

NOTICE OF PROPOSED CHANGES ON OVERLAPPING PREMISES
IN THE REGULATIONS OF THE MARIJUANA CONTROL BOARD

The Marijuana Control Board proposes to adopt regulation changes in 3 AAC 306 of the Alaska Administrative Code, dealing with overlapping licensed premises, including the following:

3 AAC 306.020. Application for a new license. Adds language to require shared areas to be shown on diagrams.

3 AAC 306.047. License conversion. Adds language to require shared areas to be shown on diagrams.

3 AAC 306.305. Retail marijuana store privileges. Adds a subsection that a retail may apply for a cultivation and/or manufacturing facility with certain restrictions.

3 AAC 306.405. Marijuana cultivation facility privileges and prohibited acts. Repeals (c)(4), renumbers (c)(5) and (c)(6), and adds a new paragraph with 3 AAC 306.450 current language.

3 AAC 306.450. Production of marijuana concentrate prohibited. Repealed; moved to 3 AAC 306.405(c)

3 AAC 306.505. Marijuana product manufacturing facility privileges. Adds a subsection that a manufacturing facility may apply for a cultivation and/or retail with certain restrictions.

3 AAC 306.610. Marijuana testing facilities privileges and prohibitions. Adds a paragraph that a testing facility may not have in common licensed areas including restricted access areas with any marijuana establishment licensee.

3 AAC 306.705. Licensed premises; alteration. Adds language to require licensed premises to be contiguous, except as approved by the board, and requires an endorsement to be conspicuously posted at the licensed premises.

3 AAC 306.720. Video Surveillance. Is repealed and readopted for logic and clarity purposes to add that a licensee may house surveillance recording equipment and video surveillance records in a shared area approved by the board. (yellow highlight is the added/reworded/reorganized language/numbering/lettering).

3 AAC 306.725. Inspection of licensed premises. Adds language for shared spaces to be able to be inspected by AMCO enforcement.

3 AAC 306.755. Business records. Adds language for shared spaces to be part of business records.

3 AAC 306.800. Inspection and investigation. Adds language for shared spaces to be available for inspection and investigation by AMCO.

3 AAC 306.990(b)(23) amends the definition of “licensed premises”.

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 and Marijuana Control Office at 550 West 7th Avenue, Suite 1600, Anchorage AK 99501. Additionally, the Marijuana Control Board will accept comments by electronic mail at 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 August 14, 2020**.

You may submit written questions relevant to the proposed action to the Alcohol and Marijuana Control Office at 550 West 7th Avenue, Suite 1600, Anchorage, AK 99501 or to amco.regs@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Alcohol and Marijuana Control Office will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and AMCO website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact the Alcohol and Marijuana Control Office at amco.regs@alaska.gov or (907) 269-0490 **not later than July 24, 2020**, 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 and Marijuana Control Office at amco.regs@alaska.gov or (907) 269-0490.

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 17.38.190; AS 17.38.200; AS 17.38.900

Statutes being implemented, interpreted, or made specific: AS 17.38.070; AS 17.38.200; AS 17.38.900

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

The Alcohol and Marijuana Control Office keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Marijuana Control Board notices of proposed regulation changes. To be added to or removed from the list, send a request to the Marijuana Control Board at amco.regs@alaska.gov, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: June 15, 2020



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