Alcohol and Marijuana Control Office
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Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Marijuana Control Board

Operating Plan Supplemental

Form MJ-03: Retail Marijuana Store

What is this form?

This operating plan supplemental form is required for all applicants seeking a retail marijuana store license and must accompany **Form MJ-01: Marijuana Establishment Operating Plan**, per 3 AAC 306.020(b)(11). Applicants should review **Chapter 306: Article 3** of the **Alaska Administrative Code.** This form will be used to document how an applicant intends to meet the requirements of the statutes and regulations.

If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020 and 3 AAC 306.315(2).

What additional information is required for retail stores?

Applicants must identify how the proposed establishment will comply with applicable regulations regarding the following:

- Prohibitions
- Signage and advertising
- Displays and sales
- Exit packaging and labeling
- Security
- Waste disposal

This form must be completed and submitted to AMCO's main office before any new or transfer application for a retail marijuana store license will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Higher by Bad Gramm3r, LLC	**MJ License #:**		19178	
License Type:	Retail Marijuana Store				
Doing Business As:	Higher by Bad Gramm3r, LLC				
Premises Address:	1204 North Hyer Spur Road				
City:	Palmer	**State:**	Alaska	**ZIP:**	99645

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JAN 30 2019

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Section 2 – Overview of Operations

2.1. Provide an overview of your proposed facility's operations. Include information regarding the intake and flow of marijuana and marijuana product at your premises, and a description of what a standard customer visit to your establishment would entail:

When a customer comes to Higher by Bad Gramm3r, they will park and walk in to the front entrance where they will be greeted by a staff member to have their identification checked. They will also be scrutinized for inebriation, whether illicit drugs, marijuana or alcohol. Upon passing inspection, they will enter the store. We will have menus available for products on a screen and/or copies on the counters. All marijuana flower will be displayed in "bud pods" to allow customers to visually inspect and smell each strain. Other marijuana products, such as shatter, wax, crumble, concentrates, oil, etc. will be displayed under glass - see attached photos. Edibles are displayed as pictures (if frozen) or singly under glass - see attached photos. Paraphernalia will be under glass as well as displayed as needed around the store. The center of the store will have chairs (benches) for customers to sit and chat while their orders are being filled.

Customers will give their order to one of the budtenders who are behind a counter at the POS station, and pay for the product. The money will be put into a basket with the customer's name and sent to the back secured area through a portal in the wall. On the other side of the portal/wall are the cash registers, and the marijuana products (not visible to the customers). This area is secure and only authorized personnel will be allowed in this area through a locked door. A staff person will make change and fill the order with product from the shelves (not visible to the customers) and send it back through another portal to a budtender to distribute to the person that made the order. All marijuana products will be put into an opaque exit package before the customer leaves the store.

Section 3 – Prohibitions

Review the requirements under 3 AAC 306.310.

3.1. Describe how you will ensure that the retail marijuana store will not sell, give, distribute, or deliver marijuana or marijuana product to a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance:

Pursuant to (1) AS 17.37, AS 17.38, and 3 AAC 306, Higher by Bad Gramm3r, LLC staff will not sell, give, distribute or deliver marijuana product to a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance. Higher by Bad Gramm3r employees will be trained to spot signs of impairment and refuse service and sale to any customer who is deemed impaired. The customer will be asked to vacate the premises and if deemed necessary for public safety, safety of the staff, or safety of the customer, local law enforcement will be notified.
Continued on EXHIBIT A

3.2. I certify that the retail marijuana store will not: Initials

a. **sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product in a quantity exceeding the limit set out in 3 AAC 306.355;** [Initials]

b. **sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product over the internet;** [Initials]

c. **offer or deliver to a consumer, as a marketing promotion or for any other reason, free marijuana or marijuana product, including a sample;** [Initials]

d. **offer or deliver to a consumer, as a marketing promotion or for any other reason, alcoholic beverages, free or for compensation; or** [Initials]

e. **allow a person to consume marijuana or a marijuana product on the licensed premises.** [Initials]

Answer "Yes" or "No" to the following question:	Yes	No
3.3. Do you plan to request future approval of the Marijuana Control Board to permit consumption of marijuana or marijuana product in a designated area on the proposed premises?	☑	☐

