

Nancy Dahlstrom
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Sara Chambers, Boards and Regulations Advisor
Department of Commerce, Community and Economic Development

FROM: April Simpson, Alaska Administrative Code Coordinator 
Office of the Lieutenant Governor

DATE: March 21, 2025

RE: Filed Permanent Regulations: Marijuana Control Board

Marijuana Control Board regulations re: Tracking Requirements for Flowering Plants
(3 AAC 306.435(a)(2)(A))

Attorney General File:	2024200428
Regulation Filed:	3/21/2025
Effective Date:	4/20/2025
Print:	254, July 2025

cc with enclosures: Beth Parsons, Paralegal 2
Department of Law

Bob Dame, Alaska Legal Analyst
LexisNexis

Kristina Serezhenkov, Regulations Specialist 2
Department of Commerce, Community and Economic Development



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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March 20, 2025

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *3 AAC 306.435(a)(2)(A): AMCO: Tracking Requirements for Flowering
Plants*
Our file: 2024200428

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Marijuana Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Marijuana Control Board after the close of the public comment period.

The regulations concern tracking requirements for flowering plants.

The November 13, 2024 public notice and the March 17, 2025 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2025.03.20
08:57:18 -08'00'

SCW/fcb

CC w/enclosure: Kristina Serezhenkov, Regulations Specialist 2
Department of Commerce, Community and Economic Development

Kevin A. Higgins, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE MARIJUANA CONTROL BOARD


The attached one page of regulations, dealing with tracking requirement for flowering plant, is certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its February 6, 2025, 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: 3/17/2025



Kevin Richard, Director

FILING CERTIFICATION

April Simpson for
I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on March 21, 2025 at 2:16 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for 

Lieutenant Governor *Nancy Dahlstrom*

Effective: April 20, 2025
Register: 254, July 2025.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, 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:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 254, July 2025

COMMERCE, COMMUNITY, AND EC. DEV.

3 AAC 306.435(a)(2)(A) is amended to read:

(2) assign a tracking number to each

(A) plant **that is**

(i) mature [OVER 18 INCHES TALL]; **or**

(ii) flowering; and

(Eff. 2/21/2016, Register 217; am 3/13/2020, Register 233; am 1/22/2023, Register 245; am

8/16/2024 Register 251; am 4 / 20 / 2025, Register 254)

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