FINDING OF EMERGENCY

The Marijuana Control Board finds that an emergency exists and that the attached emergency regulations are necessary for the immediate preservation of the public peace, safety, and general welfare. The facts constituting the emergency include the following:

On April 17, 2020, the Marijuana Control Board issued emergency regulations to permit marijuana or marijuana products to be transported unaccompanied on commercial air and marine carriers as long as an agent or employee of a licensee who holds a marijuana handler permit delivered the marijuana or marijuana product to and picked up the marijuana or marijuana product from the carrier. While the intent of this measure was to limit the need for individuals to enter into small communities off of established road systems and potentially prevent the spread of Covid19, the emergency regulations conflict with and are preempted by federal law applicable to commercial air and marine carriers and are therefore invalid.  A repeal is necessary for the immediate preservation of public peace, safety, and the general welfare.

THEREFORE: The Marijuana Control Board finds it is in the best interest of the state to amend 3 AAC 306.750(a) and to repeal 3 AAC 306.750(h).

ORDER CERTIFYING ADOPTION

I certify that the Marijuana Control under the authority of AS 17.38.121, adopted at its May\_\_\_, 2020 meeting the attached two pages of regulation changes as an emergency regulation to take effect immediately upon filing by the lieutenant governor as provided in AS 44.62.180(3).

This action is not expected to require an increased appropriation.

Date:

Glen Klinkhart, Interim Director

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_\_\_\_\_.m., I filed the attached regulation according to the provisions of AS 44.62.

Lieutenant Governor

Effective: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Register: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.