ncbi.nlm.nih.gov/pubmed/18062674>
- ² Hillier, FC.; et al. "Concentration and particle size distribution in smoke from marijuana cigarettes with different Δ^9 -tetrahydrocannabinol content." *Fundamental and Applied Toxicology*. Volume 4, Issue 3, Part 1, June 1984, Pages 451-454. <http://www.sciencedirect.com/science/article/pii/0272059084902021>
- ³ "Air and Health: Particulate Matter." National Environmental Public Health Tracking Network, U. S. Environmental Protection Agency. <http://ephtracking.cdc.gov/showAirHealth.action#ParticulateMatter>
- ⁴ Moir, D., et al., A comparison of mainstream and sidestream marijuana and tobacco cigarette smoke produced under two machine smoking conditions. *Chem Res Toxicol* 21: 494-502. (2008). <http://www.ncbi.nlm.nih.gov/pubmed/18062674>
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- ⁸ Wang, X., et al., "Brief exposure to marijuana secondhand smoke impairs vascular endothelial function" (conference abstract). *Circulation* 2014; 130: A19538. http://circ.ahajournals.org/content/130/Suppl_2/A19538.abstract
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Adapted from Group to Alleviate Smoking Pollution (GASP of Colorado)

From: [larry devilbiss](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Expanded Public Marijuana Consumption
Date: Friday, January 13, 2017 9:19:23 AM

1/13/17

Dear members of the Marijuana Control Board,

As you consider wider and more public consumption of marijuana in this State (and I understand that today is the last day for testimony) please consider the following points:

1. The vast proportion of the general public is unaware that this debate is still going on. By nature of the public hearing process you are hearing primarily from those who have a financial, commercial interest in maximum marijuana consumption. As the former Mayor of the Mat Su Borough and one of a unanimous number of mayors at the Alaska Municipal League's Conference of Mayors that opposed prop 2 in 2014 I was unaware of your proceedings until just a couple of days ago.
2. One of the basic premises of Prop 2 was that marijuana consumption would be private and not public.
3. The more we legitimize marijuana the more we expand marijuana use amongst our youth. The statistics in Colorado and anecdotal evidence here in the Mat Su Borough confirm this. Two recent homicides here in the Mat Su among teens involved marijuana.
4. We are only now coming to terms with the long term effects of tobacco smoke. Public policy is expanding the ban on exposure to second hand smoke. The science on marijuana smoke is one hundred years behind what we now know about tobacco smoke but all indications are that marijuana smoke is as bad or worse. Consider this- yesterday's news was that Russia is banning ALL smoking everywhere effective 2030. This is not the time for the State to be sponsoring expanded smoke pollution.
5. Almost weekly we are learning of new serious side effects and diseases associated with marijuana use. I am not going to take your time with the minutia - just google "marijuana related diseases". This does not begin to address the more subtle psychological side effects of chronic marijuana consumption such as loss of productivity, paranoia and suicide. One of my classmates from Palmer High now publicly attributes his loss of a college education to smoking pot. He was among the top in the graduating class in 1962. I can give you his name and documentation if it matters to you. Locals will instantly recognize the family name. He was commenting just a couple of months ago on Facebook that within days of stopping his marijuana smoking he could detect more clarity in thinking. I don't know if he was successful at staying smoke free this time. It was not the first time he had tried to stop in the last 50 years. His testimony was that for him marijuana was very addictive.
6. The marijuana of today that boasts 30 ppm is a much more serious product than it was just 30 years ago.
7. The path you are laying down for marijuana will be the same path followed for heroin. The argument that was oft repeated during the campaign for legalizing marijuana- "What we have been doing hasn't worked" will work just as well for opioids. The agenda and precedence is already on display in Europe. And while you are looking into that please notice that Amsterdam is shutting down the marijuana coffee shops which are equivalent to the smoke dens you are considering legalizing here. Cheap heroin is having a devastating effect right now on all demographics of our Mat Su population.
8. Is no one else noticing that as we expand and legalize marijuana we see gang and drug related murder and crime going up???
9. There is no evidence that the "black" market will go away- not here or in Colorado. Just a week ago I heard a man complaining on the air on talk radio that the quality of pot he could buy legally was inferior to what he could get on the street- and it was nearly twice as expensive!

10. Legalizing marijuana smoke dens will legitimize Alaska as a destination for drug use. That is a very different dimension to the marijuana scene projected by Proposition 2. The impact of the smell alone in a commercial setting affected neighboring businesses in Colorado.

You can probably tell that I could go on for a long time but will stop here. Ladies and gentlemen of the Marijuana Control Board I implore you, please slow down this avalanche.

Larry DeVilbiss
2300 N Aurora Lane
Palmer, Alaska
907 355 0733

From: donenslow@gmail.com
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Opposed to onsite consumption in marijuana retailers
Date: Thursday, January 12, 2017 9:51:06 AM

I am opposed to the proposed regulation allowing for onsite consumption in marijuana stores. I don't think Alaskans should have to breathe marijuana vapors/smoke in a public business location. I care about this because of my concern for public health and my personal battle with cancer as well as the loss of family due to lung cancer. Alaska would be the first state to have licensed marijuana bars and I think that's a really a bad idea. Alaska should be first at good things like public health and awareness, not for exposing people to secondhand marijuana smoke and encouraging public use. When I voted on the ballot initiative to legalize marijuana, I read that it would not be legal to use it in public, and to me public means any location where the public meets or participates in a multitude of activities, to include bars and restaurants.

*Don Enslow
Cancer Survivor, American Cancer Society Volunteer
donenslow@gmail.com*

Sent from [Mail](#) for Windows 10

From: [Hannah Frost](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Onsite Consumption Draft Regulation Comment
Date: Thursday, January 12, 2017 2:16:23 PM

Hello,

I'm writing to you to comment on the draft regulations for marijuana and onsite consumption. I strongly support regulations that would allow onsite consumption in approved facilities.

The ability to consume marijuana onsite would be beneficial to tourism and bring increased opportunities for revenue in a recession. Additionally, Prop 2 was passed with the intent to regulate marijuana like alcohol. If alcohol is allowed to be consumed in bars and restaurants it only makes sense to allow marijuana users to consume it in approved facilities.

Thank you!

hannah frost
anchorage, alaska
(907)715-9593
hannah.vfrost@gmail.com

From: [Patty Ginsburg](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Online Consumption Endorsements
Date: Wednesday, December 28, 2016 6:59:59 PM

To the Marijuana Control Board – I strongly oppose proposed regulations that would permit on-site consumption of marijuana. Second-hand smoke is second-hand smoke, whether tobacco or marijuana. Please put this idea to rest, for once and for all. It's just poor policy and bad for public health.

Sincerely

Martha J (Patty) Ginsburg

From: [Julie Hasquet](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#); [Julie Hasquet](#)
Subject: inhaled consumption of marijuana onsite
Date: Monday, January 09, 2017 8:56:08 AM

To Whom it May Concern:

This is my second or third time submitting comments on the proposal to possibly allow inhaled consumption of marijuana onsite at retailers. I find it baffling that you are taking comments for the third time as it seems an awful waste of public dollars to keep opening up the process over and over again.

The bottom line is allowing for onsite consumption is the equivalent of allowing people to drink in liquor stores. It is absolutely stunning this is even being considered. At the same time, if you allow this, it would literally gut the many smokefree laws that have been passed around our state. You would essentially be setting back years of progress as we have worked so hard to eliminate smoking in public and in the workplace. Smoking -- of all kinds --- kills. People die from first and secondhand smoke.

I know the smoking lobby is strong--and it must be difficult to hear their desperate please over and over again. But, for the sake of public health, you have to do the right thing. Please do not allow onsite consumption of marijuana at retail stores. Let's put the public health over profits. Let's keep Alaskans and visitors strong and healthy by keeping our air smokefree.

Thank you for your time and consideration.

Julie Hasquet
30-year Alaska resident

From: [Franklin, Cynthia A \(CED\)](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: FW: On-site Consumption comment
Date: Tuesday, January 03, 2017 11:17:32 AM

Cynthia Franklin, Director
Alcohol & Marijuana Control Office
907-269-0351

From: Trevor Haynes [mailto:88sunday88@gmail.com]
Sent: Monday, January 02, 2017 5:13 PM
To: AMCO Admin (CED sponsored)
Cc: Franklin, Cynthia A (CED)
Subject: On-site Consumption comment

Dear AMCO,

I am writing to encourage the finalization of the onsite consumption regulations. I believe this has been thoroughly reviewed by the public several times and it is in a good state as-is. Further delay will only impede onsite consumption venues.

Sincerely,
Trevor Haynes
Fairbanks, AK

From: [Tim Hinterberger](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Written comments in support of proposed cannabis cafe rules
Date: Friday, January 13, 2017 8:20:16 AM
Attachments: [Cannabis cafe testimony in support.pdf](#)

Greetings -

Please accept my comments in support of adoption of the currently-proposed cannabis cafe rules. Thank you very much!

Regards,

Tim Hinterberger



January 13, 2017

Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

Dear Chairman Springer, Members of the Board:

I would like to begin by thanking you and the members of the board who have done such a great job building and supporting the adult use marijuana system adopted by voters in November 2014. Just over two years later, we have a functioning system, thanks in large part to your efforts.

But, work remains. At the end of 2015, members of the regulatory board, several cities and towns, and activists including myself and many others spoke with the board about the need for clear rules that would allow limited marijuana consumption in licensed, adult-only locations. We believe the proposed rules you presented last July are a sensible and modest proposal.

The proposed rules contain several key provisions including safety, security, and packaging and labeling requirements. Cafés must set aside a separate area for consumers that is closed off with a door and ventilated separately from the rest of the store. There are standards for employees and patrons, age restrictions, and limits on sale volumes and promotions. Importantly, local communities have a say. I strongly urge the board to adopt the proposed rules.

Responsible adults who choose to consume marijuana with others should not be relegated to private homes any more than alcohol consumers are. Allowing regulated, licensed locations in local communities that welcome them is a modest step that provides adults a place to meet and socialize with others, and it gives tourists a location to consume cannabis that is otherwise unavailable.

Secondly, current law establishes important rights for private property owners, including those who run businesses. Under the provisions of Measure 2, property owners may prohibit or regulate marijuana consumption on their property. Those who wish to provide a location for adults to consume marijuana socially with other adults — and who otherwise comply with local regulations — should be able to exercise those rights. The rules

presented here are a reasonable accommodation of permissible property use, established in Alaska's voter-approved law.

Third, one of the express purposes my organization wrote into the language of the measure was to allow law enforcement to focus on violent and property crimes, rather than simple marijuana offenses. Businesses that offer regulated, on-site consumption offer an alternative for those who might otherwise try to consume in places they shouldn't — including sidewalks, alleys, and parks. Not only does this create a law enforcement hassle, it continues some of the prohibitionist policies voters decided to leave behind in 2014.

In the wake of Measure 2's passage, private clubs opened in various cities around the state. Many of these operators got in serious trouble. A recent opinion by Alaska Attorney General Jahna Lindemuth indicated that these businesses are not protected like those regulated by the board. Clearly, there is a need and interest in regulated locations where adults can meet and consume responsibly.

While the other legalization states, including Colorado, Washington, and Oregon, continue to struggle with how best to regulate consumption outside the home, Alaska's regulatory authority has considered and is now poised to adopt a sensible system. A full four years after passing legalization, the city of Denver finally adopted a measure this past November — similar to rules proposed here. The board has before it a solution available right now, and it should be adopted without further delay.

We have come a long way, and it is a credit to the careful deliberation and hard work of the board and the many Alaskans who have contributed to this historic process. Let's continue that record of success, and adopt the proposed regulations for on-site consumption in marijuana retail stores.

Thank you,

Tim Hinterberger
Chairman
Campaign to Regulate Marijuana Like Alcohol

From: [Holyfield, Charles](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Disappointment with proposed onsite regulation
Date: Friday, January 13, 2017 9:57:35 AM

Dear Marijuana Control Board Members:

I am opposed to the proposed regulation allowing for onsite consumption in marijuana stores. I don't think Alaskans should have to breathe unhealthy fumes in a public business location. I care about lung health because I have seen first-hand the damage it can do. Alaska would be the first state to have licensed marijuana bars and I think that's a really poorly thought-out idea. Alaska should be first at good things like improving heart and lung health, not for exposing people to secondhand marijuana smoke and encouraging public use. When I voted on the ballot initiative to legalize marijuana, I read that it would not be legal to use it in public, and to me public means community.

