

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE MARIJUANA  
CONTROL BOARD TO MARIJUANA PLANT COUNT, TESTING OF MARIJUANA AND  
REPORTING OF TESTING EQUIPMENT FAILURE

The Marijuana Control Board proposes to adopt regulation changes in 3 AAC 306 of the Alaska Administrative Code, dealing with the testing of marijuana, marijuana plant count, and the reporting of equipment failure at a marijuana testing facility, including the following:

- (1) 3 AAC 306.405 adds new subsections to address plant counts for marijuana cultivation facilities.
- (2) 3 AAC 306.435 adds “kief” to the list of marijuana that may be combined in harvest packages.
- (3) 3 AAC 306. 455 adds leaf, trim, and kief to random harvest samples for required testing.
- (4) 3 AAC 306.470 adds a new subsection requiring leaf, trim and other non-flower part of the marijuana plant to be independently tested for THC potency.
- (5) 3 AAC 306.555(d)(1) is proposed to be repealed.
- (6) 3 AAC 306.645 is proposed to add requirements for potency testing.
- (7) 3 AAC 306.670 is proposed to change reporting requirements for marijuana testing facilities.
- (8) 3 AAC 306.990 is proposed to amend definitions of marijuana plant maturity.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Alcohol & Marijuana Control Office at 550 West 7<sup>th</sup> Avenue, Suite 1600, Anchorage, AK 99501. Additionally, the Marijuana Control Board will accept comments by electronic mail at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 pm on September 22, 2017.

You may submit written questions relevant to the proposed action to the Marijuana Control Board by email at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or at 550 West 7<sup>th</sup> Avenue, Suite 1600, Anchorage, AK 99501. The questions must be received at least 10 days before the end of the public comment period. The Marijuana Control Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

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 [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or (907) 269-0350 not later than September 12, 2017 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting the Alcohol & Marijuana Control Office at (907) 269-0350 or [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov).

After the public comment period ends, the Marijuana Control Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 17.38.010; AS 17.38.070; AS 17.38.121; AS 17.38.150; AS 17.38.190; AS 17.38.200; AS 17.38.900

**Statutes being implemented, interpreted, or made specific:** AS 17.38.070; AS 17.38.200

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: August 14, 2017

A handwritten signature in black ink that reads "Erika McConnell". The signature is written in a cursive, flowing style.

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Erika McConnell, director