

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE MARIJUANA CONTROL BOARD

The Marijuana Control Board proposes to amend 3 AAC 306.645 and 3 AAC 306.660, relating to marijuana testing.

The Marijuana Control Board proposes to adopt regulations in Title 3 of the Alaska Administrative Code, dealing with standards and requirements for marijuana testing facilities, including the following:

- (1) 3 AAC 306.645(b)(1)(C)(i) – Marijuana testing tolerances for potency testing are proposed to be changed as they apply to the THC content of edible marijuana products.
- (2) 3 AAC 306.645(b)(3) – Marijuana testing tolerances for residual solvents are proposed to be changed as they apply to the acceptable limit for benzene residual solvents.
- (3) 3 AAC 306.660(a) and (c) – Failed materials and retests requirements are proposed to be changed as by including a visual foreign matter inspection failure and by giving the director, in addition to the board, the authority to authorize retesting and to approve use of marijuana that fails a required test in an extract.

You may comment in writing on the proposed regulations, including the potential costs to private persons of complying with the proposed regulations, by submitting written comments to Jedediah Smith, Alcohol & Marijuana Control Office at 550 W. 7th Ave, Suite 1600, Anchorage, AK 99501. Additionally, the Alcohol & Marijuana Control Office will accept written comments by electronic mail at amco.regs@alaska.gov. Please notate “Comment on Testing Regulations” on the subject line of any emailed comment. Written comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the "comment" link. Please indicate the article and section number to which each comment refers, if applicable. **Please indicate in the subject line “Comment on testing regulations”.** All written comments must be received no later than 4:30 p.m. on March 30, 2017.

You may submit written questions relevant to the proposed regulations by email to amco.regs@alaska.gov or to Jedediah Smith at the above physical address. Please do not submit questions through the Alaska Online Public Notice System. The written questions must be received at least 10 days before the end of the public comment period, by March 20, 2017 at 4:30 p.m. The Alcohol & Marijuana Control Office will aggregate its response to substantially similar written questions and make the questions and response available on the Alcohol & Marijuana Control Office website. The Alcohol & Marijuana Control Office may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jedediah Smith at (907) 334-2195 no later than March 20, 2017 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulations are available through the electronic link to the complete text on the Alaska Online Public Notice System, on the Alcohol & Marijuana Control Office website at <https://www.commerce.alaska.gov/web/amco/> or by contacting Jedediah Smith at amco.regs@alaska.gov

or 550 W. 7th Ste 1600, Anchorage, AK 99501.

After the written public comment period ends, the Marijuana Control Board will either adopt the proposed regulations or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment in writing during the time allowed if your interests could be affected.** No verbal public comment will be taken on the proposed changes.

Statutory Authority: AS 17.38.190

Statutes Being Implemented, Interpreted, or Made Specific: AS 17.38.190

Fiscal Information: The proposed regulations are not expected to require an increased appropriation.

DATE: March 21, 2016

A handwritten signature in cursive script, reading "Erika McConnell", is positioned above a horizontal line.

Erika McConnell, Director
Alcohol & Marijuana Control Office