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Section 4 – Signage and Advertising

Review the requirements under 3 AAC 306.360 and 3 AAC 306.365. All licensed retail marijuana stores must meet minimum standards for signage and advertising.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

4.1. I understand and agree to follow the limitations regarding the number, placement, and size of signs on my proposed establishment, set forth in 3 AAC 306.360(a). [JV]

4.2. The retail marijuana store will not use giveaway coupons as promotional materials, or conduct promotional activities such as games or competitions to encourage the sale of marijuana or marijuana products. [JV]

4.3. All advertising for marijuana or marijuana product will contain the warnings required under 3 AAC 306.360(e). [JV]

4.4. I understand and agree to post, in a conspicuous location visible to customers, the notification signs required under 3 AAC 306.365. [JV]

4.5. I certify that no advertisement for marijuana or marijuana product will contain any statement or illustration that:

- **a. is false or misleading;** [JV]
- **b. promotes excessive consumption;** [JV]
- **c. represents that the use of marijuana has curative or therapeutic effects;** [JV]
- **d. depicts a person under the age of 21 consuming marijuana; or** [JV]
- **e. includes an object or character, including a toy, a cartoon character, or any other depiction designed to appeal to a child or other person under the age of 21, that promotes consumption of marijuana.** [JV]

4.6. I certify that no advertisement for marijuana or marijuana product will be placed:

- **a. within 1,000 feet of the perimeter of any child-centered facility, including a school, childcare facility, or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under the age of 21;** [JV]
- **b. on or in a public transit vehicle or public transit shelter;** [JV]
- **c. on or in a publicly owned or operated property;** [JV]
- **d. within 1,000 feet of a substance abuse or treatment facility; or** [JV]
- **e. on a campus for postsecondary education.** [JV]

Section 5 – Displays and Sales

5.1. Describe how marijuana and marijuana products at the retail marijuana store will be displayed and sold:

Each marijuana flower strain will be displayed in tamper resistant "bud-pods" to allow customers to visually inspect and smell each strain (typically an eighth ounce). Other marijuana products, such as shatter, wax, crumble, concentrates, oil, etc. will be displayed under glass that does not allow customers to access the product without the assistance of an authorized staff member - see attached photos. Edibles are displayed as pictures (if frozen) or singly under glass - see attached photos. All Higher by Bad Gramm3r, LLC staff will be trained and regularly monitored to ensure compliance with the display and closing policies to ensure that all product is secure and accounted for at all times.

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Section 6 – Exit Packaging and Labeling

Review the requirements under 3 AAC 306.345.

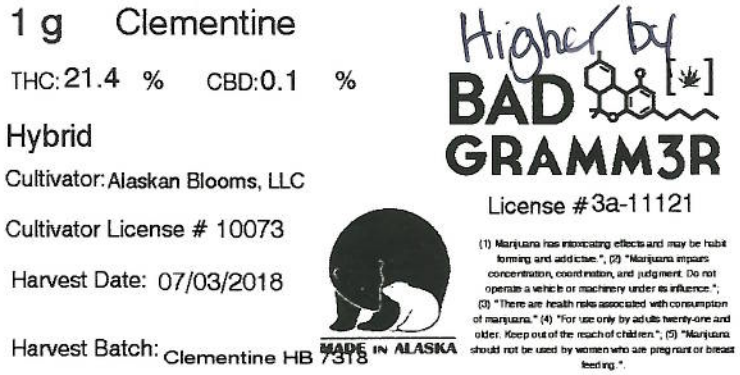
6.1. Describe how the retail marijuana store will ensure that marijuana and marijuana products sold on its licensed premises will meet the packaging and labeling requirements set forth in 3 AAC 306.345(a):

Higher by Bad Gramm3r, LLC will inspect all supplier packaged products upon taking delivery to ensure that all packages are labeled correctly according to 3 AAC 306.345(a). If any package of marijuana or marijuana product received is not in compliance with state packaging and labeling requirements, and will inform AMCO and the supplier and/or the state testing facility of the error(s). All marijuana and marijuana product displays will be under video surveillance. Any marijuana sold by Higher by Bad Gramm3r, LLC will be packaged and labeled in compliance with 3 AAC 306.345(a).
(1) marijuana sold on its licensed premises will be packaged and labeled in compliance with 3 AAC 306.345(a), 306.470 and 306.475;
(2) any marijuana product sold on its licensed premises will be packaged and labeled in compliance with 3 AAC 306.565 and 3 AAC 306.570; and
(3) marijuana or a marijuana product sold will be packaged in opaque, resealable, child-resistant packaging when the purchaser leaves the retail section of the licensed premises; the packaging will be designed or constructed to be significantly difficult for children under five years of age to open, but not normally difficult for adults to use properly.