Charles E. Holyfield, R.R.T.
Director, Respiratory Care
Fairbanks Memorial Hospital
1650 Cowles Street
Fairbanks, Alaska 99701
(907) 458-5675, fax (907) 458-5677

From: [Franklin, Cynthia A \(CED\)](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: FW: Finalization of on-site consumption regulations- COMMENT
Date: Tuesday, January 03, 2017 12:10:56 PM

Cynthia Franklin, Director
Alcohol & Marijuana Control Office
907-269-0351

From: Good LLC [mailto:akgoodcannabis@gmail.com]
Sent: Tuesday, January 03, 2017 11:34 AM
To: AMCO Admin (CED sponsored)
Cc: Franklin, Cynthia A (CED)
Subject: Finalization of on-site consumption regulations

Dear Alcohol & Marijuana Control Office,
I am corresponding to voice our support for the timely complete the State onsite consumption regulations. There have been numerous public comment periods which have resulted in regulations that are currently appropriate for implementation. We'd like to discourage unnecessary delay at this stage. Thank you for your consideration on this matter.
Sincerely,
Christian Hood, GOOD LLC

--

Follow GOOD on [Twitter](#) and [Facebook](#)

From: [Chris Hovnanian](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Ballot measure
Date: Friday, January 13, 2017 10:19:41 AM

Ballot Measure 2 was clear, the public consumption of marijuana was intended to remain illegal.

Thank you,
C. Hovnanian

From: [Emily Kane](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: comments on regulations for AK Marijuana Board, Chapter 306 3AAC
Date: Wednesday, November 23, 2016 9:03:07 PM

As a brief introduction, I have provided primary healthcare services to the Juneau community for nearly 25 years. I have recently become a member of the national organization of medical professionals, "Society for Cannabis Clinicians," because I am interested in the therapeutic potential of cannabis, particularly for neurodegenerative disease. I have prescribed CBD in my practice for several years already (for conditions such as social anxiety, OCD, Parkinson's, early dementia, depression, chronic pain) and look forward to being able to refine my prescriptions with the whole plant "entourage" effect.

I am enthusiastic about cannabis as a potent and safe plant medicine. It is a natural human instinct to seek pleasure and relaxation. That's a good thing! Nobody dies from cannabis overdose because there are relatively few endocannabinoid receptors in the cardiac and respiratory centers. However, these complex receptors abound in central nervous tissue. Currently cannabis is the single most potent dopaminergic agent available, which is why I recommend it to all my Parkinson's patients. For a wealth of information about medical applications of cannabis, [Realm of Caring](#) is a good resource.

While moderate alcohol consumption can help some folks relax, I never recommend to my patients to start drinking. Legion personal and family tragedies have cast a long shadow due to drunk driving, wife-beating, and a vicious depression-addiction cycle. These deeply problematic and pervasive issues do not occur with cannabis use.

I am not a fan of smoking, anything. I am heartened that edibles will be legal and that more controlled-dose consumption is moving toward dabbing. Very little particulate matter is delivered to the lungs with dabbing. Ventilation of licensed premises will be easier with less smoke production although because dab processing is very expensive, and will require an engineer, I would not want to hold up these regulations with prohibiting old-fashioned joint smoking on site.

A more specific comment on Chapter 306, 3ACC, section 306.265 (f) (7) (third draft): As written, the regulations imply that a patron of a licensed marijuana facility could not sample a product after purchasing it. However, the samples could not legally nor feasibly (from a business perspective) be given free of charge, therefore a patron of a licensed marijuana facility would indeed need to purchase a sample before sampling it, in the separate, ventilated, room. So, it would need to be legal for the purchase to occur before the on-site consumption.

In general, I strongly believe that on-site consumption serves many good purposes. First, we have as a state agreed that it is high time to decriminalize a widely enjoyed therapy with an extremely low risk profile, and many health benefits. Therefore, it is incumbent upon us to help those still in fear of the weed to have an opportunity to experience, in a safe environment, with the possibility of group feed-back, what this safe, helpful medicine could do for them. So, on-site consumption is a really good idea for the MJ newbie, as well as the seasoned user. We seem to have no issue with bars serving alcohol, a much more problematic mind-altering substance. Let's allow the newly legal MJ users a place to congregate, relax, and learn more about the effects of different strains, thus adding to the collective research, which is over

50 years behind the times due to an unfortunate period of fear and prohibition in the US.

Thank you for your attention.

Please feel free to contact me if you would like further perspective from a medical provider of cannabis.

Sincerely
Dr. Emily A. Kane
Juneau AK

www.DrEmilyKane.com
www.primarydoctor.org
www.naturopathic.org

From: [Alyssa Keill](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Online Consumption Endorsements
Date: Monday, December 12, 2016 11:58:11 AM

I would like to express my concerns with the proposed regulations for onsite consumption of marijuana.

My first concern is with second-hand smoke. I see in the draft that the area used for onsite consumption of marijuana has to be approved by a licensed mechanical engineer, but research has shown that ventilation may get rid of the smells of second-hand smoke, but there is nothing ventilation can do about particulates traveling through unseen cracks, and it is the concentration of particulates that makes for bad indoor air quality. Other businesses who may share walls or floors with the business allowing onsite consumption will suffer unnecessarily. Perhaps consumptive sites need to be stand-alone. As such, there is no safe level of second-hand smoke: lungs were meant to take in air, and any other substance is a risk to their health. Additionally, how does this make sure the people working there do not suffer from the proximity of those smoking marijuana? If I were a business owner, I would not want to risk my store being run by an employee under the influence, because that is when mistakes could be made.

I am also concerned about the wording of section f, 2 and 3. In these two sections the wording relates to intoxicated or drunken persons. I would consider someone high on marijuana as being "intoxicated". While it makes some sense that I would not sell more marijuana to an already "high" individual, does this wording also mean that once the individual is "high" they cannot stay on the premises? This is a safety concern, to push an intoxicated individual out of a safe-zone and risk driving under the influence or ending up somewhere unsafe because of their compromised mental or physical state. Then it may become a law-enforcement issue, and that costs our communities money. For something that could be prevented. I do not think people running a marijuana store would be so cruel as to interpret these words in a such a way, but perhaps, should this pass, the wording should be more specific.

I am not pro recreational marijuana use, but if it's going to be had, it should be safe. For those partaking, and for those in proximity.

Alyssa

From: [Rick and Paris Kinmon](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Online Consumption Endorsement
Date: Wednesday, January 11, 2017 10:14:23 AM

January 9, 2017

Paris Kinmon
1711 Scotwood Dr.
Wasilla Ak 99654

Dear Ms. Franklin:

My name is Paris Kinmon. I am a business owner, mother and grandmother. As such I respectfully submit the following comments on proposed regulation 3 AAC 306.365 for onsite consumption of marijuana at licensed retail stores.

I oppose public onsite consumption of any form of marijuana outside an individuals home for the following reasons. First because I believe the exhaled smoke poses a health risk for everyone who is exposed to it. In researching this matter to educate myself I am amazed onsite retail consumption is being considered given many of the same cancer causing properties found in second hand tobacco smoke are present in second hand marijuana smoke. Secondly I did not think this was part of the law that was initially passed. My third and biggest concern is for my grandchildren. If onsite consumption is allowed it sends a message that it is ok to smoke. Having been a smoker it is something I wish I had never done and never want my children or grandchildren to think of as ok to do.

I appreciate your time and this opportunity to voice my thoughts. I do not believe those who have taken a job in a retail establishment should have their health put at risk by breathing second marijuana smoke or that our youth should be put at risk upon seeing adults gather socially to smoke thus endangering their health because they see it as potentially a safe and normal social thing to do.

Thank you for your consideration in supporting worker and public health.
Sincerely,

Paris Kinmon

From: [Kelly Larson](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Proposed Regulation Onsite Consumption in Marijuana Stores
Date: Friday, January 13, 2017 9:45:49 AM

*I am **opposed** to the proposed regulation allowing for onsite consumption in marijuana stores. Especially because we know they will leave and **BE ON THE ROADS UNDER THE INFLUENCE**. I don't think Alaskans should have to **BREATHE ANY KIND OF SECOND-HAND SMOKE** in a public business location or be more at risk from driver's on the roads under the influence. This will open a Pandora's Box where smoking pot will be everywhere like smoking used to be. I care about my friends, neighbors, parents, and children being impacted by these new regulations. Alaska would be the first state to have licensed marijuana bars and I think that's a really **irresponsible and reckless** idea. Let's be leaders in **GOOD** things, let's make a positive name for Alaska...not leave **THIS** legacy for our state. Let's lead the Nation in healthy lifestyles, healthy children, healthy families, etc. Alaska should not be in the news again-- especially for exposing people to secondhand marijuana smoke and encouraging public use. Do we really need another reality show, deprecating our State...Marijuana in Alaska? This does not make me proud to call Alaska my [life-long] home. When I voted on the ballot initiative to legalize marijuana, I read that it would not be legal to use it in public, and to me public means outside of the home. I will feel duped by this Board.*

Sincerely,

Kelly

From: [Amanda Lenhard](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Onsite Consumption
Date: Thursday, January 12, 2017 3:58:38 PM

I am opposed to the proposed regulation allowing for onsite consumption in marijuana stores. I don't think Alaskans should have to breathe any kind of secondhand smoke in a public business location. I care about the health of Alaskans because everyone deserves the right to breathe clean air. Alaska would be the first state to have licensed marijuana bars and I think that is not what Alaska should be known for. Alaska should be first at good things, not for exposing people to secondhand marijuana smoke and encouraging public use. When I voted on the ballot initiative to legalize marijuana, I read that it would not be legal to use it in public. Please follow through with protecting Alaskans and do not allow onsite consumption in marijuana stores.

Best,

Amanda Lenhard

From: [michael lujan](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on online
Date: Wednesday, January 11, 2017 5:59:15 PM

I oppose on site consumption

Sent via the Samsung Galaxy S®6 active, an AT&T 4G LTE smartphone

From: [Colin Marquiss](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Online consumption endorsement
Date: Wednesday, January 11, 2017 9:06:11 PM

January 11, 2017

Colin Marquiss
1711 Scotwood Dr
Wasilla, AK 99654

To Whom It May Concern:

My name is Colin Marquiss, I am a business owner in the Mat-Su Valley as well as employed in a local business that helps ensure the health of young children through activity and education.

I respectfully submit comments on proposed regulation 3 AAC 306.365 for onsite consumption of marijuana at licensed retail stores.

I am opposed to the onsite consumption of marijuana in any form. It was my understanding when marijuana was legalized that the law was for the sale and possession of marijuana for adults from licensed businesses to then be used in the privacy of their own home. I believe if onsite consumption is allowed the danger from impaired drivers will rise at an alarming rate. I am worried for my own safety and the safety of my community as it is my understanding there is no reliable way to judge or easily determine an individuals impairment after consumption that is equivalent to how intoxication from drinking is determined by a breathalyzer.

I find it equally ludicrous that a retail marijuana store or club could employ a ventilation system that would adequately remove the harmful particals from the exhaled smoke. Workers would be continually exposed throughout their shift. I worry that these particals could circulate to adjacent structures endangering the health of those businesses and their workers. The law that was passed was clear; marijuana is legal for adults to provide retail sales to other adults. Period. No onsite or public consumption.

Thank you for your consideration in supporting worker and public health.

Sincerely,
Colin Marquiss

December 19, 2016

Anna McGovern
16629 Marcus Street
Eagle River, AK 99577

To Whom it May Concern:

My name is Anna McGovern and writing to you not only as a fellow Alaskan but also as public service worker. I have worn many hats in the past, but have always focused my work with youth and children as a teacher, a coach, a camp counselor, mentor, and advocate.

I respectfully submit comments on proposed regulation 3 AAC 306.365 for onsite consumption of marijuana at licensed retail stores.

I oppose the public consumption of smoked, dabbed, vaped or aerosolized marijuana because of the significant health harms to users and non-users. Growing up, my parents owned their own business. This was prior to banning smoking in public restaurants, etc. As children growing up my siblings and I had to go to work with our 'parents after school since they had worked all day, every day, all year long. As we got older and were able to help out around the business, we worked every day after school, on the weekends and holidays. They were small business owners and they worked incredibly hard. They were, and both are still smokers. When we were younger, my parents, as did many other adults, had the freedom to smoke in their businesses, restaurant and bars. My brother, sister and I? We never had that choice. We grew up for almost a decade around second hand smoke and because of that, all three of us suffer from asthma.

I am writing to you because of my concern for the younger generation. Perhaps the storeowners don't have daycare options and have to have their young ones at work with them as my parents had to. Maybe the young person behind the counter doesn't smoke, but can't find a job and is making his money working in a marijuana or vape shop. It has been proven time and time again that no type of ventilation system will protect workers and patrons from the effects of any type of secondhand smoke, vapor or aerosol. The American Society for Heating, Refrigeration, and Air Conditioning Engineering (ASHRAE) is the organization that develops engineering standards for building ventilation systems. ASHRAE now bases its ventilation standard for acceptable indoor air quality on an environment that is completely free from secondhand tobacco smoke, secondhand marijuana smoke, and emissions from electronic smoking devices. Everyone has the right to breathe clean air. Smoke free policies are designed to protect the public and all workers from exposure to the health hazards caused by secondhand smoke. The same should be true for marijuana smoke. Allowing secondhand marijuana smoke exposure in publically accessible places is not a good public health policy. Our legacy as adults in the position to make changes in the world is to leave it in a better state for the generations to come. It is our duty as community leaders to protect the next generation and provide an environment for them to thrive and grow. To allow secondhand marijuana smoke exposure in publically accessible places is to send the message that one's right to breathe clean air does not matter.

