

MEMORANDUM

State of Alaska Department of Law

TO: April Simpson, AAC Coordinator
Office of the Lieutenant Governor

DATE: March 6, 2020

FILE NO.: JU2013200714
(Regulations)
Corrections/Revisor's
Memo

FROM: Steven C. Weaver *SCW*
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TEL. NO.: 465-3600

SUBJECT: Correction to the Alaska
Administrative Code (AAC):
3 AAC 306.470(a)(2)(A)

In accordance with the authority of the regulations attorney under AS 44.62.125(b), please forward to the publisher the correction to the Alaska Administrative Code (AAC) described below. I have forwarded this correction under a specific delegation dated December 3, 2018 from the regulations attorney. This revision corrects a manifest error.

The regulation to be revised is 3 AAC 306.470(a)(2)(A): a provision that ought to have appeared in regulations filed February 12, 2020, with an effective date of March 13, 2020; but that did not appear because of an agency oversight. The revision to that subparagraph is as follows:

--Change "five pounds" to "10 pounds".

In addition, after 3 AAC 306.470, insert an editor's note to read as follows:

Editor's note: As of Register 233 (April 2020), the regulations attorney made a technical revision under AS 44.62.125(b)(6), to 3 AAC 306.470(a).

We have reviewed the Department of Law file for these regulations (2019200398), as well as the rest of the filed regulations. We note that the public notice for this regulations project proposed to amend 3 AAC 306.470 and 3 AAC 306.565 to change the size of wholesale packages of marijuana. In the two other relevant provisions of those sections--3 AAC 306.470(a)(1)(B) and 3 AAC 306.565(c)--the board changes the five-pound package size to 10 pounds. New text in 3 AAC 306.435(a) also sets a package size of 10 pounds. Accordingly, we conclude that the omission of a change from "five pounds" to "10 pounds" in 3 AAC 306.470(a)(2)(A) was the result of an agency oversight, and that the correction would be technical rather than substantive.

Thank you for your assistance, and please contact me if you have additional questions.

SCW

cc: Glenn Klinkhart, Interim Director
Marijuana Control Board

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