

QUESTION 1. Has the Board been provided with the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards for ventilation and had the opportunity to discuss those standards?

A: No.

QUESTION 2. How does the Board propose that licensees monitor onsite consumption for intoxication, use of outside marijuana or use of smoked tobacco (in communities where smoking is not permitted), alcohol or other drugs?

A: All persons working in commercial marijuana establishments are required to have a valid marijuana handler's permit. To get a permit, the person is required to complete a marijuana handler's education course that has been approved by the board. The board only approves courses that teach marijuana handler's to recognize the signs and symptoms of intoxication. Introduction of outside marijuana is prohibited by the proposed regulation. The Marijuana Control Board enforcement team will inspect and walk through marijuana licensed premises in a manner similar to their enforcement efforts with alcohol. The MCB enforcement team does not have authority to enforce tobacco smoking ordinances.

QUESTION 3. What education does the Board plan to conduct about implementation of onsite consumption at marijuana stores?

A: The Board has not yet discussed an implementation of an education plan if the regulation is adopted.

QUESTION 4. How may the marijuana products permitted for onsite consumption be consumed?

A: The proposed regulations do not distinguish specific methods of consumption. The most common consumption methods for marijuana and marijuana products are smoking, eating and drinking.

QUESTION 5. Will the Board provide the public with written documentation of the Department of Law's definition of private and/or public that has guided the Board in development of its onsite consumption regulations?

A: The definitions of "in public" are already on the AMCO website in the draft regulations and final regulations. The reference is 3 AAC 306.990(a)(6).

QUESTION 6. Will the Board provide the public with the systematic process it plans to use to review the written public comments submitted regarding onsite consumption?

A: The public comments were provided to the Board by emailing a PDF for this round of written public comments on August 25, 2016. The Board is also provided with a spreadsheet of the comments broken out by date and commenter along with the full text of the comment. This enables the Board to better review the comments.

QUESTION 7. Will the Board provide the opportunity for public testimony on the onsite regulations?

A: The written comment period is the public testimony period. Most regulations projects conducted under the Administrative Procedure Act proceed with written public comment only. The reasons for this is that additional days of board meetings to receive verbal public comments are expensive, verbal public comments must be recorded and tracked to meet the APA, and it is very difficult to provide a record of verbal public comments due to the expenses of transcription. The board has had two full rounds of written public comment on this project, composed of nearly 70 days of opportunity for written public comment.

QUESTION 8. Will the Board consider extending the comment period to allow more public input on onsite regulations given the fact this is a major initiative and Alaska would be the only place in the U.S. or Canada to allow onsite consumption?

A: The Board was provided a copy of the questions and answers on August 25, 2016. The Board can only discuss and act upon questions as a board when they are at a meeting which has been publically noticed. The next meeting has been publically noticed for September 7 and 8, 2016. The Board may or may not discuss this question and answer it at the meeting. Staff cannot predict this.

QUESTION 9. Will any regulatory amendments intended for introduction by a Board members be included with the agenda and public notice prior to the next meeting?

A: If Board members provide staff with proposed amendments in advance, they will be contained in the board packet which is available on the AMCO website a few days before the meeting. The public notice for the meeting is already up and can be accessed [here](#).

QUESTION 10. Will the Board provide the public with an analysis of how onsite consumption of marijuana compares or contrasts with alcohol regulation in Alaska especially regarding onsite consumption attached to retail environments?

A: The Board discussed this comparison at its July 7-8 meeting in discussing the first round of public comment on the proposed regulation. The regulation project is being conducted in accordance with the Administrative Procedure Act.

QUESTION 11. Why is onsite consumption authorized as an endorsement for a retail license as opposed to a separate license?

A: The Board expressed a desire to provide an endorsement only to a person or entity who already holds a commercial marijuana retail store license. This will assure that the person or entity allowing consumption has met regulatory requirements relating to zoning, location, security, testing, and all other robust state regulations which were adopted to meet the requirements of the [Cole memo](#).