



## MEMORANDUM

TO: Marijuana Control Board                      DATE: May 1, 2019

FROM: Erika McConnell, Director              RE: Regulations Project – Handler Courses  
Marijuana Control Board

The board initiated this project in October of 2018. The proposed changes separate sections of regulations for handler permits (3 AAC 306.700) and handler permit education courses (new 3 AAC 306.701). The new section 3 AAC 306.701 for marijuana handler permit education courses maintains the same list of required topics, but adds a requirement for the course to be updated within 10 days of the effective date of a change to statute or regulations, a notification of said change to the board, a requirement for the board and the director to have continuous access to a course, and a \$500 fee for a new course or a three-year course review.

The public comment period for this project closed on April 12, 2019. Four comments were received, which are attached.

Options for the board:

- Vote to adopt as written
- Amend; if amendment is significant, put out for public comment
- Send back to staff for revisions
- Close the project without action

3AAC 306.700 is amended to read:

**3 AAC 306.700. Marijuana handler permit** (a) Each agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, and each licensee and employee must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

(b) To obtain a marijuana handler permit, a person must complete a marijuana handler permit education course approved by the board, pass a written test demonstrating an understanding of the course material, and obtain a certificate of course completion from the course provider. [THE TOPICS THAT AN APPROVED MARIJUANA HANDLER PERMIT

EDUCATION COURSE COVERS MUST INCLUDE

(1) AS 17.37, AS 17.38, AND THIS CHAPTER;

(2) THE EFFECTS OF CONSUMPTION OF MARIJUANA AND  
MARIJUANA PRODUCTS;

(3) HOW TO IDENTIFY A PERSON IMPAIRED BY CONSUMPTION OF  
MARIJUANA;

(4) HOW TO DETERMINE VALID IDENTIFICATION;

(5) HOW TO INTERVENE TO PREVENT UNLAWFUL MARIJUANA  
CONSUMPTION; AND

(6) THE PENALTY FOR AN UNLAWFUL ACT BY A LICENSEE, AN  
EMPLOYEE, OR AN AGENT OF A MARIJUANA ESTABLISHMENT.]

(c) To obtain a marijuana handler permit, a person who has completed the marijuana handler permit education course described **3 AAC 306.701** [UNDER (B) OF THIS SECTION] shall present the course completion certificate to the director. The director shall issue a marijuana handler permit card valid for three years from the date of issue of the course completion certificate. A person may renew a card issued under this section by taking a marijuana handler permit education course approved by the board and passing a written test demonstrating an understanding of the course subjects.

(d) A licensee, employee, or agent of a marijuana establishment shall keep the marijuana handler permit card described in (c) of this section in that person's immediate possession or a valid copy on file on the premises at all times when on the licensed premises of the marijuana establishment.

(e) **Repealed** / / . [THE BOARD WILL REVIEW AN APPROVED MARIJUANA HANDLER PERMIT EDUCATION COURSE AT LEAST ONCE EVERY THREE YEARS, AND MAY RESCIND APPROVAL OF THE COURSE IF THE BOARD FINDS THAT THE EDUCATION COURSE CONTENTS ARE INSUFFICIENT OR INACCURATE.]

(f) The board will not issue a marijuana handler permit to a person who

(1) has been convicted of a felony in the state and either

(A) less than five years have elapsed from the time of the person's conviction; or

(B) the person is currently on probation or parole for that felony,

(2) has within the two year period immediately preceding submission of an application, been convicted of a class A misdemeanor in the state involving a controlled substance other than a Schedule VIA controlled substance, under AS 11.71.190,

(3) has within the two year period immediately preceding submission of an application, been convicted of a class A misdemeanor in the state relating to selling, furnishing, or distributing marijuana; or,

(4) is currently under indictment for an offense listed in this section. (Eff. 2/21/2016, Register 217; am 5/23/2018, Register 226; am 9/7/2018, Register 227; am 2/21/19, Register 229; 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

3 AAC 306 is amended by adding a new section to read:

**3 AAC 306.701. Marijuana Handler Permit Education Course.** (a) The board shall approve all marijuana handler permit education courses before a course provider may issue a marijuana handler permit.

(b) The topics that an approved marijuana handler permit education course covers must include

- (1) AS 17.37, AS 17.38, and this chapter;
- (2) the effects of consumption of marijuana and marijuana products;
- (3) how to identify a person impaired by consumption of marijuana;
- (4) how to determine valid identification;

(5) how to intervene to prevent unlawful marijuana consumption; and

(6) the penalty for an unlawful act by a licensee, an employee, or an agent of a marijuana establishment.

(c) An approved course provider shall update the course with any applicable change to AS 17.37, AS 17.38, and this chapter within 10 days of the effective date of the change.

Notification of a change to an approved course shall be provided to the board within 3 days of the change.

(d) The board will review an approved marijuana handler permit education course at least once every three years, and may rescind approval of the course if the board finds that the education course contents are insufficient or inaccurate.

(e) An approved course provider shall provide continuous access to the course to the board and the director for the purpose of reviewing course materials at any time.

