

Cannabis Handler & Marijuana Professional Certification Course

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Introductions

- ▶ Hello world!
- ▶ Tell us about yourself.

Section 2.

- ▶ Terms and Concepts

Terms and Concepts

- ▶ Marijuana, Cannabis
- ▶ AS 17.37, AS 17.38
- ▶ 3 AAC Chapter 306
- ▶ Marijuana Establishment
 - ▶ Cultivation (Limited, Standard)
 - ▶ Manufacturing (Concentrate only, Standard)
 - ▶ Testing
 - ▶ Retail
 - ▶ May also apply for an Onsite Consumption endorsement

Liability and Responsibility

- ▶ Alaska marijuana regulation, State and Municipal
- ▶ AMCO, Alcohol and Marijuana Control Office
- ▶ +21 years old
- ▶ Delivery of < 1 ounce for compensation = Class A misdemeanor, 1 year imprisonment, \$10,000
- ▶ Delivery of > 1 ounce = Class C felony, 5 years imprisonment, \$50,000
- ▶ Criminal negligence, criminal or civil liability, civil fines

Risk Analysis

- ▶ Risk awareness
 - ▶ Status of Federal legality
 - ▶ Banking issues
 - ▶ Tax payment
- ▶ Risk acceptance
 - ▶ Proactive in community
 - ▶ Adhere to state and local regulation
 - ▶ Stay informed, share information
- ▶ Risk Management
 - ▶ Safety and security
 - ▶ Adequate policies and procedures

Applicable Alaska Statutes

▶ AS 17.37

- ▶ Medical Uses of Marijuana for Persons Suffering from Debilitating Medical Conditions Act.
- ▶ Registry of patients and caregivers
- ▶ Protection for physicians to advise patients of possible benefits of medical marijuana.

▶ AS 17.38

- ▶ Ballot Measure 2
- ▶ Only +21 years old
- ▶ Does not authorize hemp
- ▶ Personal use
 - ▶ < 1 ounce of marijuana
 - ▶ Consumption, except in public
 - ▶ Assisting another person over 21
- ▶ Allows local gov. to “opt out” of commercial marijuana sales.
- ▶ Local gov. cannot restrict personal use.

The Cole Memorandum

- ▶ Federal government to focus on eight main areas of priority:
 - ▶ Preventing distribution to minors
 - ▶ Preventing gang, cartel activity
 - ▶ Preventing marijuana diversion into other states
 - ▶ Preventing state-authorized marijuana activity from being used as a cover
 - ▶ Preventing violence and use of firearms
 - ▶ Preventing drugged driving and adverse public health consequences
 - ▶ Preventing growing marijuana on public land
 - ▶ Preventing marijuana possession and use on federal property

Community and Government

- ▶ Alcohol and Marijuana Control office in charge of licenses
- ▶ AMCO operates within laws passed by the state legislature and signed into law by the governor
- ▶ AMCO officers may inspect any marijuana establishment at any reasonable time and manner, must be able to furnish ID
- ▶ Check for required signage, current marijuana handler permits, proper adherence to regulations
- ▶ Check any marijuana, equipment, inventory tracking, business records, etc.
- ▶ Communities can “opt-out” by public vote or by local gov ordinance

Marijuana Consumption

- ▶ Consuming marijuana in public is prohibited. \$100 fine
- ▶ "in public" means in a place to which the public or a substantial group of persons has access
 - ▶ Highways, transportation facilities, schools, places of amusement or business, parks, playgrounds, prisons, hallways and lobbies
- ▶ Consumption is permitted only in licensed marijuana retail stores with an onsite consumption endorsement or places designed for actual residence
- ▶ +21 years old
- ▶ Owners of private property may prohibit marijuana activity

Section 3.

- ▶ Applications and licensing

License Restrictions

- ▶ All marijuana establishments must be state approved
- ▶ Must be outside of any buffer distances from sensitive receptors
- ▶ Not inside a liquor licensed premises
- ▶ Must be in compliance with local zoning
- ▶ Board will not issue a license to a person or entity when:
 - ▶ Conviction of felony within past 5 years
 - ▶ Found guilty of selling alcohol without a license, or to an underage individual
 - ▶ Found guilty of misdemeanor crime within past 5 years
 - ▶ Convicted of misdemeanor marijuana distribution within past 2 years
 - ▶ Not a resident of the State of Alaska

License Conditions

- ▶ Licenses are site specific, they cannot move
- ▶ Establishment must have right to possession of premises at all times
- ▶ May not lease or sublease its premises
- ▶ Any changes to area of licensed premises must be approved by MCB
- ▶ Establishments may not relocate without obtaining a new license

Section 4.