Thank you very much for your time in reading this letter and your consideration in supporting worker and public health in Alaska. Your actions will have a profound effect on Alaskans for decades to come. Please help support them for a healthier future.

Sincerely,

Anna McGovern

¹ ANSI/ASHRAE Standard 62.1-2013, Addenda 2015 - Ventilation for Acceptable Indoor Air Quality. ta, GA: American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. Atlanta, GA: American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. https://www.ashrae.org/FileLibrary/docLib/StdAddenda/62_1_2013_2015Supplement_20150203.pdf

From: [Jamie Morgan](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Online Consumption Endorsements
Date: Friday, January 13, 2017 12:10:41 PM

Dear Chairman Mlynarik and MCB Members,

The American Heart Association/American Stroke Association (AHA/ASA) is opposed to the proposed regulations that will allow inhaled consumption of marijuana onsite in retail marijuana stores. We oppose the smoking or “aerosolization” of marijuana in public places as it poses numerous health hazards to the user and others in the user's presence.

The research is clear that exposure to secondhand tobacco smoke adversely affects cardiovascular health and impairs blood vessel function. A recent study showed that, similar to tobacco, marijuana secondhand smoke exposure impairs vessel function.

The proposed regulations allow for a ventilation plan. No type of ventilation system will protect workers and patrons from the effects of secondhand smoke, vapor or aerosol. In 2015, the organization that develops engineering standards for building ventilation systems, the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE), expanded their definition of Environmental Tobacco Smoke (ETS) to include marijuana smoke and the emissions produced by electronic smoking devices. ASHRAE concluded that ventilation systems cannot eliminate ETS.

We urge you to reject the proposal to allow inhaled onsite consumption of marijuana in retail marijuana stores. Should you have any questions, please feel free to contact me at 907-865-5300 or jamie.morgan@heart.org.

Sincerely,

Jamie Morgan-Persinger

JAMIE MORGAN-PERSINGER
Senior Director of Advocacy and Policy Campaigns
2007 O Street | Sacramento, California 95811
jamie.morgan@heart.org | www.heart.org
P 916-446-6505 | F 916-443-2865
my family is why



From: [Melissa Mudd](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: NO to onsite marijuana!
Date: Thursday, January 12, 2017 8:49:23 AM

smoke is smoke. employees
have the right to breathe CLEAN air!
thanks,
dana steiningger
Sent from my iPhone

From: [melissa mudd](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: public consumption of weed
Date: Thursday, January 12, 2017 8:54:21 AM

i am totally FOR consumption of marijuana. but in private, NOT in public places. vape and marijuana lounges are public places and employees deserve air without toxins.
thanks.

Sent from my iPhone

From: [Eric Myers](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Proposed Onsite Consumption
Date: Friday, January 13, 2017 9:46:46 AM

I am writing to oppose the proposed regulation that would allow for the onsite consumption of marijuana in retail establishments.

Please note that I am not opposed to the private consumption of marijuana products. The proposed regulation, however, contradicts and violates the plain meaning of the ballot proposal as it was considered, voted on, and approved by the public. The ballot summary stated that the ballot measure (ie., statute) would ban the public use of marijuana.

Moreover the consumption of combustible marijuana products in an indoor setting would pose a health risk (micro particulates) to non-smokers and especially to employees who would be exposed to chronic secondhand smoke as a condition of employment.

The intent of the ballot measure was to make private consumption of marijuana products legal. The proposed regulation should be abandoned both because it is beyond the scope of existing statutory authority and as a matter of public health.

Respectfully submitted,

Eric F. Myers
2834 Knik Avenue
Anchorage, Alaska 99517



Alaska Marijuana Control Board

January 13, 2017

Dear Marijuana Control Board Members:

On behalf of the American Cancer Society Cancer Action Network (ACS CAN), I am writing to oppose the current draft regulations for onsite marijuana consumption.

Specifically, ACS CAN opposes onsite marijuana smoking, including the aerosolization of it, because of the health hazards to non-users, both employees, and potentially to adjacent businesses.

The change in ventilation language in 3 AAC 306.365(b)(2)(B) is of particular concern because there is no standard referenced for even reducing, let alone eliminating health hazards. Later in this section, under 306.365(e)(2), the only ventilation standard mentioned is “a filtration system adequate to reduce odor”.

Ten years ago, the US Surgeon General released a comprehensive report entitled *The Health Consequences of Involuntary Exposure to Tobacco Smoke*. The Surgeon General has concluded that even separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposure of nonsmokers to secondhand smoke. The only effective way to fully protect nonsmokers from exposure to secondhand smoke is to completely eliminate smoking in indoor public spaces.¹

The American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) affirmed in 2010, and re-affirmed in 2013, that the only means of effectively eliminating the health risk associated with indoor exposure is to ban smoking activity.² In 2016, ASHRAE has added both secondhand marijuana smoke and electronic cigarette aerosol to its definition of secondhand smoke or Environmental Tobacco Smoke (ETS) as they refer to it.

According to ASHRAE:

- Since the current language relating to ETS was added to the standard, electronic smoking devices (commonly called “e-cigarettes”) have come on the market and are increasingly popular. Also, some jurisdictions have legalized the smoking of cannabis. This addendum revises the current definition of ETS to include emissions from electronic smoking devices, as well as cannabis smoke.^{3, 4}
- No other engineering approaches, including current and advanced dilution ventilation or air cleaning technologies, have been demonstrated or should be relied upon to control health risks from secondhand smoke exposure in spaces where smoking occurs.⁵
- While some engineering measures may reduce secondhand smoke exposure and some of the corresponding odor and irritation, smoke-free air which cannot be accomplished with any engineering or other approaches besides prohibiting smoking.⁶

Addressing the issue more broadly, the American Cancer Society supports the need for more scientific research on cannabinoids for cancer patients, and on better and more effective therapies that can overcome the often debilitating side effects of cancer and its treatment.

However, ACS CAN opposes the smoking or aerosolization of marijuana and other cannabinoids in public places because the carcinogens in marijuana smoke pose numerous health hazards to the patient and others in the patient's presence.

Smoking marijuana poses significant harms to users and those in close proximity. Although smoked marijuana delivers THC and other cannabinoids to the body, it also delivers harmful substances to users and those around them, including many of the cancer-causing substances found in tobacco smoke.

ACS CAN respectfully requests that the Marijuana Control Board disallow any public use of marijuana, just as is stated in the original initiative language, including not allowing onsite consumption at retail sales locations.

Thank you for your consideration of these comments.

Sincerely,



Emily Nenon
Alaska Government Relations Director
American Cancer Society Cancer Action Network

References:

¹ U.S. Department of Health and Human Services (HHS). *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.

² Americans for Nonsmokers' Rights. Ventilation and Air Filtration: What Air Filtration Companies and the Tobacco Industry Are Saying. August 2005. Available at <http://www.no-smoke.org/document.php?id=267>.

³ ASHRAE, 2015

https://www.ashrae.org/File%20Library/docLib/StdAddenda/62_1_2013_2015Supplement_20150203.pdf

⁴ ASHRAE, 2016

https://www.ashrae.org/File%20Library/docLib/About%20Us/PositionDocuments/ASHRAE_PD_Environmental_Tobacco_Smoke_2016.pdf

⁵ ASHRAE, 2013.

⁶ ASHRAE, 2013.

From: [Emily Nenon](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Cc: [Emily Nenon](#)
Subject: Comment on Onsite Consumption Endorsements
Date: Friday, January 13, 2017 4:29:19 PM
Attachments: [image001.png](#)
[American Cancer Society Cancer Action Network Comments Opposing Onsite Marijuana Consumption Regulations.pdf](#)

Please see my comments both attached and pasted below.

Thank you.

Emily Nenon

Alaska Marijuana Control Board

January 13, 2017

Dear Marijuana Control Board Members:

On behalf of the American Cancer Society Cancer Action Network (ACS CAN), I am writing to oppose the current draft regulations for onsite marijuana consumption.

Specifically, ACS CAN opposes onsite marijuana smoking, including the aerosolization of it, because of the health hazards to non-users, both employees, and potentially to adjacent businesses.

The change in ventilation language in 3 AAC 306.365(b)(2)(B) is of particular concern because there is no standard referenced for even reducing, let alone eliminating health hazards. Later in this section, under 306.365(e)(2), the only ventilation standard mentioned is "a filtration system adequate to reduce odor".

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Emily Nenon
Alaska Government Relations Director
American Cancer Society Cancer Action Network

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¹ U.S. Department of Health and Human Services (HHS). *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.

² Americans for Nonsmokers' Rights. Ventilation and Air Filtration: What Air Filtration Companies and the Tobacco Industry Are Saying. August 2005. Available at <http://www.no-smoke.org/document.php?id=267>.

³ ASHRAE, 2015

https://www.ashrae.org/File%20Library/docLib/StdAddenda/62_1_2013_2015Supplement_20150203.pdf

⁴ ASHRAE, 2016

https://www.ashrae.org/File%20Library/docLib/About%20Us/PositionDocuments/ASHRAE_PD_Environmental_Tobacco_Smoke_2016.pdf

⁵ ASHRAE, 2013.

⁶ ASHRAE, 2013.

Emily Nenon | Alaska Government Relations Director
American Cancer Society Cancer Action Network, Inc.
3851 Piper St Suite U240
Anchorage, AK 99508
Phone: 907.273.2097 | Fax: 907.273.2073

acscan.org





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From: [Ashley Peltier](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Onsite Consumption Endorsements
Date: Thursday, January 05, 2017 1:55:07 PM

My name is Ashley Peltier and I am submitting comment as a concerned citizen.

I strongly oppose allowing onsite consumption of marijuana at licensed retail stores, for many reasons.

Ballot Measure 2 clearly stated that the public consumption of marijuana would not be allowed. That is what the people voted for and that is what should be followed.

Allowing public consumption of marijuana poses a host of potential problems. The most concerning to me is that right now we have no plan set in place to deal with marijuana intoxication. Allowing people to consume onsite invites them to drive under the influence, with no legal way to test the level of impairment. Also concerning to me is the example that we are setting for youth.

Allowing public consumption of marijuana would essentially take away the right of the people to breathe clean air. If someone wishes to smoke, dab or vape marijuana they should be required to do so in their own homes in order to protect the health of those who don't wish to be exposed to the drug.

Smokefree policies and ordinances have been in place in many Mat-Su establishments for some time. Allowing public consumption of marijuana would undo the work that has already been done to protect people from the health consequences of secondhand smoke. Additionally, ASHRAE (American Society of Heating, Refrigeration, Air-Conditioning Engineers) has updated their definition of Environmental Tobacco Smoke (ETS) in its document titled "Standards for Ventilation and Indoor Air Quality". The addendum reads as follows:

"Environmental Tobacco Smoke (ETS): the aged and diluted combination of both side-stream smoke (smoke from the lit end of a cigarette or other tobacco product) and exhaled main-stream smoke (smoke being exhaled by a smoker) ETS is commonly referred to as Secondhand Smoke. This definition includes smoke produced from the combustion of cannabis and controlled substances and the emissions produced by electronic smoking devices."

Science proves that you cannot use air filters to clear secondhand smoke from the air.

Thank you for your consideration in this matter.

Sincerely,

Ashley Peltier

From: [Karen Perdue](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Online Consumption Endorsements
Date: Friday, January 13, 2017 3:01:12 PM
Attachments: [marijuana comments final 2.docx](#)

Please find attached my comments.

Karen Perdue

From: [Alaska Online Public Notices](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: New Comment on PROPOSED REGULATIONS ONSITE CONSUMPTION IN MARIJUANA RETAIL STORES
Date: Thursday, January 05, 2017 2:10:41 PM

A new comment has been submitted on the public notice [PROPOSED REGULATIONS ONSITE CONSUMPTION IN MARIJUANA RETAIL STORES](#).

Submitted:

1/5/2017 2:10:36 PM

Michael Powell
mrp26@caa.columbia.edu

Unknown location
Anonymous User

Comment:

Several of the elements in these regulations are good. My primary concerns are that combustible products should not be allowed to be consumed in indoor premises. Like cigarettes or burning solvents, there is no safe secondhand smoke and no "adequate ventilation" that is practical or realistic for a public space. Specific comments are as follows:

3 AAC 306.365. (2) (B) Ventilation

No engineer can sign off on a safe ventilation system for removing combustible particulates and pollutants from indoor air. ASHRAE standards have made this inarguably clear. Asking a mechanical engineer to sign off on a properly installed ventilation system has no relevance to the fact there is No safe amount of secondhand smoke.

