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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

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

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

DATE: March 26, 2025

RE: Filed Permanent Regulations: Marijuana Control Board

Marijuana Control Board regulations re: Removing Batch Limits for Clones or Cuttings
(3 AAC 306.435(a)(3))

Attorney General File:	2024200432
Regulation Filed:	3/26/2025
Effective Date:	4/25/2025
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 26, 2025

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

Re: *3 AAC 306.435(a)(3): AMCO - Removing Batch Limits for Clones or
Cuttings*
Our file: 2024200432

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 remove the numerical limits on the number of clones or cuttings that make up a plant batch for the purposes of a marijuana cultivation facility's marijuana tracking system.

The December 1, 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

Digitally signed by
Rebecca C. Polizzotto
Date: 2025.03.26
09:12:26 -08'00'

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

RCP/SCW

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

Kevin 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 two pages of regulations, dealing with removing batch limits for clones or cuttings, 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

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

March 26, 2025 at 2:27 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 25, 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.



Nancy Dahlstrom

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 254, July 2025

COMMERCE, COMMUNITY, AND EC. DEV.

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

(3) assign a plant batch name or number to each batch of **immature plants propagated from seed**, clones, or cuttings [; A BATCH MAY NOT CONSIST OF MORE THAN 50 CLONES OR CUTTINGS].

(Eff. 2/21/2016, Register 217; am 03/13/2020, Register 233; am 1/22/2023, Register 245; am 8/16/2024, Register 251; am 4/20/2025, Register 254; am 4 / 25 / 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		

((Publisher: Please remove the "0" from "03/13/2020" in the history note, where the "0" incorrectly appears before the "3".)))

3 AAC 306.990(b) is amended by adding a new paragraph to read:

(53) "plant batch" means a specifically identified quantity of immature plants that are propagated at the same time and from the seeds, clones, or cuttings of a marijuana plant or marijuana plants that are uniform in strain, cultivated in one place and under the same conditions, and using the same medium and agricultural chemicals including pesticides and fungicides. (Eff. 2/24/2015, Register 213; am 2/21/2016, Register 217; am 10/11/2017, Register 224; am 8/11/2018, Register 227; am 10/20/2018, Register 228; am 4/11/2019, Register 230; am 5/9/2019, Register 230; am 3/13/2020, Register 233; am 12/6/2020, Register 236; **am 12/10/2020, Register 236**; am 8/7/2021, Register 239; am 7/23/2023, Register 247; am 4/19/2025, Register 254; am 4 / 25 / 2025, Register 254)

Authority:	AS 17.38.010	AS 17.38.121	AS 17.38.900
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Register 254, July 2025

COMMERCE, COMMUNITY, AND EC. DEV.

AS 17.38.040

AS 17.38.190

AS 18.35.301

AS 17.38.070

AS 17.38.200

(((Publisher: At the end of 3 AAC 306.990(b)(52), please change the period to a semicolon.)))

(((Publisher: In the history note, the notation "am 12/10/1010, Register 236;" was deleted by accident in project 2024200426, which took effect 4/19/2025, Register 254. The citation is restored here as part of this project.)))