- ▶ Operating Requirements

Requirements for All Establishments

- ▶ Site Specific
- ▶ License must be posted in a conspicuous place
- ▶ Establishments must make premises available for inspection by investigator
- ▶ Premises, facilities, qualifications of personnel, operation methods, records, tracking system, and policies of establishment may all be inspected
- ▶ No persons under 21 allowed on licensed premises
- ▶ All employees allowed in a restricted access area must have a valid marijuana handler permit, badges must be displayed
- ▶ All visitors into a restricted access area must be escorted

Marijuana Handler Permit

- ▶ Each person who sells, cultivates, manufactures, tests, or transports marijuana, or anyone who checks ID
- ▶ Complete an approved marijuana handler permit education course, pass written examination
- ▶ Course provider will issue completion certificate
- ▶ Completion certificate and \$50 fee presented to AMCO
- ▶ Marijuana handler permit card issues valid for three years
- ▶ Each employee's marijuana card must be accessible at all times

Security and Restricted Access Areas

- ▶ Identification Badges
 - ▶ Must have photo
- ▶ Restricted access areas marked by a sign
- ▶ Visitors must be over 21 years old, obtain visitors badge, escorted by employee at all times
- ▶ Not more than 5 visitors per employee escort
- ▶ Licensed premises must have
 - ▶ Exterior lighting
 - ▶ Security alarm system
 - ▶ Continuous video monitoring
 - ▶ Commercial grade door locks
 - ▶ Policies and procedures to prevent loitering and diversion of marijuana

Video Surveillance

- ▶ Must cover each restricted access area and each entrance to restricted area
- ▶ Must cover entrance to premises, interior and exterior and each POS area
- ▶ Cameras must be placed in a way to identify any individual inside or within 20 feet of each entrance
- ▶ Anywhere marijuana is grown, cured, manufactured stored, sold, or destroyed
- ▶ Recording equipment and records must be securely locked, accessible only to an authorized person, investigators, and law enforcement.
- ▶ Offsite storage of records is permitted if facility has adequate security requirements
- ▶ Records must be kept for a minimum of 40 days, easily accessible, accurately displaying time and date, does not permit alteration

Inventory Tracking System

- ▶ METRC by Franwell, tracking system, not POS
- ▶ \$40 per month per license, tracking tags \$0.45 plants / \$0.25 package
- ▶ AMCO has access to all accounts, METRC does not report anything to AMCO
- ▶ Licensees only have access to their own information
- ▶ Ongoing training and support included, written training manuals
- ▶ Establishments may use other tracking systems, must be able to share information with METRC
- ▶ Marijuana must be tracked from seed or cutting, to the time it is sold or destroyed
- ▶ Inventory tracking system used to generate a transport manifest before products can be transferred
- ▶ Clones grouped and given one number, each plant over eight inches tall
- ▶ Harvest batches must be given a number, not to exceed 5lbs

Packaging and Labeling

- ▶ Retail stores responsible for packaging and labeling compliance of all products sold at that store
- ▶ All marijuana must be packaged in opaque, resealable, child resistant packaging
 - ▶ may not have printed images targeting persons under 21 years old
 - ▶ may not resemble any widely branded food product
 - ▶ must protect from contamination
- ▶ No form of marijuana may be labeled as organic
- ▶ All marijuana must be labeled with name or logo and license number of retail store
- ▶ Wholesale packaging of bud and flower may not exceed 5lbs, 1oz if not being repackaged by retailer
- ▶ Each package must be identified by tracking label

Harvest Batch and Production Lot Labeling

- ▶ With each sold, originated establishment must label with:
- ▶ Name and license number of cultivation facility
- ▶ Harvest batch number and net weight
- ▶ Complete list of soil amendments, fertilizers, crop production aids, pesticides, fungicides, herbicides
- ▶ Results of required testing and name of testing facility
- ▶ Range of cannabinoid potency from every test on that strain or product within the past three months
- ▶ Results of microbial and residual solvent testing
- ▶ A statement listing additional contaminants for which the product was tested

Labeling

- ▶ Each package of marijuana for sale to a consumer must be labeled with:
- ▶ Name and license number of cultivator
- ▶ Harvest or production lot number
- ▶ Net weight of the product not including packaging
- ▶ The estimated amount of THC per serving, as well as the number of servings total
- ▶ Each of the following statements:
 - ▶ "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 breastfeeding."

