

Sponsor Statement for HB 373

Weight Of Marijuana/Contraband Forfeiture

An Act relating to marijuana and controlled substances and forfeitures related to controlled substances.

Released: March 5, 2002
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Alaska is the only state in the nation that is required to process marijuana to a usable form for evidence purposes. Under current law, when an arrest is made for possession of marijuana, the live plants are seized but before it is admitted as evidence, the marijuana must be dried, stripped and separated. This process requires approximately 9,000 man-hours yearly with personnel cost of approximately \$250,000. This does not include the space and storage needed for this process or the man-hours and space committed by the local police and the independent statewide drug task forces.

HB 373 would allow law enforcement officers to destroy excess marijuana above and beyond the required amount needed to be retained as evidence in a criminal case. HB 373 would eliminate the need for Alaska law enforcement officers to be involved in the labor intensive processing of seized marijuana plants and would bring Alaska more in line with the federal requirements as well as other States.

HB 373 also defines contraband as well as the disposition of contraband. A new section will be added to AS 17.30.110 defining contraband, which includes the plants from which a controlled substance can be derived. This bill consolidates the forfeiture regulations and provides the commissioner of public safety or a municipal law enforcement agency authorized by the commissioner to dispose of contraband after a representative sample has been obtained as needed for evidence.

This legislation allows those law enforcement personnel whose duties involve processing of marijuana to be used more effectively. It is also an important update to disposition and forfeiture laws. I urge your support of HB 373.