

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

**M E M O R A N D U M**

**TO:** Victoria Caltagirone  
Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor  
465.4081 

**DATE:** February 3, 2023

**RE:** Filed Permanent Regulations: Marijuana Control Board

Alcohol and Marijuana Control Board regulations re: Trade Show Sample Sizes (3 AAC 306.760(c))

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Attorney General File:	2022200289
Regulation Filed:	2/3/2023
Effective Date:	3/5/2023
Print:	245, April 2023

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



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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January 31, 2023

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110001  
Juneau, AK 99801

Re: *3 AAC 306.760(c), DCCED AMCO - Trade Show Sample Sizes*  
Our file: 2022200289

Dear Lt. Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Alcohol and 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 Alcohol and Marijuana Control Board after the close of the public comment period.

The regulations concern increasing the size of marijuana samples that are transported to a trade show for display.

The July 14, 2022 public notice and the October 7, 2022 order certifying changes both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. 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: 2023.01.31  
11:51:15 -09'00'

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

RCP/ehp

CC w/enclosure: Jane Sawyer, Regulations Contact  
Department of Commerce, Community and Economic Development  
Alcohol and Marijuana Control Board

Kevin Higgins, Assistant Attorney General  
Department of Law

Steven C. Weaver, Assistant Attorney General  
Department of Law

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF MARIJUANA CONTROL BOARD

The attached one (1) page of regulations, dealing with trade shows – sample sizes, are certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its September 21-22, 2022, 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: October 7, 2022

  
\_\_\_\_\_  
Joan M. Wilson, Director

April Simpson for Nancy Dahlstrom FILING CERTIFICATION

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

February 3, 2023 at 9:01 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
for Lieutenant Governor Nancy Dahlstrom

Effective: March 5, 2023.

Register: 245, April 2023.

**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:**

**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, 2022.**



*Nancy Dahlstrom*

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

3 AAC 306.760(c) is amended to read:

(c) A licensed cultivation facility and a licensed retail facility may bring up to one ounce **of each strain** of marijuana to the trade show or event for display. The removal from and return of the marijuana to the licensed premises must be tracked in the marijuana inventory tracking system. The marijuana shall be contained so that the marijuana may not be removed from the display's immediate vicinity by a member of the public.

(Eff. 8/11/2018, Register 227; am 3 / 5 / 2023, Register 245)

**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