(f) The fee for a new marijuana handler permit education course and for a three-year review of a marijuana handler permit education course is \$500. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

<b>Authority:</b>	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		

**From:** [Barret Goodale](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** NOTICE OF PROPOSED CHANGES ON MARIJUANA HANDLER PERMIT COURSES IN THE REGULATIONS OF THE MARIJUANA CONTROL BOARD  
**Date:** Friday, April 12, 2019 12:23:55 PM

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Dear Members of the Board,

The proposed regulation changes for the Handler Permit Courses are sensible. However, what rubric is the board using to determine the portion of the regulations that state, "(the board) may rescind approval of the course if the board finds that the education course contents are insufficient or inaccurate"? I have not seen reference to scholarly literature in the Handlers courses and it seems that much of the scientific literature has been omitted from the courses. Including but not limited to the following list.

Prohedonic Effect of Cannabidiol in a Rat Model of Depression

Gal Shoval-Liat Shbiro-Liron Hershkovitz-Noa Hazut-Gil Zalsman-Raphael Mechoulam-Aron Weller - Neuropsychobiology – 2016

Cannabidiol Limits T Cell-Mediated Chronic Autoimmune Myocarditis: Implications to Autoimmune Disorders and Organ Transplantation

Wen-Shin Lee-Katalin Erdelyi - Molecular Medicine – 2016

Cannabidiolic acid methyl ester, a stable synthetic analogue of cannabidiolic acid, can produce 5-HT<sub>1A</sub> receptor-mediated suppression of nausea and anxiety in rats

Roger Pertwee-Erin Rock-Kelsey Guenther-Cheryl Limebeer-Lesley Stevenson-Christeene Haj-Reem Smoum-Linda Parker-Raphael Mechoulam - British Journal of Pharmacology – 2017

Cannabidiol attenuates alcohol-induced liver steatosis, metabolic dysregulation, inflammation and neutrophil-mediated injury

Yuping Wang-Partha Mukhopadhyay-Zongxian Cao-Hua Wang-Dechun Feng-György Haskó-Raphael Mechoulam-Bin Gao-Pal Pacher - Scientific Reports – 2017

Epidemiological characteristics, safety and efficacy of medical cannabis in the elderly

Ran Abuhasira-Lihi Schleider-Raphael Mechoulam-Victor Novack - European Journal of Internal Medicine – 2018

Prospective analysis of safety and efficacy of medical cannabis in large unselected population of patients with cancer

Lihi Schleider-Raphael Mechoulam-Violeta Lederman-Mario Hilou-Ori Lencovsky-Oded Betzalel-Liat Shbiro-Victor Novack - European Journal of Internal Medicine – 2018

Faculty of 1000 evaluation for A chronic low dose of  $\Delta(9)$ -tetrahydrocannabinol (THC) restores cognitive function in old mice.

D Doyle - F1000 - Post-publication peer review of the biomedical literature - 2

All of the literature above is regarding aspects of cannabis effects that I have not seen mentioned in handler's courses.

I believe it is very important that scientific literature be included as a basis for evaluating the content of these Handler's Courses. Otherwise, unfounded and incomplete information may be used to misinform the public. Ignoring select sectors of scientific research should be considered counter to the purpose of the Marijuana Control Board.

I appreciate your dedication to improving our regulations and look forward to seeing a sound basis for the regulations being imposed.

With gratitude,

C. Barret Goodale  
GOOD Cultivation Manager  
907-699-9478

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**From:** [Good Enterprises](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Marijuana Handler Permit Proposed Changes  
**Date:** Friday, April 12, 2019 3:55:01 PM

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AMCO Board,

Thank you for doing a fabulous job for Alaskans,  
In reference to the proposed changes to the Handler Permit Courses:  
I believe that just like the industry AMCO governs for the State of Alaska the people and/or businesses that facilitate the State by offering Marijuana Education Courses and generate a Certificate should be locally owned, not owned by an out of State entity or individual. The same laws should apply to the Handler Permit Courses as the rest of the Industry.

Because the Educational Courses are offered by and paid for by a 3rd Party, the State's participation is limited. The fee requirement of \$500 dollars doesn't seem justified, because the people that run the courses are offering a service to the public and to the State. I don't agree with this portion of the proposed amendment.

Thank you, Mae



*Mae Good*  
*Good Enterprises*  
*Community Outreach*  
*907-202-6328 cell*



**From:** [dollynda Phelps](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Public comment - Marijuana Handler course  
**Date:** Friday, April 12, 2019 9:37:33 AM

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In regards to Marijuana Handler Permit courses, the \$500 FEE every 3 years to review the course seems fair and appropriate. However, it is stated that the Board may rescind approval of an already approved course for various reasons without being required to give notice of the issues and an opportunity to correct the issues. This would then cause the course provider to shut down their business and go through the process of re-applying, ultimately costing AMCO more time and money to start the approval process over again. This is foolish and costly to both parties. If a course falls short after a review, the course provider should be given an explanation of the issues and an opportunity to correct them.

Dollynda Phelps

907-252-8026

**From:** [Caleb Saunders](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Marijuana Handler Course  
**Date:** Friday, April 12, 2019 11:08:47 AM

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Greetings,

I am in support of the Handler courses needing to be updated as the regulations get updated.

The one question I would ask is why does the course need to be updated with our medical marijuana laws change if we are not allowed to admit it is medical?

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Caleb L. Saunders  
CEO | Green Jar  
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