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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Amy Demboski
Department of Commerce, Community, and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: December 2, 2020

RE: Filed Permanent Regulations: Marijuana Control Board

Marijuana Control Board Regulations re: infants on premises (3 AAC 306.325(a); 3 AAC 306.712)

Attorney General File:	2019200735
Regulation Filed:	12/02/2020
Effective Date:	01/01/2021
Print:	237, April 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Jane P. Sawyer, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF MARIJUANA CONTROL BOARD

The attached two pages of regulations, dealing with infants on premises, are certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its October 29, 2020, meeting, under the authority of AS 17.38.121 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.


This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Marijuana Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 11/5/2020

DocuSigned by:



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Glen Klinkhart, Interim Director

April Simpson for

FILING CERTIFICATION

I, ~~Kevin Meyer~~, Lieutenant Governor for the State of Alaska, certify that on

December 2, 2020 at 3:27 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

April Simpson

for Lieutenant Governor *Kevin Meyer*

Effective: January 1, 2021.

Register: 237, April 2021.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



Kevin Meyer
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

~~(Words in boldface and underlined indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)~~ e

3 AAC 306.325(a) is amended to read:

(a) **Except as provided under 3 AAC 306.712, a** [A] person under 21 years of age may not enter a retail marijuana store.

(Eff. 2/21/2016, Register 217; am 5/9/2019, Register 230; am 1 / 1 / 2021, Register 237)

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200

AS 17.38.070 AS 17.38.190 AS 17.38.900

AS 17.38.121

3 AAC 306 is amended by adding a new section to read:

3 AAC 306.712. Breastfeeding on ~~Licensed~~ Premises. (a) A licensee or employee of a licensee may bring a child up to 12 months of age, who is the child of the licensee or employee, onto ^{the} ~~a~~ licensed premises, excluding a restricted access area described under 3 AAC 306.710 and an onsite consumption area described under 3 AAC 306.370, for the purpose of breastfeeding the licensee or employee's child.

(b) A licensee may designate an area for breastfeeding or for the expression of breast milk. A designated area may not include a restricted access area described under 3 AAC 306.710 or an onsite consumption area described under 3 AAC 306.370.

(c) This section may not be construed to supersede or change the requirements of 29 U.S.C. 207 (Section 7 of the Fair Labor Standards Act of 1938) or any other law applicable to breastfeeding in the workplace. (Eff. 1 / 1 / 2021, Register 237)

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200

AS 17.38.070 AS 17.38.190 AS 17.38.900

AS 17.38.121