UPDATE ON REGULATIONS AND STATUTORY REVISIONS

Alcoholic Beverage Control Board
Marijuana Control Board

Cynthia Franklin, Director
MJ REGULATIONS ARTICLES

1. Licensing, Fees (3 AAC 306.010-3 AAC 306.95)
2. Local Options (3 AAC 306.200-3 AAC 306.270)
3. MJ Retail Stores (3 AAC 306.300-3 AAC 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 with 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