3 AAC 306.365. (4) (d) A Retail Marijuana store endorsement holder SHOULD NOT sell for consumption on the premises. This is not acceptable policy for retail alcohol sales nor should it be for any other intoxicant sold. Most people drive to these venues. Products should be consumed in private residences not in public. These policies suggest that these retailers are allowed to establish restaurants. These businesses require staff including wait staff and cook staff that will also be exposed to these secondhand smoke health impacts who may otherwise have no interest in the drugs at all. This creates a clear case of second class citizens deemed expendable to serve this industry.

3 AAC 306.365 (e) (2) There is no realistic possibility of maintaining a ventilation system that can adequately "reduce odor". ASHRAE identifies the air turnover rate would create a virtual windstorm to accomplish this. If businesses intent to install toxic chemical hoods similar to science labs and have all patrons sit under them when consuming combustibles, it is not likely such an establishment would ever be occupied.

3 AAC 306.365 (e) (4) Monitor patrons for overconsumption , what does this mean? It does not indicate any responsibility to either restrict use, excuse intoxicated patrons, or report these individuals to law enforcement for public intoxication. This is not a functional element to these regulations at all.

3 AAC 306.365 (f) (1) "not" allow any employee or agent to consume during a work shift. Secondhand smoke is consumption and working an 8 hour shift in a smoke filled establishment is likely to produce an intoxicated employee. Data shows that secondhand smoke has clear and immediate effects on the human body. Long-term secondhand smoke exposure only compounds these. This condition is simply not possible unless on-site consumption is limited to eatables only.

3 AAC 306.365 (h) what is defined as unreasonable, this language should be more clear as it suggests subjective opinion of the board that could define any opposition to local consumption regardless of the conditions is unreasonable.

You can review all comments on this notice by [clicking here](#).

From: [Powell, Michael R \(HSS\)](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: FW: Public Comment Letter
Date: Friday, January 13, 2017 4:28:30 PM
Attachments: [Letter DBH Strike Marijuana Allowances 1.13.17.pdf](#)

Hi, attached are comments

From: Schrimpf, Sonya L (HSS)
Sent: Friday, January 13, 2017 4:20 PM
To: Powell, Michael R (HSS)
Subject: Public Comment Letter

Here it is!

Sonya Schrimpf
Office Assistant II
Division of Behavioral Health
3601 C Street, Ste 878
Anchorage AK 99503
907-269-3600



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

DIVISION OF BEHAVIORAL HEALTH
Anchorage Regional Office

3601 C Street, Suite 878
Anchorage, Alaska 99503-5924
Main: 907.269.3600
Toll Free: 800.770.3930
Fax: 907.269.3623

January 13, 2017

Sara Chambers, Acting Director
Alcohol & Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501

Dear Ms. Chambers,

On behalf of the Division of Behavioral Health, I respectfully submit the following comments and recommendations on proposed regulations 3 AAC 306.365 for onsite consumption of marijuana at licensed retail stores.

We request the Board strike all allowance for smoked, dabbed, vaporized or aerosolized marijuana consumption in any indoor spaces. Further, regulations should not allow for any reference to HVAC engineer sign off.

Exposure to second hand smoke is a serious health hazard. It is of concern marijuana is most commonly smoked and marijuana smoke is hazardous to lung health. Marijuana smoke contains many of the same carcinogens and toxins as tobacco smoke. Additionally, there is evidence that smoking marijuana causes chronic bronchitis and contributes to other health problems. Let it be known to the Board that smoking in indoor places poses a serious health risk for workers, customers and all others in the building. Current science has concluded that cleaning air, ventilation and separating smokers from nonsmokers does not eliminate health hazards of second hand smoke.

Smoking is a serious health issue for people with behavioral health disorders. The Division recognizes that approximately 50% of people with mental illness and addictions smoke, compared to 23% of the general population. Further, smoking-related illnesses cause half of all deaths among people with behavioral health disorders. The Division is particularly concerned about the disproportionate number of our behavioral health consumers that shall be impacted by allowing indoor smoke in marijuana facilities.

Alaskans are invested in increasing the percentage of nonsmoking adults and youth. The Division endorses the Healthy Alaskans 2020 goals to increase the percentage of adults and youth who currently do not smoke cigarettes. Whether they are nicotine or marijuana, all combustible products pose health hazards to those exposed. Allowing indoor smoking in any form will jeopardize these goals but more importantly the health and safety of all those exposed.

There is concern for the risk to public safety. It is known that marijuana impairs reaction time, hand-eye coordination and perception of time and distance, all of which can increase the risk of being involved with motor vehicle crashes. The Division is concerned an increase in consumption in marijuana retail outlets could increase driving under the influence of marijuana.

Thank you for your consideration of supporting policies that protect the health of all Alaskans.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randall Burns", with a stylized flourish at the end.

Randall P. Burns, Director

Marijuana Control Board

January 13, 2017

My name is Karen Perdue. I reside in Fairbanks Alaska. I have 25 years of experience in State government, including 14 years as a Deputy Commissioner and Commissioner of the Alaska Department of Health and Social Services. I have been involved in the development and adoption of numerous statutes and subsequent regulatory projects. I have served on various State boards that developed regulations including AHFC, the Denali Commission, the Suicide Prevention Council, and the Alaska Mental Health Trust Authority (ex officio).

I am providing comment on draft regulations 3 AAC 306.365 onsite consumption of marijuana at licensed retail stores.

Alaska is not ready to implement onsite consumption

No other state in the United States allows legal onsite consumption or marijuana bars. Actually it is rarely sanctioned anywhere in the world. It may be possible in the future that states will move to limited forms of onsite consumption, but this is likely several years away. Why do we want to be the first?

MCB board members should exercise a position of caution and do no harm when approaching this issue. The MCB should undertake more examination of the issues around onsite consumption and work in concert with other jurisdictions in learning about those issues and developing more detailed statutory and regulatory framework.

The current proposed regulations do not provide anywhere close to the detail needed in a regulatory framework necessary to protect the public health, protect public safety, ensure compliance with existing limits on sales. In fact, amendments to the regulations in round two increased the supply of product that could be purchased or retained at a marijuana bar through a series of transactions.

MCB board members are appointed with various backgrounds and expertise, but each member has the duty and responsibility to look beyond only the commercial interests and ask the question- have we done all we can to balance personal liberties with the protection of public health and safety in implementing this rule? I think the answer to that is a resounding NO.

For instance, how do we know if the training provided to handlers will be able to adequately detect impairment? Is it peer reviewed? Has this training been used widely in other jurisdictions and if so what is the reliability?

How will law enforcement be prepared to deal with impaired driving impacts? There is no quick test. Advocates of marijuana bars say that DUI's go down and there is limited impairment problem with cannabis. Okay, let's look at the data in more detail.

Does the MCB understand what the effects of smoking and second hand smoking mean to patrons, employees, pregnant women, those exposed to second hand smoke whether in the establishment or linked by a common ventilation system? The ventilation standards only require odor to be considered

not toxins and particulates which are present in marijuana smoke. Do we need to go back to the 60's in terms of our policies on exposure to smoking in group settings indoors?

Does it trouble the Board that it may not be possible to purchase adequate liability insurance for marijuana bars?

What is the staffing burden to enforce yet another entire category of licensed activity? Has the board quantified the staffing needed and the added workload to enforce its rules?

The answers to all these questions and more may not change the mind of individual board members, but because we are FIRST and LIKELY THE ONLY JURISDICTION that marijuana bars will be allowed in the near future, shouldn't we discipline ourselves to ask ourselves the tough questions.

Other States have statewide smoke free laws to protect the public from harmful effects

A great percentage of onsite consumption will be by smoking.

Virtually all of the states that have passed decriminalization or legalization of cannabis have legal statewide bans on smoking indoors, except for private residences. Thus places of commerce like eating establishments and bars already ban smoking. This would include California, Oregon, Colorado and Washington. Most of these laws would include any kind of smoking including tobacco, e-cigarettes and cannabis. It would be useful to the MCB members and the public to inventory how permissive our draft regulations are in light of this fact.

Alaska currently does not have this statewide law although many cities and boroughs do have such ordinances. If the MCB board does authorize onsite consumption, the next thing that will happen is that local smokefree laws will be assailed in an attempt to weaken them.

We have to do this for the tourists is a very poor reason to implement a year round public norm

Jurisdictions that have as much or more tourism as Alaska do not permit onsite consumption. It is not a compelling argument.

Onsite consumption should be a separate licensure category rather than an endorsement for a retail marijuana store and it should be authorized by state statute.

The ballot initiative do not specifically authorize onsite consumption and because of that it is being shoehorned into the retail category through use of an endorsement. The MCB board should ask the State Legislature to give statutory authority to establish this category of commerce.

In my experience endorsements have been used previously by the Department of Revenue for purposes of tracking and collecting revenue. Endorsements do not have the teeth of licenses and I do not believe have been used by the State of Alaska to regulate consumed products for the purposes of public health, public notice, zoning or public safety.

I understand endorsements will now be used to provide some tools in alcohol licensing. However, the very idea of an endorsement is to provide an ancillary activity to the core business line. For instance if a brew pub does not get an endorsement to serve food, they can still operate as their main business- a brew pub. There will be some marijuana retail licensees that depend greatly on an attached marijuana bar to sell their product. Onsite consumption or dispensing is a licensure category. It would be a grave mistake to append onsite consumption establishments on the to retail license especially since no other jurisdiction in the United States currently allows this.

Endorsement is wholly inadequate for the category of commerce that will likely not be a small revenue source to a retail licensee. It is my understanding that the Board does not have the authority to issue onsite consumption licenses for marijuana bars or cafes. It should therefore not issue endorsements for this activity and wait for guidance on this from the Legislature. What happens if a significant portion or majority of the retail licensee's revenue is derived from the existence of onsite consumption? The board is setting a regulatory framework for decades to come.

Apparently retail stores already have regulatory authority in 3AAC 306.305 (a) (3) to allow onsite consumption in the retail setting—presumably to try samples of products. To expand this authority to a separately doored area implies that patrons are expected to consume over a longer period of time much like a bar.

Some members of the MCB articulated they believe that patrons will use the separately doored onsite consumption area to very briefly sample a product and then leave the premises and that the onsite consumption area will be very small as compared to the retail operation. Since this onsite consumption does not legally exist anywhere in the US, how it would develop is speculative. However, it would be easy to see that onsite consumption may account for a majority of the square footage and the majority or a significant portion of the revenue of a retail operation.

Consider the following which will make patrons want to extend their time similar to a bar or cafe:

- Hours of operation may extend from 8am to 5am
- One gram of flower or bud to any one person in a single transaction, but individuals may share products or serially purchase up to a daily limit of one ounce each(serial purchases would only occur as a product of having a place to sit)
- Food and nonalcoholic beverages may be served-Including a fully operational restaurant license.
- Marketing to tourists who want to make the visit to a marijuana bar or café a destination visit. Retail operations with an attached marijuana bar could easily be located in densely populated tourist areas with little parking making them unattractive for use by locals except as a consumption destination.
- Onsite consumption sites could group up as alcohol sites do to encourage bar hopping.

The regulation of onsite consumption outlined in the regulations is vague and inadequate. It is wholly inadequate as compared to alcohol beverage licensing.

Many cannabis advocates have said marijuana should be regulated similar to alcohol. There are at least 14 types of licenses to dispense alcohol in Alaska. These license types offer the public a clear understanding of the types of products sold, and the consumption allowed.

For instance to possess a restaurant or eating place alcohol license REPL, the licensee must prove through receipts that no less than 50 percent of the gross receipts are from food sales.

Breweries are allowed to sell to individuals and provide small free samples but have restrictions on seating at a bar (to discourage consumption onsite presumably) and hours 9am- 8pm. Similarly distilleries have the same restrictions.

Title 4 does not allow package liquor stores to have onsite consumption of liquor.

So do the rules that the MCB have issued most closely approximate- a brewery or distillery handing out samples (if so why have hours til 5am?), an REPL, or a package liquor store (dispensing not allowed).

None of that clarity is outlined in the State's draft regulations on onsite consumption of marijuana.

In addition, alcohol laws are evolving through a rewrite of Title 4. This process has not concluded. It will take time for the public to understand these changes and how they impact consumption at the community level. Because there are new pending rules for alcohol it seems important that the MCB take the time to understand these rules and provide that information to the public in a way that puts marijuana laws and rules in context. A cross walk prepared by the expert staff the Board has would be helpful. In my involvement in local government testimony, there is a lot of misunderstanding about alcohol rules and the comparison with marijuana- in relation to onsite consumption.

Some may argue that alcohol regulation should not be taken into account in regulating marijuana but alcohol laws represent more than 60 years of public input and careful consultation with communities and industry.

Once marijuana bars are authorized the board can expect the industry to request more and more venues and methods of consumption distribution endorsements such as special events. What is the framework for those requests?

