

NOTICE OF PROPOSED CHANGES TO THE OPERATING PLAN REQUIREMENTS IN  
THE REGULATIONS OF THE MARIJUANA CONTROL BOARD

BRIEF DESCRIPTION

The Marijuana Control Board proposes to change regulations dealing with the operating plan requirements for marijuana applicants.

The Marijuana Control Board proposes to adopt regulation changes in Title 3, Chapter 306 of the Alaska Administrative Code, dealing with the operating plan requirements for marijuana applicants, including the following:

- (1) **Application for a new license.** 3 AAC 306.020(c) is proposed to be amended to remove the requirement to submit an operating plan and require an applicant to provide certifications that the regulatory requirements will be met upon licensure.
- (2) **Application transfer of a license to another person.** 3 AAC 306.045(e) is proposed to be amended to remove mention of operating plan.
- (3) **Application for transfer of a marijuana establishment license to another location.** 3 AAC 306.046(c)(3) is proposed to be amended to remove mention of operating plan.
- (4) **License conversion.** 3 AAC 306.047(c)(2) is proposed to be amended to remove operating plan requirement and replace it with requirement to submit certifications.
- (5) **Denial of license or endorsement application.** 3 AAC 306.080(a), 3 AAC 306.080(a)(5) and 3 AAC 306.080(g)(6) are proposed to be amended to remove mention of operating plan.
- (6) **Fees; refund.** 3 AAC 306.100(c) is proposed to be amended to remove operating plan change fee as a possible fee.
- (7) **Application for retail marijuana store.** 3 AAC 306.315(1)(B) is proposed to be repealed.
- (8) **Onsite consumption endorsement for retail marijuana stores.** 3 AAC 306.370(f)(1) and 3 AAC 306.370(g)(1) are proposed to be amended to remove operating plan requirements and replace them with certification requirements.
- (9) **Walk-up or drive through exterior window pick-up for retail marijuana stores.** 3 AAC 306.380(b) is proposed to be amended to remove operating plan requirements and require the applicant to provide information and depictions.

- (10) **Application for marijuana cultivation facility license.** 3 AAC 306.420(2) is proposed to be amended to remove operating plan requirements and require the applicant to provide information and descriptions.
- (11) **Application for marijuana product manufacturing facility license.** 3 AAC 306.520(1)(C) is proposed to be amended to remove operating plan requirements and require the applicant to provide information and descriptions.
- (12) **Approval of concentrates and marijuana products.** 3 AAC 306.525(b) is proposed to be amended to remove mention of operating plan.
- (13) **Application for marijuana testing facility license.** 3 AAC 306.615(b) is proposed to be amended to remove operating plan requirements and require the applicant to provide information and descriptions.
- (14) **Operations.** 3 AAC 306.703 is proposed to be repealed.

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 Alcohol and Marijuana Control Office at 550 W. 7<sup>th</sup> Avenue, Suite 1600, Anchorage, Alaska, 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 p.m. on September 6, 2024.**

You may submit written questions relevant to the proposed action to Alcohol and Marijuana Control Office by email to [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or by mail to 550 W. 7<sup>th</sup> Avenue, Suite 1600, Anchorage, Alaska, 99501. 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 <https://www.commerce.alaska.gov/web/amco/>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kristina Serezhenkov at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or at 907-269-0359 not later than August 26, 2024 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulations is available on the Alaska Online Public Notice System and by contacting the Alcohol and Marijuana Control Office at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov).

After the 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 regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

**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 17.38.300; AS 17.38.900

**Statutes being implemented, interpreted, or made specific:** AS 17.38.070; AS 17.38.190; 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 Alcohol and Marijuana Control Office at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Individuals can also sign up to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

Date: 8/5/2024



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Kristina Serezhenkov, Regulations Specialist 2