Additionally, Higher by Bad Gramm3r, LLC will affix a label to each commercial package of marijuana or marijuana product that identifies all of the following:
name of the retail store and distinctive logo; license number; full testing results from a licensed state testing facility; harvest batch number; name and license of the cultivator or manufacturing facility; net weight of product; production number assigned to a manufactured product.
No marijuana or marijuana product will be labeled as organic, and the following statements will be included on every label:
Each packaging employee at Higher by Bad Gramm3r will ensure that every package (mylar, j-tube, vial, etc.) is affixed with labels which are produced by the POS and formatted to include:
"Marijuana has intoxicating effects and may be habit forming and addictive.";
"Marijuana impairs concentration, coordination, and judgment. Do not operate a vehicle or machinery under its influence.";
"There are health risks associated with consumption of marijuana.";
"For use only by adults twenty-one and older. Keep out of the reach of children.";
"Marijuana should not be used by women who are pregnant or breast feeding."

Continued on EXHIBIT F

6.2. Provide a sample label that the retail marijuana store will use to meet the labeling requirements set forth in 3 AAC 306.345(b):



Name will change to Higher by Bad Gramm3r

Alaska Marijuana Control Board

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Section 7 – Security

Review the requirements under 3 AAC 306.350 and 3 AAC 306.720.

7.1. Describe the retail marijuana store's procedures for ensuring a form of valid photographic identification has been produced before selling marijuana or marijuana product to a person, as required by 3 AAC 306.350(a):

Higher by Bad Gramm3r, LLC staff will not offer, sell, give, or distribute marijuana to any consumers who are: not physically on the licensed premises; under the influence of an alcohol beverage, inhalant, or controlled substance; not at least 21 years of age at the time of purchase by evidence by the examination of a valid ID. Before being allowed access to the sales area, all customers will be checked by an authorized employee located at the main entrance of Higher by Bad Gramm3r, LLC. All staff will receive training on how to spot a valid form of ID: unexpired or unaltered Driver's License, Passport, Tribal ID, instruction permit issued of any state or territory of the United States, the District of Columbia or a providence of Canada, or an identification card issued by a federal or state agency authorized to issue a driver's license or identification card according to 3 AAC 306.350/3 AAC 306.720. The ID will be checked for picture identification, date of birth and date of expiration. If the identification provided is not valid for any reason, and/or the customer is not of valid age, or appears impaired by alcohol or drugs, the customer will be required by staff to vacate the premises.

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

7.2. The video surveillance and camera recording system for the licensed premises covers each point-of-sale area.

Section 8 – Waste Disposal

Review the requirements under 3 AAC 306.740.

8.1. Describe how you will store, manage, and dispose of any marijuana waste, including expired marijuana or marijuana products, in compliance with any applicable laws. Include details about the material(s) you will mix with ground marijuana waste and the processes that you will use to make the marijuana waste unusable for any purpose for which it was grown or produced:

Higher by Bad Gramm3r, LLC will store liquid/solid marijuana that is to be rendered unusable marijuana waste in a sealed and locked bucket. This bucket will be kept under video surveillance in a restricted access area and only be accessible by an authorized employee, licensee or agent. AMCO will be provided at least 3 day notice in the marijuana inventory tracking system before making the waste unusable and disposing of it; after 3 days of notification, the marijuana will be rendered unusable as follows: marijuana waste will be blended into a fine course before it is mixed into an organic living soil to render it unusable. The blended waste will be mixed with the organic soil to ensure a minimum of a 1:1 ratio between marijuana waste material and the organic soil. It will be locked in 5 gallon buckets under video surveillance. The amount of waste will be recorded on a waste log. The waste log will be kept in the high security room.
All Higher by Bad Gramm3r, LLC employees, agents and licensees will be trained to identify all marijuana plant waste material such as roots, stalks, leaves, stems, damaged marijuana products, returned marijuana products, expired marijuana products, leftover residue and material from pre-packaged products (such as bags from cultivators). In the event that a customer vacates the premises without their marijuana purchase, that product will be held for three days. If the customer does not come back to retrieve the product they left behind, it will be noted on the waste log, wasted in the POS, ground up and disposed of into the organic soil.
Higher by Bad Gramm3r, LLC will use the Mat-Su Borough Central landfill to dispose of the marijuana waste that has been rendered unusable. A record of the final destination and delivery date of the waste will be kept in the high security room and maintained for a minimum of three (3) years (306.740).

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

8.2. The retail marijuana store shall give the board at least three days written notice required under 3 AAC 306.740(c) before making marijuana waste unusable and disposing of it.

I declare under penalty of unsworn falsification that this form, including all accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

Teresa C Zell

Printed name of licensee

OFFICIAL SEAL
Mara Parks
Notary Public-State of Alaska
My Comm. Expires 07/17/2021

Notary Public in and for the State of Alaska

My commission expires: 7/17/2021

Subscribed and sworn to before me this 29 day of January, 2019.

AMCO
JAN 30 2019

License # 19178

EXHIBIT A

(continued from page 2 of 6)

3.1. Describe how you will ensure that the retail marijuana store will not sell, give, distribute, or deliver marijuana or marijuana product to a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance:

Training of staff will include the most obvious signs and more obscure signs of possible impairment; smell of alcohol on breath or clothing; burned fingers; burned lips; track marks on arms or hands; slurred speech; stuttering; incoherent vocals; difficulty in maintaining eye contact; enlarged or constricted pupils; shaking or twitching of hands, head or eyes; overly energetic; lethargy or drifting asleep; impaired coordination; unsteady gait; speaking rapidly or very slowly; wide range of mood swings; unprovoked mood swings; fearful or anxious; panic attack; increasingly angry or defiant; difficulty concentrating, focusing or finishing a task; appearing distracted without distractions; inappropriate and unreasonable choices; difficulty with decision making; memory loss, blacking out; needing repeated directions; inability to recall details. Higher by Bad Gramm3r, LLC employees will be held to a strict code of conduct with regards to selling or distributing marijuana to a person who is suspected to be impaired and/or failure to spot signs of impairment. Any time a violation is suspected, the staff member(s) responsible will receive a written and recorded notice and disciplinary action may be taken, including but not limited to: re-training, suspension of employment, or termination.

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STATE OF ALASKA

License # 19178

EXHIBIT F

6.1. Describe how the retail marijuana store will ensure that marijuana and marijuana products sold on its licensed premises will meet the packaging and labeling requirements set forth in 3 AAC 306.345(a):

No package of marijuana flower will exceed one (1) ounce. No package of marijuana concentrate will exceed 7 grams. No package of edible marijuana product will exceed 5700 mg of THC. No packaging will contain any images or cartoons that specifically attract persons under the age of 21. All packaging will protect the marijuana product from toxic or damaging substances. Serving sizes on marijuana edibles will be clearly distinguished with labeling that indicates the number and size of individual servings. Potency restrictions must be met for each marijuana product sold to a customer. No more than 5mg of THC will be allowed for a single serving. No more than 10 servings, or 50mg of THC will be in a single packaged unit and the THC must be evenly distributed so that each serving contains the same amount of THC. Every package will have a tracking label in accordance with 3 AAC 306.345/360.475/360.570.

Packages will be designed or constructed to be significantly difficult for children under the age of five (5) to open, but not normally difficult for adults to use properly.

Access to labeling material and printers will only be provided to Higher by Bad Gramm3r, LLC staff that have completed training on state labeling policies for marijuana products. To ensure compliance with METRC, no marijuana products may go through the POS without confirmation of the product lot/batch number and expiration date. If a product has expired, it will be designated for removal and Higher by Bad Gramm3r, LLC marijuana waste management policies and procedures will be followed.

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