Sections of the regulations are unenforceable, difficult to enforce or inadequate to protect public health

As stated earlier, we can expect a significant portion of marijuana consumption to be by smoking.

It would be interesting to know what the expected ratio of edibles versus smoking will be based on the experience of other jurisdictions. Washington, Colorado and Oregon all have statewide no smoking laws on the books so if they consider marijuana bars that is an important factor for us to consider.

The draft regulations require the licensee to “maintain a ventilation system that directs air from the onsite consumption area to the outside of the building through a filtration system adequate to reduce odor.”

What does that mean, reduce odor by 10%, by half? so a bystander cannot smell it? It will be very difficult for an investigator or enforcement officer to determine a standard. What is the fine or remedy if ventilation or separation are not maintained?

Of course toxins in the combustible products also pose not only a public nuisance but a substantial health risk to workers in the establishments and to bystanders. Retail shops and marijuana bars or cafes in buildings with common ventilation systems will likely find it very difficult to prevent particulates from getting into the common air system. The only way to prevent secondhand exposure is to contain these establishments in stand-alone buildings with vented systems to the outside.

Many jurisdictions have smoke-free ordinances that regulate smoking in a broad array of public places including bars, restaurants and stores. Some of these ordinances specifically apply to all kinds of smoking, including e cigarettes, tobacco and marijuana. Some do not.

A vast majority of businesses who are not in regulated municipalities have voluntarily gone smoke free. The major focus of this public health initiative has been to “take it outside”. This of course will not be permitted with marijuana smoking since it is not legal to consume marijuana in public. This will likely incent people to smoke indoors-- both marijuana and tobacco, either mixed or separately. The harms from second hand smoke are real and detrimental to public health.

Onsite consumption of smoked products will incent advocates to weaken local municipal nonsmoking ordinances and voluntary efforts by businesses. It will turn back the clock on indoor air efforts.

In summary:

- The MCB Board has the duty to weigh all sides of the onsite consumption issue to ensure that public health and safety are protected as well as commercial interests are advanced. The public’s confidence in the final decision would be enhanced if we could see that the Board adopted consideration of public health and safety concerns and gathered more information in an organized, scientific and professional fashion before making its decision. Shouldn’t the standards of inquiry that we hold ourselves to be high when looking at pioneering efforts that other jurisdictions have not undertaken?
- What is the enforcement burden on the staff to enforce its rules on onsite consumption establishments and how will that be met given budget constraints. What are the sanctions on stores that are found out of compliance?
- The endorsement is inadequate to govern an area of commerce that should be licensed.
- The public needs more clarity to understand how marijuana bars would be regulated, in relation to alcohol. This is fundamental to helping communities understand what community norms to expect. The MCB should ask the staff who are experts in both to prepare an analysis of how onsite consumption of marijuana bars would compare to alcohol licensing categories.

- Since these regulations would be the most permissive consumption regulations in the United States, North America and even perhaps in parts of Europe including the Netherlands, the MCB needs to request an impartial analysis of how jurisdictions who allow these businesses or who are contemplating these businesses are addressing issues of second hand smoke, tobacco smoke, public safety and the combination of retail and consumption sites.
- Due to the constraints of the regulatory process, there has been limited opportunity to understand the thinking of the Board on onsite consumption and no opportunity for exchange of expertise or examination of lessons learned in other jurisdictions. This does not enhance public confidence in the process.
- Given the fact that the initiative did not authorize onsite consumption the matter should be dealt with by statute. The Legislature should pass a law specifically authorizing this activity.
- If onsite consumption of marijuana is a reasonable idea it will stand up to reasonable examination and considered public discourse over a period of time.

End of comments



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

DIVISION OF PUBLIC HEALTH
Director's Office

3601 C Street, Suite 756
Anchorage, Alaska 99503-5924
Main: 907.269-8126
Fax: 907.269-2048

January 13, 2017

Sara Chambers, Acting Director
Alcoholic Beverage Control Board
550 W 7th Ave, Suite 1600
Anchorage, AK 99501

Dear Ms. Chambers:

On behalf of the Alaska Division of Public Health, we respectfully submit comments on proposed regulation 3 AAC 306.365 for onsite consumption of marijuana at licensed retail stores. **This proposed regulation raises concern for Alaskans' health and safety; therefore, we oppose the public consumption of smoked, dabbed, vaped or aerosolized marijuana and edible marijuana products because of the potential health harms to users and non-users.**

Public consumption of marijuana was intended to remain illegal. The language in Ballot Measure 2, voted on by the public and now enacted in AS 17.38.040, does not allow for public consumption of marijuana and includes a \$100 fine for this activity. Regulations—first adopted by the Board in February 2015 to define the term “public”—support this restriction. Sec 17.38.020 of the initiative stated: “...nothing in this chapter shall permit the consumption of marijuana in public.”

Marijuana is known to impair reaction time, hand-eye coordination, and perception of time and distance, all of which increase the risk of being involved with motor vehicle crashes. Marijuana affects people differently. The high from smoking marijuana can often be felt right away. However, the effects of marijuana can take longer to develop and last longer when eating or consuming marijuana. It is known that marijuana can make it unsafe to drive, bike, and do other activities and the effects of marijuana edibles can last longer than users think. A person may feel safe to drive after a few hours; however, impairment can last much longer.

In a recent report released by the National Academies of Science, Engineering and Medicine's Health and Medical Division, “substantial evidence of the statistical association between cannabis use and increased risk of motor vehicle crashes” was identified as one of the primary conclusions. Our concern with this proposal is that an increase in public consumption of marijuana may lead to increased driving under the influence, a significant public health area of concern.

January 13, 2017

Page 2

Exposing others to secondhand smoke (SHS) is a public health hazard. In 2006 the Surgeon General concluded that there is no safe level of secondhand smoke. Since marijuana is illegal under federal law, there have been a limited number of studies examining health risks associated with marijuana use and exposure in the United States. However, peer-reviewed and published studies do indicate that exposure to secondhand marijuana smoke may pose health risks for the public, especially due to its similar composition to secondhand tobacco smoke. According to Moir, et al, (2008): "Secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand smoke. Some of the known carcinogens or toxins present in marijuana smoke include: acetaldehyde, ammonia, arsenic, benzene, cadmium, chromium, formaldehyde, hydrogen cyanide, isoprene, lead, mercury, nickel, and quinolone. Moir, et al. also found significant amounts of mercury, cadmium, nickel, lead, and chromium in marijuana smoke. Comparing it to tobacco smoke, there was 20 times the amount of ammonia and 3-5 times more hydrogen cyanide in marijuana smoke."

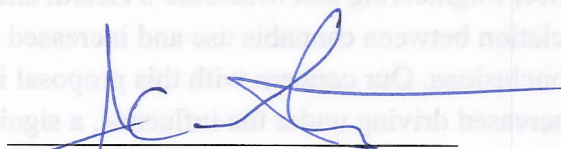
Additionally, a recent study published in the Journal of the American Heart Association concluded that "...SHS can exert similar adverse cardiovascular effects regardless of whether it is from tobacco or marijuana." (Wang, et al; 2016)

No type of ventilation system will protect the public from the effects of secondhand smoke, vapor or aerosol. Under this proposal, the licensee would be required to provide a ventilation plan to address byproducts of using marijuana onsite. Ventilation may reduce odors, but will not protect the public's health from marijuana smoke. This is supported by the 2006 U.S. Surgeon General report entitled "The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General." The report stated that the scientific evidence now supports the following major conclusion:

"Eliminating smoking in indoor spaces fully protects nonsmokers from exposure to secondhand smoke. Separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposures of nonsmokers to secondhand smoke."

Based on these concerns for the health and safety of Alaskans, we recommend the Board not allow smoked, dabbed, vaporized, aerosolized or edible marijuana consumption in public. Thank you for your time and consideration in supporting the health and safety of all Alaskans.

Sincerely,



Jay C. Butler, MD

Chief Medical Officer and Director of the Division of Public Health

From: [Reilly, Katie L \(HSS\)](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Cc: [Butler, Jay C \(HSS\)](#); [Lewis, Jill \(HSS\)](#); [Oconnor, Tari E \(HSS\)](#); [McLaughlin, Joseph B \(HSS\)](#)
Subject: Comment on Online Consumption Endorsements
Date: Friday, January 13, 2017 4:16:58 PM
Attachments: [DPH Comments on Proposed Regulations Onsite Consumption in Marijuana Retail Stores.pdf](#)

Dear Ms. Chambers:

On behalf of the Alaska Division of Public Health, we respectfully submit comments on proposed regulation 3 AAC 306.365 for onsite consumption of marijuana at licensed retail stores. Please see attached written comments for your review and consideration.

Sincerely,
Katie Reilly

Katie Reilly, MPH | State of Alaska | Injury Prevention Programs Manager | Section of Chronic Disease Prevention and Health Promotion | 3601 C St. Suite 250, Anchorage AK 99503 |
☎: 907.269.3489 | 📠: 907.269.5446 | ✉: katie.reilly@alaska.gov |

From: [Terrence Robbins](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Onsite Consumption Public Comment
Date: Friday, January 13, 2017 3:21:39 PM

Dear MCB,

I'm writing to you today to protest the proposed Marijuana Onsite Consumption regulations. Listed below are my justifications.

About Ketchikan:

In the small island town of Ketchikan we have been counting on the MCB to craft regulations that would protect us, from zoning to testing. Imagine my disappointment upon learning that the MCB is pushing forward with allowing onsite consumption despite overwhelming public comments against it.

Ketchikan is a unique town in that we really have one skinny coastal road without passing lanes, lined one side by the ocean, and the other by deep ditches and rock walls. It's 26 miles long and most of our residents drive it daily. We receive measurable precipitation an average of 290 days per year, visibility is poor much of the year, and injury accidents are commonplace.

Now take these environmental conditions and add 1,000,000 tourists visiting each summer. Our streets and highway become so congested that we must hire dozens of crossing guards to try to keep the tourists from being hit by cars. Our police and fire departments are heavily taxed each summer day responding to tourist -related medical emergencies.

Onsite Consumption:

When a person enters an alcohol establishment he/she understands that they can consume a specific amount of alcohol during a certain period and can then leave and legally drive home on our narrow roads. When a person enters a marijuana establishment and consumes ANY amount of marijuana product, they will be too impaired to safely and legally operate a vehicle for an unknown period from 4-10 hours, but they may feel comfortable enough to drive anyway if they are regular marijuana users. If a person is overserved alcohol in a bar and they drive home and get in an accident where others are injured they are often charged with felony assault for each injury, in addition to DUI. In some cases, the victims have successfully sued the bar/servers for overserving the driver. With onsite consumption of marijuana, EVERY customer is served until they are intoxicated, and technically overserved. It's shocking that the MCB would encourage regulations that encourage overserving of marijuana and while discouraging the practice for alcohol establishments. Here is some data intoxication and impaired driving:

- a. **Marijuana use increased the risk of becoming involved in a car accident**

at any level of severity by about 25 to 50 percent. *Elvik, R., Risk of Road Accident Associated with the Use of Drugs: A Systematic Review and MetaAnalysis of Evidence from Epidemiological Studies. Accident Analysis & Prevention, 2013. 60: p. 254-267*

- b. **A survey among 320 recent marijuana users showed that 87 percent of them reported an over 50 percent probability of future driving under the influence of marijuana, even after having been shown data on the increased crash risk.** *Jones, C., et al., Preventing Cannabis Users from Driving Under the Influence of Cannabis. Accident Analysis & Prevention, 2006. 38(5): p. 854-861.*
- c. **In 2016, over 38 percent of current California marijuana users aged 18 to 64 years old reported driving a vehicle within three hours of using marijuana.** *California Department of Public Health and California Tobacco Control Program, 2016 California Adult Tobacco Survey. 2016.*
- d. **Marijuana-related fatal car accidents surge in Washington state after legalization**
<http://www.washingtontimes.com/news/2016/may/10/marijuana-related-fatal-car-accidents-surge-washin/>

Economic Impact:

Ketchikan's economy depends on tourists spending money on shore excursions and shopping in stores. By allowing public consumption of marijuana/edibles we risk releasing hundreds of impaired people into our downtown core each day. It's also unlikely that they will spend the amounts of money in Ketchikan that they would if they weren't under the influence of marijuana.

