



MEMORANDUM

TO: Marijuana Control Board DATE: November 13, 2019

FROM: Jane P. Sawyer,
Regulations Specialist RE: Regulations Project – Sales Limits
under 3 AAC 306.355

The board opened this regulations project at the July 2019 meeting to clarify the limits on quantity sold of marijuana or marijuana products by a retail marijuana store.

The change would eliminate the conflict between 3 AAC 306.355(a)(1) and (a)(3) which exists when an ounce of usable marijuana has more than 5,600 milligrams of THC, and would make it clear that a retail marijuana store may not sell to any one person per day more than 5,600 milligrams of THC in combined sales of marijuana and marijuana products.

In addition, a technical amendment is being made to 3 AAC 306.355(b).

Options for the board:

- Put out for public comment
- Amend and put out for public comment
- Send back to staff for revisions
- Close the project without action

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

3 AAC 306.355(a) is amended to read:

3 AAC 306.355. Limits on quantity sold. (a) A retail marijuana store may not sell to any one person per day

- (1) more than one ounce of usable marijuana;
- (2) more than seven grams of marijuana concentrate for inhalation;[,] or
- (3) **more than 5,600 milligrams of THC in combined sales of marijuana and**

marijuana products. [MARIJUANA OR MARIJUANA PRODUCTS IF THE TOTAL AMOUNT OF MARIJUANA, MARIJUANA PRODUCTS, OR BOTH MARIJUANA AND MARIJUANA PRODUCTS SOLD CONTAINS MORE THAN 5,600 MILLIGRAMS OF THC.]

3 AAC 306.355(b) is amended to read:

(b) **The limits set out in (a) of this section** [THESE LIMITS] include marijuana or marijuana product sold for onsite consumption under 3 AAC 306.370(a)(2). (Eff.

2/21/2016, Register 217; am 4/11/2019, Register 230; am____/____/_____, Register _____)

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