

Alaska becomes 3rd state with legal marijuana

February 24 2015, byMolly Dischner



In this Feb. 20, 2015 photo, Alaska Cannabis Club CEO Charlo Greene smokes a joint at the medical marijuana dispensary in Anchorage, Alaska. On Tuesday, Feb. 24, 2015, Alaska will become the third state in the nation to legalize marijuana. (AP Photo/Mark Thiessen)

(AP)—Smoking, growing and possessing marijuana becomes legal in America's wildest state Tuesday, thanks to a voter initiative aimed at clearing away 40 years of conflicting laws and court rulings.

Making Alaska the third state to legalize recreational marijuana was the goal of a coalition including libertarians, rugged individualists and small-government Republicans who prize the privacy rights enshrined in the state's constitution.

But when they voted 53-47 percent last November to legalize marijuana use by adults in private places, they left many of the details to lawmakers and regulators to sort out.

Meanwhile, Alaska Native leaders worry that legalization will bring new temptations to communities already confronting high rates of drug and alcohol abuse, domestic violence and suicide.

"When they start depending on [smoking marijuana](#), I don't know how far they'd go to get the funds they need to support it, to support themselves," said Edward Nick, council member in Manokotak, a remote village of 400 that is predominantly Yup'ik Eskimo.

Both alcohol and drug use are prohibited in Nick's village 350 miles southwest of Anchorage, even inside the privacy of villagers' homes.

But Nick fears that the initiative, in combination with a 1975 state Supreme Court decision that legalized marijuana use inside homes—could open doors to drug abuse.

Initiative backers promised Native leaders that communities could still have local control under certain conditions. Alaska law gives every community the option to regulate alcohol locally. From northern Barrow to Klawock, 1,291 miles away in southeast Alaska, 108 communities impose local limits on alcohol, and 33 of them ban it altogether.



In this Feb. 20, 2015 photo, Peter Lomonaco, co-founder of the Alaska Cannabis Club, and CEO Charlo Greene roll a joint at their medical marijuana dispensary in Anchorage, Alaska. On Tuesday, Feb. 24, 2015, Alaska will become the third state in the nation to legalize marijuana. (AP Photo/Mark Thiessen)

But the initiative did not provide clear opt-out language for tribal councils and other smaller communities, forcing each one to figure out how to proceed Tuesday.

November's initiative also bans smoking in public, but didn't define what that means, and lawmakers left the question to the alcohol regulatory board, which planned to meet early Tuesday to discuss an emergency response.

In Anchorage, Alaska's largest city, officials tried and failed in December to ban a new commercial marijuana industry. But Police Chief Mark Mew said his officers will be strictly enforcing the public smoking ban. He even warned people against smoking on their porches if they live next to a park.

Other officials are still discussing a proposed cultivation ban for the wild Kenai Peninsula. But far to the north, in North Pole, smoking outdoors on private property will be OK as long as it doesn't create a nuisance, officials there said.

While the 1975 court decision protected personal marijuana possession and a 1998 initiative legalized medicinal marijuana, state lawmakers twice criminalized any possession over the years, creating an odd legal limbo.

As of Tuesday, adult Alaskans can not only keep and use pot, they can transport, grow it and give it away. A second phase, creating a regulated and taxed marijuana market, won't start until 2016 at the earliest.

And while possession is no longer a crime under state law, enjoying pot in public can bring a \$100 fine.



This Feb. 20, 2015 photo, shows the Alaska Cannabis Club in downtown Anchorage, Alaska. On Tuesday, Feb. 24, 2015, Alaska will become the third state in the nation to legalize marijuana. (AP Photo/Mark Thiessen)

That's fine with Dean Smith, a pot-smoker in Juneau who has friends in jail for marijuana offenses. "It's going to stop a lot of people getting arrested for nonviolent crimes," he said.

The initiative's backers warned pot enthusiasts to keep their cool.

"Don't do anything to give your neighbors reason to feel uneasy about this new law. We're in the midst of an enormous social and legal shift," organizers wrote in the Alaska Dispatch News, the state's largest newspaper.



In this Feb. 20, 2015 photo, Peter Lomonaco, co-founder of the Alaska Cannabis Club, and CEO Charlo Greene share a joint at their medical marijuana dispensary in Anchorage, Alaska. On Tuesday, Feb. 24, 2015, Alaska will become the third state in the nation to legalize marijuana. (AP Photo/Mark Thiessen)

Richard Ziegler, who had been promoting what he called "Idida-toke" in a nod to Alaska's Iditarod Trail Sled Dog Race, reluctantly called off his party.

There's no such pullback for former television reporter Charlo Greene, now CEO of the Alaska Cannabis Club, which is having its grand opening on Tuesday in downtown Anchorage. She's already pushing the limits, promising to give away weed to paying "medical [marijuana](#)" patients and other "club members."

Greene—who quit her job with a four-letter walkoff on live television

last year to devote her efforts to passing the initiative—plans a celebratory toke at 4:20 p.m.

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