Public health and the will of the voter:

1. The ballot measure, voted on and passed by the public, specifically prohibited the public consumption of marijuana. Your onsite consumption regulations permitting public consumption contradict the will of the voters
2. Secondhand smoke from marijuana is harmful to the health of employees and other patrons, just as secondhand smoke from tobacco products are.
3. Per *The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research* by the National Academies of Sciences, Engineering, and Medicine, released on January 12, 2017:
 - a. Recent cannabis use impairs the performance in cognitive domains of learning, memory, and attention. Recent use may be defined as cannabis use within 24 hours of evaluation.
 - b. A limited number of studies suggest that there are impairments in cognitive domains of learning, memory, and attention in individuals who have stopped smoking cannabis.
 - c. There is substantial evidence of a statistical association between long-term cannabis smoking and worse respiratory symptoms and more frequent chronic bronchitis episodes.
 - d. There is moderate evidence of a statistical association between

- cannabis smoking and higher forced vital capacity (FVC).
- e. There is limited evidence of a statistical association between occasional cannabis smoking and an increased risk of developing chronic obstructive pulmonary disease (COPD) when controlled for tobacco use
 - f. There is limited evidence of a statistical association between occasional cannabis smoking and an increased risk of developing chronic obstructive pulmonary disease (COPD) when controlled for tobacco use.
 - g. The evidence is unclear as to whether and how cannabis use is associated with heart attack, stroke, and diabetes.
- 4. According to a recent study published in the *Journal of the American Heart Association*:
 - 5. Secondhand marijuana smoke may damage your blood vessels even more than tobacco smoke.
 - 6. Use of marijuana edibles in public can have tragic consequences as this recent news story shows. <http://www.ktva.com/ketchikan-man-arrested-colorado-attempted-christmas-eve-murder-959/> On a personal note, I know this family and play softball with the victim. I've never seen anything to indicate that this could happen to them.

Thank you for the opportunity to share my voice, and please protect the people who live in, and visit, Ketchikan.

Terrence Robbins

Ketchikan, AK 99901

January 9, 2017

Marijuana Control Board
550 W 7th Ave, Suite 1600
Anchorage, AK 99501

Dear Marijuana Control Board members,

As an Alaska resident, I want to register my opposition to the significant risk to current and future smokefree protections in Alaska with these proposed marijuana regulations.

Retail marijuana stores should not be allowed to sell food and beverages – and definitely not alcohol, as that would mean that marijuana smoking could occur in a wide range of businesses and venues in Alaska. The smoking and vaping of marijuana in indoor spaces poses a serious health hazard to workers and everyone else in the building. Indoor consumption of edibles, however, is acceptable, since this doesn't pose a health hazard to other people in the building.

The guidelines should NOT include a requirement for HVAC (e.g., ventilation) systems "to control for odor" and smoking rooms. ASHRAE, the standard setting body for the HVAC industry, updated the ventilation standard to also address marijuana smoke and secondhand aerosol. They affirm that mechanical solutions like ventilation cannot control for the health hazards of secondhand smoke. Therefore, all indoor spaces should be smokefree regardless of ventilation issues.

The guidelines should INCLUDE explicit anti-preemption language to make clear that license holders are subject to both current and future local smokefree laws.

Legalizing marijuana should not mean exposing other people to secondhand smoke or emissions from electronic smoking devices. Marijuana smoke and the aerosol from electronic smoking devices can travel into adjoining businesses where other people are exposed. Just thirty minutes of exposure to secondhand marijuana smoke leads to substantial impairment of blood vessel function. Everyone deserves the right to breathe smokefree air. Please preserve the intent of the voters and keep on-site consumption illegal. Thank you.

Sincerely,

Edy Rodewald

Edy Rodewald, Alaska Resident
11251 Goat Hill Road
Juneau Alaska 99801
907-500-2734

Clearing the Air for Wellness (CAW)

Work Group



January 5, 2017

Cynthia Frankin
Marijuana Control Board
550 W 7th Ave, Suite 1600
Anchorage, AK 99501

Dear Ms. Franklin,

The Clearing the Air for Wellness Work Group, a Juneau coalition made up of community members and community behavioral health organizations respectfully submits comment in opposition to the proposed regulations (3 AAC 306.xxx) for onsite consumption of marijuana at licensed retail stores. Our members include Juneau Alliance for Mental Health Inc., (JAMHI), Bartlett Regional Hospital, Rainforest Recovery Center, SEARHC, Polaris House, and National Council on Alcoholism and Drug Dependence (NCADD). We are concerned about the significant risk to current and future smokefree protections in Alaska with these proposed regulations.

Retail marijuana stores should not be allowed to sell food and beverages – and definitely not alcohol, as that would mean that marijuana smoking could occur in a wide range of businesses and venues in Alaska. The smoking and vaping of marijuana in indoor spaces poses a serious health hazard to workers and everyone else in the building. Indoor consumption of edibles, however, is acceptable, since this doesn't pose a health hazard to other people in the building.

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Sincerely,

Edy Rodewald, CAW Chair
3100 Channel Drive, Suite 300
Juneau Alaska 99801
907-364-4452

From: [Michael Rowcroft](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Cc: [Edeltraud Rodewald \(erode@searhc.org\)](#); [Ed Sasser](#)
Subject: Marijuana Smoke is Harmful....PLEASE Do Not Permit it to suffocate us and our children.
Date: Tuesday, January 10, 2017 5:05:09 PM
Attachments: [secondhand-marijuana-smoke \(2\).pdf](#)

Hi, (not high)☺ Seriously, I am, Michael Rowcroft, a Licensed Professional Counselor and an Alaskan Adult recovering from the negative effects of Tobacco smoke, asthma and have survived triple pneumonia...so I haven't the ability to spend time in a smoke filled rooms and environments with poor air quality... I am deeply concerned about the State of Alaska allowing of public indoor use of Cannabis and other smoke-able/vaping drugs (who can tell the difference?). I have experienced the side effects of Cannabis and know the impact it's smoke has on lungs as well as Brains. Please consider all the implications of your actions in this very critical decision. Thank you for listening to those of us who **Care About Clean Air**...(Pot Smoke is "CACA"):
Michael Rowcroft, MAT, LPC (#53), CDC II

Please See attached ANR report on "Second Hand Marijuana Smoke". It says it clearly as Air should be.

Secondhand Marijuana Smoke

“Smoke is smoke. Both tobacco and marijuana smoke impair blood vessel function similarly. People should avoid both, and governments who are protecting people against secondhand smoke exposure should include marijuana in those rules.”

-Matthew Springer, cardiovascular researcher and Associate Professor of Medicine, University of California, San Francisco

Facts about secondhand marijuana smoke:

- Marijuana smoke is created by burning components of plants in the genus Cannabis.
- Secondhand marijuana smoke is a complex chemical mixture of smoke emitted from combusted marijuana and the smoke that is exhaled by the user.
- Secondhand marijuana smoke contains fine particulate matter that can be breathed deeply into the lungs.
- Secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand tobacco smoke. Some of the known carcinogens or toxins present in marijuana smoke include: acetaldehyde, ammonia, arsenic, benzene, cadmium, chromium, formaldehyde, hydrogen cyanide, isoprene, lead, mercury, nickel, and quinoline.¹
- Marijuana smoke contains tetrahydrocannabinol (THC), the active chemical in cannabis.

Health risks of exposure to secondhand marijuana smoke:

Since marijuana is illegal under federal law, there have been a limited number of studies examining health risks associated with marijuana use and exposure in the United States. Health risks from primary and secondhand smoke exposure may also be difficult to determine as marijuana is often used in combination with tobacco.

However, peer-reviewed and published studies do indicate that exposure to secondhand marijuana smoke may have health and safety risks for the general public, especially due to its similar composition to secondhand tobacco smoke.

- Secondhand smoke from combusted marijuana contains fine particulate matter that can be breathed deeply into the lungs,² which can cause lung irritation, asthma attacks, and makes respiratory infections more likely. Exposure to fine particulate matter can exacerbate health problems especially for people with respiratory conditions like asthma, bronchitis, or COPD.³
- Significant amounts of mercury, cadmium, nickel, lead, and chromium are found in marijuana smoke, as well as 20 times the amount of ammonia and 3-5 times more hydrogen cyanide in marijuana smoke than is in tobacco smoke.⁴
- In 2009, the California Office of Environmental Health Hazard Assessment added marijuana smoke to its Proposition 65 list of carcinogens and reproductive toxins, also known as the Safe Drinking Water and Toxic Enforcement Act of 1986. It reported that at least 33 individual constituents present in both marijuana smoke and tobacco smoke are Proposition 65 carcinogens.^{5, 6}

- Secondhand smoke from marijuana has many of the same chemicals as smoke from tobacco, including those linked to lung cancer.⁷
- Secondhand marijuana exposure impairs blood vessel function. Thirty minutes of exposure to secondhand marijuana smoke at levels comparable to those found in restaurants that allow cigarette smoking led to substantial impairment of blood vessel function. Marijuana smoke exposure had a greater and longer-lasting effect on blood vessel function than exposure to secondhand tobacco smoke.⁸
- Secondhand marijuana smoke and secondhand tobacco smoke likely have similar harmful health effects because of their similar chemical composition, including atherosclerosis (partially blocked arteries), heart attack, and stroke.⁹
- People who are exposed to secondhand marijuana smoke can have detectable levels of THC in their blood and urine.¹⁰
- Marijuana also can be contaminated with mold, insecticides or other chemicals that may be released in secondhand smoke.¹¹

Including Marijuana Smoking in Smokefree Public Place and Workplace Laws:

- Everyone has the right to breathe smokefree air. Smokefree policies are designed to protect the public and all workers from exposure to the health hazards caused by exposure to secondhand tobacco smoke. The same should be true for secondhand marijuana smoke.
- The percent of U.S. adults who use marijuana more than doubled from 4.1% to 9.5% between 2001-2002 and 2012-2013,¹² which may also indicate an increase in exposure to secondhand marijuana smoke.
- The American Society for Heating, Refrigeration, and Air Conditioning Engineering (ASHRAE) is the organization that develops engineering standards for building ventilation systems. ASHRAE now bases its ventilation standard for acceptable indoor air quality on an environment that is completely free from secondhand tobacco smoke, secondhand marijuana smoke, and emissions from electronic smoking devices.¹³
- In order to protect public health, improve consistency, and aid enforcement, smokefree laws for public places and workplaces should include tobacco as well as marijuana, whether it is smoked or aerosolized. Allowing marijuana smoking in places where smoking is now prohibited could undermine laws that protect the public from exposure to secondhand smoke. The Tobacco Control Legal Consortium issued an informative brief on [Lessons from Tobacco Control for Marijuana Regulation](#).¹⁴
- Smokefree policies provide incentives to quit smoking, help denormalize smoking behavior, and are particularly effective among youth and young adults who are vulnerable to visual cues and social norms of smoking. It is likely that smokefree policies for marijuana will have a similar effect.
- Currently, there are approximately 157 municipalities and 5 states that explicitly restrict marijuana use in smokefree spaces in some manner.

In the interest of public health, the use of combustible or aerosolized marijuana should be prohibited wherever tobacco smoking is prohibited.

ANR's Position on Exposure to Secondhand Marijuana Smoke:

Marijuana smoke is a form of indoor air pollution. Therefore, ANR includes marijuana within our definition of smoking, and all of our model laws and policies include a prohibition on smoking marijuana wherever smoking of tobacco products is not allowed. ANR does not have a position on whether marijuana should be legalized; however ANR is against smoking in ways that harm other people. In states where marijuana is legalized, marijuana use should be prohibited in all smokefree spaces.

Nobody should have to breathe secondhand marijuana smoke at work, in public, or where they live. If we want healthy, smokefree air for workers and the public, then products like marijuana and electronic smoking devices (which can be used to “vape” a wide range of substances, including marijuana and hash oil) must not be used in smokefree environments where others are forced to breathe the secondhand emissions.

