

UPDATE ON REGULATIONS AND STATUTORY REVISIONS

Alcoholic Beverage Control Board Marijuana Control Board

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MJ REGULATIONS ARTICLES

- 1. Licensing, Fees (3 AAC 306.010-3AAC 306.95)
- 2. Local Options (3 AAC 306.200-3AAC 306.270)
- 3. MJ Retail Stores (3 AAC 306.300-3AAC 306.355)
- 4. MJ Cultivation Facilities (3 AAC 306.400 et seq.)
- 5. MJ Products Manufacturing Facilities (3 AAC et seq.)
- 6. MJ Testing Facilities (3 AAC 306.600 et seq.)
- 7. Operating Requirements for All MJ Establishments (3 AAC 306.700 et seq.)
- 8. Enforcement, Civil Penalties (3 AAC 306.800 et seq.)
- 9. General Provisions (3 AAC 306.900 et seq.)

UPDATE ON MARIJUANA REGULATIONS

- General timeline:
 - August 3-31– MCB reviews written public comments on Articles 1, 3 and 7 and votes on changes
 - September 10– written public comment on Articles 4,5,6,8 and 9 closes
 - September 14-24– MCB reviews written public comment on Articles 4,5,6,8 and 9 and votes on changes; MCB reviews all articles to ascertain policy decisions reflected in language

UPDATE ON MARIJUANA REGULATIONS

- October 2 or 5– All 9 articles noticed for final round of written public comment
- October 15-16– MCB hears oral public comment on all articles
- November 11– written public comment on all articles closes
- November 20—MCB reviews written public comment on all articles and votes on changes or adoption

OVERVIEW OF MARIJUANA CONTROL BOARD (MCB)

- Five member volunteer board
 - Two designated industry seats (one of these could be general public)
 - One designated rural public seat
 - One designated public safety seat
 - One designated public health seat
- Appointed by the Governor and confirmed by a majority of the members of the legislature in joint session

POWERS AND DUTIES OF THE BOARD (AS 17.38.084)

- Powers:
 - Control the cultivation, manufacture and sale of marijuana in the state of Alaska
- Duties:
 - Propose and adopt regulations
 - Establish qualification for licensure including fees
 - Review application for licensure, order director to issue, renew, suspend, or revoke licenses
 - Hear appeals from actions of director or staff

LOCAL OPTION V. LOCAL CONTROL

- Local government may prohibit the operation of any type of marijuana establishment by ordinance or voter initiative per AS 17.38.110(a)
 - Article 2 of the regulations creates rules for local option modeled after Title 4 statutes.
- Local government may enact ordinances or regulations per AS 17.38.110(b) not in conflict w/chapter governing:
 - Time place, manner and number of marijuana establishment operations
 - Establish civil penalties for violations of such ordinances or regulations
 - Sprinkled throughout regulations

LICENSING PROCESS MJ V. LIQUOR

- Licensing process in Article 1 mostly modeled on liquor licensing process in Title 4
- Passes application between state agency and local government for protest or waiver of protest
- State license not issued until local government has weighed in
- Opportunity for local government to place conditions on issuance, transfer or renewal

UPDATE ON PROPOSED STATUTORY REVISIONS TO TITLE 4

- Senate Bill 99 contains proposed revisions to Title 4
- End result of 3 year stakeholder's group process
 - Contains many compromises
 - Does not address all issues considered problematic in Title 4 but proposes major changes and updates to many statutes
- Seeks consistency, proportionality and certainty in penalties for alcohol violations
 - Makes penalties proportionate to offenses, makes licensees more accountable to ABC board
- Major revisions to minor consuming alcohol penalties