References

- ¹ Moir, D., et al., A comparison of mainstream and sidestream marijuana and tobacco cigarette smoke produced under two machine smoking conditions. *Chem Res Toxicol* 21: 494-502. (2008). <http://www.ncbi.nlm.nih.gov/pubmed/18062674>
- ² Hillier, FC.; et al. "Concentration and particle size distribution in smoke from marijuana cigarettes with different Δ^9 -tetrahydrocannabinol content." *Fundamental and Applied Toxicology*. Volume 4, Issue 3, Part 1, June 1984, Pages 451-454. <http://www.sciencedirect.com/science/article/pii/0272059084902021>
- ³ "Air and Health: Particulate Matter." National Environmental Public Health Tracking Network, U. S. Environmental Protection Agency. <http://ephtracking.cdc.gov/showAirHealth.action#ParticulateMatter>
- ⁴ Moir, D., et al., A comparison of mainstream and sidestream marijuana and tobacco cigarette smoke produced under two machine smoking conditions. *Chem Res Toxicol* 21: 494-502. (2008). <http://www.ncbi.nlm.nih.gov/pubmed/18062674>
- ⁵ "Evidence on the Carcinogenicity of Marijuana Smoke." Reproductive and Cancer Hazard Assessment Branch, Office of Environmental Health Hazard Assessment, California Environmental Protection Agency. August 2009. http://oehha.ca.gov/prop65/hazard_ident/pdf_zip/FinalMJsmokeHID.pdf
- ⁶ Wang, X., et al., "Brief exposure to marijuana secondhand smoke impairs vascular endothelial function" (conference abstract). *Circulation* 2014; 130: A19538. http://circ.ahajournals.org/content/130/Suppl_2/A19538.abstract
- ⁷ "Evidence on the Carcinogenicity of Marijuana Smoke." Reproductive and Cancer Hazard Assessment Branch, Office of Environmental Health Hazard Assessment, California Environmental Protection Agency. August 2009. http://oehha.ca.gov/prop65/hazard_ident/pdf_zip/FinalMJsmokeHID.pdf
- ⁸ Wang, X., et al., "Brief exposure to marijuana secondhand smoke impairs vascular endothelial function" (conference abstract). *Circulation* 2014; 130: A19538. http://circ.ahajournals.org/content/130/Suppl_2/A19538.abstract
- ⁹ Springer, M.L.; Glantz, S.A. "Marijuana Use and Heart Disease: Potential Effects of Public Exposure to Smoke," University of California at San Francisco. April 13, 2015. <https://tobacco.ucsf.edu/sites/tobacco.ucsf.edu/files/u9/MSHS%20fact%20sheet%20for%20CA%204-13-15.pdf>
- ¹⁰ Herrmann ES, et al., "Non-smoker exposure to secondhand cannabis smoke II: Effect of room ventilation on the physiological, subjective, and behavioral/cognitive effects." *Drug and Alcohol Dependence*. 2015 Jun 1;151:194-202. <http://www.ncbi.nlm.nih.gov/pubmed/25957157>
- ¹¹ Associated Press. "Marijuana may be contaminated with mold, mildew." CBS News, December 2, 2013. <http://www.cbsnews.com/news/marijuana-contaminated-with-mold-mildew/>
- ¹² Hasin DS, et al. "Prevalence of Marijuana Use Disorders in the United States Between 2001-2002 and 2012-2013." *JAMA Psychiatry*. Published online October 21, 2015. <http://archpsyc.jamanetwork.com/article.aspx?articleid=2464591>
- ¹³ ANSI/ASHRAE Standard 62.1-2013, Addenda 2015 - Ventilation for Acceptable Indoor Air Quality. ta, GA: American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. Atlanta, GA: American Society of Heating, Refrigerating, and Air-Conditioning Engineers. www.ashrae.org/File%20Library/docLib/StdAddenda/62_1_2013_2015Supplement_20150203.pdf
- ¹⁴ Cork, Kerry. "Toking, Smoking & Public Health: Lessons from Tobacco Control for Marijuana Regulation." Tobacco Control Legal Consortium. June 2015. http://www.publichealthlawcenter.org/sites/default/files/resources/tclc-synopsis-marijuana-tobacco-2015_0.pdf

Adapted from Group to Alleviate Smoking Pollution (GASP of Colorado)

From: [Douglas Sanvik](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: On Site Consumption - Smoking Room Comment
Date: Wednesday, January 11, 2017 9:32:41 PM
Attachments: [Attachment-4-Ventilation2010-FINAL.pdf](#)

Dear Sir/Madam:

I am alarmed by proposals to allow smoking rooms for on-site consumption of marijuana. There is no save level of second hand smoke and smoking rooms are not effective at removing carcinogens from the air.

I am strongly against allowing smoking rooms for on-site consumption of marijuana. That would be a giant step backward in the defense of public health.

I have attached information about smoking rooms that I would like to submit as back-up information.

Thank you for this opportunity to comment.

Sincerely,

Doug Sanvik
PO Box 21774
Juneau, AK 99802

Basics of Ventilation: Why it Does Not Effectively Protect Nonsmokers from Secondhand Smoke

“Exposures of nonsmokers to secondhand smoke cannot be controlled by air cleaning or mechanical air-exchange” (U. S. Surgeon General Report, 2006, chapter 10, section 10)

Ventilation Systems and/or Smoking Rooms

These are ineffective and costly. **There is no safe level of exposure to secondhand smoke**, and there is no ventilation system that will prevent secondhand smoke from permeating nonsmoking areas. Ventilation sometimes removes odor and larger air particles, but cannot remove the harmful constituents of secondhand smoke. Smoking rooms offer no protection for employees who work in those areas, putting those employees at risk.

A "smoking room" exemption may even worsen an employee's health by concentrating all the smoking into one place. Even if no employee is required to work in a separately ventilated smoking room, the people who clean the room will be exposed to the secondhand smoke. Ventilation and/or HEPA filters **cannot** control the health effects from secondhand smoke.

“To achieve [the minimum] risk would require in excess of one hundred thousand cubic feet per minute per occupant (50,000 litres per second per occupant), which would need tornado-like levels of airflow to achieve.”ⁱ

Ventilation Does Not Effectively Protect Nonsmokers from Secondhand Smoke

- Establishing a smoke-free environment is the only effective way to protect nonsmokers from secondhand smoke.ⁱⁱ
- There is no risk-free level of exposure to secondhand smoke. Even low levels of exposure can harm nonsmokers' health.ⁱⁱ
- Separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate secondhand smoke exposure.ⁱⁱ
- Conventional air cleaning systems can remove large particles, but not the smaller particles or the gases found in secondhand smoke.ⁱⁱ
- Current heating, ventilating, and air conditioning systems alone cannot control secondhand smoke exposure. These systems can distribute secondhand smoke throughout a building.ⁱⁱ
- The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), the preeminent U.S. standard-setting body on ventilation issues, has concluded that ventilation systems cannot remove secondhand smoke from indoor environments.ⁱⁱⁱ
- Even separately enclosed, separately exhausted, negative-pressure smoking rooms cannot keep secondhand smoke from spilling into adjacent areas. In practice, employees are often required to enter such rooms in order to perform their job duties. Employees and patrons in such rooms are likely to be exposed to especially high levels of secondhand smoke.ⁱⁱ

The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), concludes that:

- It is the consensus of the medical community and its cognizant authorities that Environmental Tobacco Smoke (ETS) is a health risk, causing lung cancer and heart disease in adults, and exacerbation of asthma, lower respiratory illnesses and other adverse effects on the respiratory health of children.
- At present, the only means of effectively eliminating health risk associated with indoor exposure is to ban smoking activity.
- Although complete separation and isolation of smoking rooms can control ETS exposure in non-smoking spaces in the same building, adverse health effects for the occupants of the smoking room cannot be controlled by ventilation.
- No other engineering approaches, including current and advanced dilution ventilation or air cleaning technologies, have been demonstrated or should be relied upon to control health risks from ETS exposure in spaces where smoking occurs. Some engineering measures may reduce that exposure and the corresponding risk to some degree while also addressing to some extent the comfort issues of odor and some forms of irritation.
- An increasing number of local and national governments, as well as many private building owners, are adopting and implementing bans on indoor smoking.
- At a minimum, ASHRAE members must abide by local regulations and building codes and stay aware of changes in areas where they practice, and should educate and inform their clients of the substantial limitations and the available benefits of engineering controls.
- Because of ASHRAE's mission to act for the benefit of the public, it encourages elimination of smoking in the indoor environment as the optimal way to minimize ETS exposure.

See link below for details from American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE):

http://www.ashrae.org/content/ASHRAE/ASHRAE/ArticleAltFormat/20058211239_347.pdf

ⁱ (James Repace, Fact Sheet on Secondhand Smoke, 1999) <http://repace.com/SHSFactsheet.pdf>

ⁱⁱ U.S. Department of Health and Human Services. [The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General](#). Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006 [cited 2006 Oct 23]. Available from: http://www.cdc.gov/tobacco/data_statistics/sgr/sgr_2006/index.htm

ⁱⁱⁱ American Society of Heating, Refrigerating and Air-Conditioning Engineers. Environmental Tobacco Smoke: Position Document. Atlanta, Georgia: 2005 [cited 2006 Oct 23].

From: [Brian Saylor](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Marijuana regulations
Date: Friday, January 13, 2017 10:14:21 AM

I am opposed to the proposed regulation allowing for onsite consumption in marijuana stores. I don't think Alaskans should have to breathe second hand smoke from whatever source in a public business location. Alaska would be the first state to have licensed marijuana bars and I think that's an idea that flied in the face of an accepted body of public health research that warns of the health dangers of second hand smoke.

I don't believe that marijuana bars should be treated any differently than other public places. Please assure us that the health of the Alaska public will be protected.

Brian Saylor

From: [george.scharf](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: no mj lounges
Date: Thursday, January 12, 2017 7:38:10 PM

No type of ventilation system will protect workers and patrons from the effects of secondhand smoke, vapor or aerosol

From: [Gail Schiemann](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: I do not support onsite consumption
Date: Thursday, January 12, 2017 12:01:39 PM

I am adamantly opposed to the proposed regulation allowing for onsite consumption in marijuana stores. When we voted on the ballot initiative to legalize marijuana, it said that it would not be legal to use it in public! **A business is a public place with people working there.** No one should have to breathe any kind of secondhand smoke in a public business location. I care about the people who will work in these places because they will be caught in a cloud like guinea pigs with COPD in a few years, which is the third leading cause of death in the nation. Alaska would be the first state to have licensed marijuana bars and I think that's a really ignorant, short sighted, and embarrassing suggestion. Alaska should be smarter than that!

Gail Schiemann

From: [Alaska Online Public Notices](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: New Comment on PROPOSED REGULATIONS ONSITE CONSUMPTION IN MARIJUANA RETAIL STORES
Date: Friday, December 02, 2016 12:05:34 PM

A new comment has been submitted on the public notice [PROPOSED REGULATIONS ONSITE CONSUMPTION IN MARIJUANA RETAIL STORES](#).

Submitted:

12/2/2016 12:05:20 PM

Walt S. Sisikin
wsisikin@gmail.com

Unknown location
Anonymous User

Comment:

Marijuana smoking should be handled like cigarette smoking as far as second hand smoke, etc. The distribution and sale of marijuana should be handled like alcohol is handled, including DUI laws, criminal trespass while being high on marijuana etc.

You can review all comments on this notice by [clicking here](#).

[Alaska Online Public Notices](#)

From: [Terry Snyder](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comments proposed regulation for indoor use
Date: Friday, January 13, 2017 3:01:44 PM

I am personally opposed to the proposed regulation allowing for onsite consumption in marijuana stores for the following reasons:

- I don't think Alaskans should have to breathe marijuana smoke in a public business location. I care about the public consumption of marijuana because everyone deserves the right to breathe smoke free air.
- Much of the marijuana statute seems to be modeled after the alcohol statute. We don't allow shoppers to taste and sample liquor in a liquor store. Why should marijuana be any different?
- Alaskans shouldn't be exposed to any secondhand marijuana smoke and encouraging the public to move back to the days of the old and unhealthy social norm is a dangerous and expensive path to go down for our state.
- When I voted on the ballot initiative to legalize marijuana, I understood that it would not be legal to use it in public, and to me public means is an indoor or outdoor space that is used by the general public or serving as a place of work.

Respectfully I on behalf of myself personally ask the board to oppose allowing onsite consumption in marijuana stores.

Terry Snyder

208 W Cedar Ave

Palmer, Alaska 99645

From: [Katie Steffens](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on Onsite Consumption Endorsements
Date: Monday, December 12, 2016 3:27:22 PM

To the Alaska Marijuana Control Board:

I am a **strong opponent** of onsite consumption of marijuana in any form, including smoking, vaping, and eating.

Marijuana is not alcohol and should not be treated like it. Marijuana is a substance that does not have a way to test the amount of impairment after consumption. There is not an existing test that is timely for enforcement to use when pulling driving suspects over. Allowing this product to be publicly consumed puts pedestrians and drivers alike at risk. Alaska has seen too many people victimized due to drug and alcohol abuse combined with driving. We don't need anymore.

Onsite consumption of marijuana is a guaranteed headache for the future, especially if smoked or vaped. It is a well-known fact that ventilation systems are not able to completely remove second-hand smoke from the air whether it's from marijuana, tobacco, or vapes. Alaska is already fighting to make indoor workplaces smokefree and this would go against those efforts in places that do not yet have smokefree workplaces.

Onsite consumption doesn't make a state hip/trendy. Residents and/or tourists do not need a public place to consume marijuana. Alaska would be making the right choice by not allowing onsite consumption of marijuana products. There will be more healthy and safe people because of it.

Thank you for your time and consideration.

Best,
Katie Steffens

From: [George Stewart](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Allowing Smoking of Marijuana at Sales Places - NO !
Date: Saturday, January 07, 2017 1:59:15 PM

Please **DO NOT** pass a law which would allow consumption at a Marijuana Sales Facility.

- 1) Marijuana smoke IS TOXIC and can cause significant lung problems to the smoker and a non-consumer in the facility.
- 2) This is definitely a breach of the Anchorage ordinance which bans indoor smoking (including marijuana) in public places.
- 3) It would pose a risk to the marijuana consumer (and other drivers) when driving home with the toxic brain effects of the marijuana - equal to driving drunk !

George Stewart
4431 Edinburgh Dr., Anchorage 99502
907-522-1062

From: [Marijuana, CED ABC \(CED sponsored\)](#)
To: [Smith, Jedediah R \(CED\)](#)
Subject: FW: Public Comment Opposing 3 AAC 306.xxx Onsite consumption endorsement regulations
Date: Thursday, January 05, 2017 3:44:20 PM

Cynthia Franklin, Director
Alcohol & Marijuana Control Office
907-269-0351

From: Marge Stoneking [mailto:Marge.Stoneking@lung.org]
Sent: Tuesday, January 03, 2017 11:27 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: Public Comment Opposing 3 AAC 306.xxx Onsite consumption endorsement regulations

American Lung Association in Alaska is opposed to proposed regulations allowing inhaled consumption of marijuana onsite in retail marijuana stores.

Secondhand smoke from marijuana has many of the same chemicals as smoke from tobacco, including those linked to lung cancer. Secondhand smoke from combusted marijuana contains fine particulate matter that can be breathed deeply into the lungs, which can cause lung irritation, asthma attacks, and makes respiratory infections more likely. Exposure to fine particulate matter can exacerbate health problems especially for people with respiratory conditions like asthma, bronchitis, or COPD.

No type of ventilation system will protect workers and patrons from the effects of secondhand smoke, vapor or aerosol. The licensee would be required to provide a ventilation plan approved by a mechanical engineer to apply for an onsite consumption endorsement. Ventilation may reduce odors, but will not protect human health from marijuana smoke. Even high-quality ventilation systems will not prevent marijuana smoke or aerosol from moving from the consumption area into other areas of the retail store. A building must be completely smokefree to eliminate the health effects caused by smoke or aerosol.

The American Society for Heating, Refrigeration, and Air Conditioning Engineering (ASHRAE) is the organization that develops engineering standards for building ventilation systems. ASHRAE now bases its ventilation standard for acceptable indoor air quality on an environment that is completely free from secondhand tobacco smoke, **secondhand marijuana smoke**, and emissions from electronic smoking devices. CITATION: ANSI/ASHRAE Standard 62.1-2013, Addenda 2015 - Ventilation for Acceptable Indoor Air Quality. ta, GA: American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. Atlanta, GA: American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. https://www.ashrae.org/FileLibrary/docLib/StdAddenda/62_1_2013_2015Supplement_20150203.pdf

The U.S. Surgeon General's Report, "*The Health Consequences of Involuntary Exposure to Tobacco Smoke*," (2006) also concluded that there is no risk-free level of exposure to secondhand smoke; ventilation and other air cleaning technologies cannot eliminate exposure

of nonsmokers to secondhand smoke; and that comprehensive smoke-free workplace policies are the *only* effective way to eliminate secondhand smoke exposure in the workplace.

Seventy-nine percent of Alaskans polled by American Cancer Society Cancer Action Network in 2016 support protecting Alaskans from secondhand marijuana smoke in workplaces and public places.

Please consider the science and the opposition of Alaskans, as noted in the poll above and in previous iterations of public comments on this issue.

Sincerely,

Marge Stoneking | Executive Director



500 W Intl Airport Rd, Ste A

Anchorage, AK 99518

907.644.6404

www.aklung.org

From: [Becky Stoppa](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on online consumption endorsements
Date: Monday, January 09, 2017 7:09:01 PM

To Whom it May Concern:

I am writing to express my opposition to onsite consumption of marijuana. Legalizing onsite consumption would jeopardize the health of non-users by exposing them to secondhand marijuana smoke. Such exposure should be taken as seriously as exposure to secondhand tobacco smoke, as both pose significant health risks for non-smokers/users. Additionally, ventilation would not be effective at removing the secondhand marijuana smoke, according to the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE).

Sincerely,

Becky Stoppa
3250 N Tungsten Dr.
Wasilla, AK 99654

From: [Larry Taylor](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Cc: marge.stoneking@lung.org
Subject: Public comment on marijuana smoking in stores
Date: Saturday, January 07, 2017 3:27:42 PM

I oppose allowing the smoking of marijuana in retail stores.

Marijuana smoke behaves just like tobacco smoke. I have been studying the pervasiveness of indoor tobacco and marijuana smoke for forty years. I once tested urine in workers in a state building where only one person smoked. Everyone in the building that did not smoke had the tobacco metabolite cotinine in their urine because of exposure outside of the workplace. The concentration of metabolite increased during the work day in the urine of the person in the office next to the smoker.

It is well known that the metabolite of marijuana found in urine, 11-nor-delta-9-tetrahydrocannabinol-carboxylic acid, increases with exposure to marijuana smoke and persists for some period of time. That marijuana affects people who do not smoke marijuana can thus be easily proven. It is also known that a person with marijuana metabolite in their urine has compromised small muscle control in their eyes, thus effecting visual coordination, and that this may be accompanied by inhibiting the person's decision making ability (i.e., marijuana users have poor decision making abilities).

It is unconscionable to allow smoking of marijuana in stores where other people are thus impacted by the secondhand marijuana smoke. For an asthmatic, like me, it would also be noxious and cause health complaints. It is also illegal to allow smoking of marijuana in stores in Anchorage because it would violate Anchorage Municipal Ordinance 16.65, which prohibits smoking inside any enclosed place of business within the municipality. To prevent smoke from entering covered buildings, smoking is also prohibited within 20 feet of any door or window. Complaints about violations of Anchorage's ordinance can be filed with the municipality online or by calling (907) 343-4200 during regular business hours.

One of the observations I made during a past Alaska Forum on the Environment Trade Show was of a display sponsored by Phillip Morris purported to demonstrate that ventilation can keep smoke confined to the smoking area, protecting non-smoking areas. When the batteries on the little fans running the ventilation system began to run low, the movement of smoke into the non-smoking area. The demonstrator said all it needed was new batteries. I commented that when the weather drops below freezing, building proprietors will increase the recycling of indoor air to the whole building to limit the fresh air being brought in, thus limiting the amount of air that has to be heated up, saving money, and causing the smoke to infiltrate all areas of the building.

I have also inspected smoking rooms in buildings, and could find the room by smell, which is all pervasive. Allowing smoking of marijuana in a closed room, especially when fan exhaust is not allowed leave the building, is ridiculous. A quite similar situation would occur at a swimming pool with signs designating the urinating area and the non-urinating area.

You are welcome to call or write back for references.

Very truly yours,
Larry Taylor, Jr.

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Larry Taylor
Managing Member
Flat Lake Engineering, LLC
(907) 538-7707 cell

From: [Andrea Thomas](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Opposed to marijuana bars
Date: Wednesday, January 11, 2017 8:15:19 PM

I am opposed to allowing marijuana smoking in bars or any public business or private club. It has been difficult to protect all Alaskans from secondhand cigarette smoke and adding marijuana in the mix is a public policy health mistake.

Andrea Thomas

Sent from my iPhone

Dear Members of the Marijuana Control Board,

Everyone has the right to breathe smoke-free air. Smoke-free policies protect the public and all workers from contact to the health hazards caused by exposure to secondhand tobacco-smoke, marijuana-smoke, and e-cigarette vapor. It is a person's right to smoke if they choose to do so but it is not their right to cause harm to others with their secondhand smoke. Please do not allow on-site consumption of marijuana.

I wanted to share results from a survey that shows the general public's desire to have smoke-free public places in Alaska and a few facts about the harms of tobacco and marijuana secondhand smoke. Dittman conducted a AK public survey for the Action Cancer Network of the American Cancer Society from Dec 30, 2015 – Jan. 7, 2016. This survey interviewed 800 registered voters and included specific and separate survey questions regarding tobacco, e-cigarettes, and marijuana secondhand smoke in public places (which include workplaces, public buildings, offices, restaurants, and bars). The survey results showed that 69% of the responder's favor smoke-free public places, 72% favored e-cigarette smoke-free public places, and 79% favored marijuana smoke-free public places.

Marijuana smoke harms lung health. Like tobacco smoke, known to be hazardous to lung health, marijuana smoke also causes harm. Tobacco and marijuana smoke contain at least 33 of the same constituents that are known carcinogens (substances capable of causing cancer). A review of the scientific literature conducted by the California Environmental Protection Agency revealed that marijuana smoke increases the risk of cancer (including lung, head, neck, bladder, brain, and testis), alters endocrine function and cell signaling pathways, and suppresses immune function. A recent study published in the Journal of American Heart Association found that in mice, inhalation of secondhand marijuana smoke for one-minute diminished blood vessel function to the same degree as a one-minute inhalation exposure of tobacco smoke. In these mice, normal blood vessel function returned to normal levels within 40min after exposure to tobacco smoke, but took **three times** longer with marijuana smoke. In humans, diminished blood vessel function impedes blood flow and positions the affected individual at risk for heart disease.

In order to protect public health, improve consistency, and aid enforcement, smoke-free laws for public places and workplaces should include tobacco as well as marijuana, whether it is smoked or aerosolized. Allowing marijuana smoking in places where smoking is now prohibited could undermine laws that protect the public from exposure to secondhand smoke. This is important because, as we all now know tobacco products, including secondhand smoke, are deadly.

An additional concern is that the current proposed regulation states that a person must leave the business if they are intoxicated. If onsite consumption is allowed, this would mean that people would have to leave soon after consuming marijuana. This is not ideal and could lead to more intoxicated drivers. Please consider amending this rule.

In the interest of public health, the use of combustible or aerosolized marijuana should be prohibited wherever tobacco smoking is prohibited. Thank you for considering not supporting on-site marijuana consumption.

Sincerely,

Maegan Weltzin

PO Box 163
Ester, Alaska 99725

From: [Beverly Wooley](#)
To: [Marijuana, CED ABC \(CED sponsored\)](#)
Subject: Comment on onsite consumption endorsements - Opposing inhaled consumption of marijuana at licensed retail marijuana stores in 3 AAC 306.365
Date: Monday, January 09, 2017 3:22:37 PM

Dear Marijuana Control Board:

I strongly oppose all sections of the currently proposed regulation 3 AAC 306.365 allowing for onsite inhaled consumption of marijuana at licensed retail marijuana stores. Everyone has the right to breathe smoke-free air.

Currently proposed regulation 3 AAC 306.365, allowing for onsite marijuana consumption, will greatly undermine years of hard work by Alaskans to secure passage of local comprehensive clean indoor air laws in their communities. These laws protect the health of workers, patrons and visitors by ensuring the right of all citizens to breathe clean, smoke-free air in businesses and public places. I live in Anchorage and have worked in public health in Alaska for over 30 years. I have seen firsthand and health research has clearly shown - the devastating consequences of secondhand smoke. I voted in favor of Ballot Measure 2, in part, because I believed legalizing edible marijuana provides more accessible smoke-free consumption options for marijuana users and a healthier alternative to inhaling marijuana smoke, including secondhand.

I strongly oppose provision **3 AAC 306.365(d)(1)** that would allow “sell for consumption on the premises (1) marijuana bud or flower ...”. Allowing consumption of marijuana bud or flower on the premises of the retail marijuana stores puts workers, patrons and visitors at increased risks of the adverse health effects of inhaling secondhand marijuana smoke. No person should have to choose between their health and a good job.

Science has repeatedly documented the health damage and costs of secondhand smoke from tobacco. Recent studies have demonstrated that secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals found in secondhand tobacco smoke as well as fine particulate matter. Exposure to fine particulate matter can cause lung irritation, asthma attacks, increased likelihood of respiratory infections, and worsened health problems especially for people with respiratory conditions like asthma, bronchitis, or COPD. Secondhand marijuana exposure also impairs blood vessel function. Secondhand marijuana smoke likely has similar harmful health effects as secondhand tobacco, including atherosclerosis (partially blocked arteries), heart attack, and stroke.

Ventilation requirements proposed in **3 AAC 306.365** (e)(2) to “maintain a ventilation system that directs air from the onsite consumption area to the outside of the building through a filtration system adequate to reduce odor;” is not adequate to protect the health of workers and patrons. Ventilation system may work to remove the smell of smoke, but even high-quality ventilation systems have proven ineffective in keeping the hazardous toxins in marijuana smoke, vapor or aerosol from traveling throughout a building. Prohibiting onsite inhaled consumption of marijuana in retail marijuana stores is needed to protect employees, patrons and visitors from the negative health effects caused by secondhand smoke.

In summary, I oppose allowing inhaled consumption of marijuana in retail marijuana stores because of the devastating effects of secondhand smoke, the inability of ventilation systems to effectively remove the hazardous toxins and particles from the smoke, and the right of all people to breathe clean air. Please protect the health of all Alaskans – ensure their right to smoke-free businesses.

Please support smoke-free, clean air for workers, patrons and visitors in businesses – *prohibit onsite inhaled consumption of marijuana in retail marijuana stores*. Thank you for your consideration regarding this important health issue.

Beverly K Wooley

2073 Dimond Drive

Anchorage, AK 99507

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Beverly Wooley
wooleybk@gmail.com
907-830-5503