Health and Safety Standards

- ▶ Each establishment is subject to inspection by local fire department, building investigator, or code enforcement officers
- ▶ Sanitary workplace
- ▶ Building must be maintained in good repair
- ▶ All areas must be adequately lit
- ▶ All marijuana must be stored and handled in a manner that prevents the growth of bacteria
- ▶ Establishment must ensure unsuitable marijuana is not returned to the marketplace
- ▶ Marijuana may be salvaged if testing proves no adverse effects

Waste Disposal

- ▶ Garbage and waste must be adequately disposed of
- ▶ Marijuana waste must be rendered unusable
- ▶ Establishment must give MCB 3 days notice before making waste unusable
- ▶ Records of disposal of waste must be kept
- ▶ Waste must be ground and mixed with an equal part other material

Standardized Scales

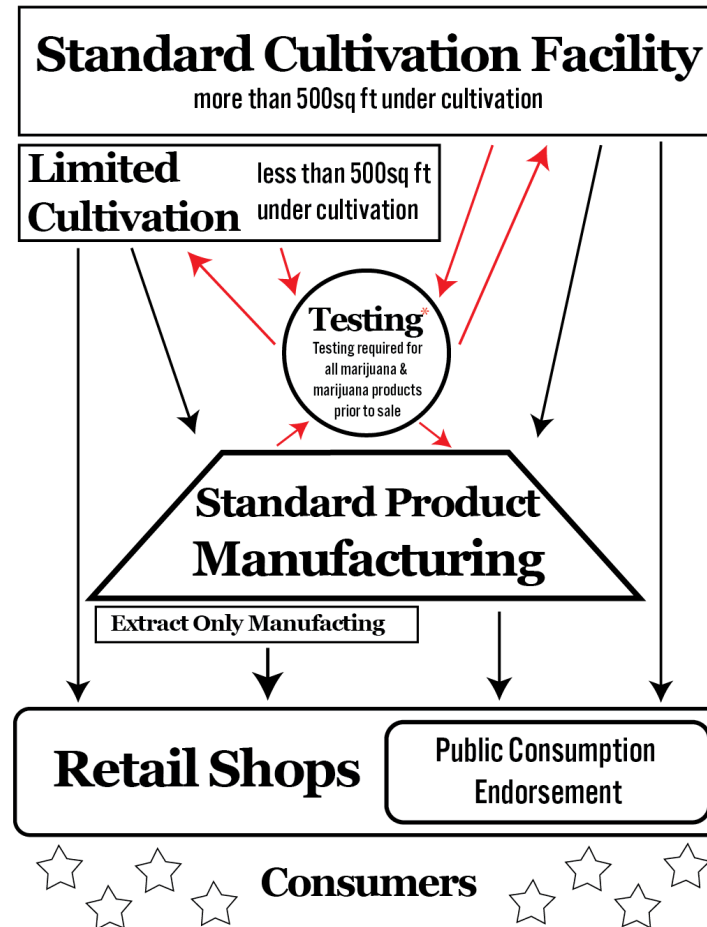
- ▶ All establishments must use registered scales
- ▶ Establishment must keep records of registration and inspection reports

Transportation

- ▶ Originating establishment responsible for preparing, packaging, securing, and recording transfer
- ▶ Originating establishment must prepare valid transport manifest to remain with the marijuana at all times during shipment, copy given to receiving establishment
 - ▶ Record type, amount, weight of marijuana
 - ▶ Name of transporter, time of departure, estimated time of arrival
 - ▶ Make, model, and license plate number of transporting vehicle
- ▶ Any transporter of marijuana must have a valid marijuana handler permit in their possession
- ▶ Marijuana must be stored in a sealed package in a locked storage compartment, may not be opened during transport
- ▶ Delivery vehicles must travel directly to destination, with no unnecessary stops
- ▶ Marijuana must be entered into inventory tracking system immediately upon receipt

Transportation

Mapping the flow of legal marijuana in Alaska



* Holders of a Testing facility license may not have any interest in any other marijuana facility type in the State of Alaska

Business Records

- ▶ All establishments must maintain all books and records accounting for each transaction for the current year and 3 preceding years
 - ▶ Last 6 months must be maintained on premises
- ▶ Current list of employees, full name and handler permit number
- ▶ Contacts of video and security system vendors if applicable
- ▶ Current premises diagram
- ▶ Visitor log including name, date, and time of entry into restricted access area
- ▶ Inventory tracking records
- ▶ Transportation records
- ▶ All normal tax records
- ▶ Establishments must provide any document to an employee of the board upon request

Trade Shows

- ▶ A cultivation facility may bring one plant to the show for display. The removal and return from the facility must be logged into the inventory tracking system.
- ▶ Any marijuana removed from the plant must be retained and returned to the originating facility
- ▶ A cultivation or retail facility may bring up to one ounce of marijuana to the event for display and must be contained so it cannot be removed by a member of the public
- ▶ A manufacturing or retail facility may bring one sample package of a marijuana product to the event for display, and must remain packaged throughout the event
- ▶ A testing facility may not perform required tests at a trade show or similar event
- ▶ No marijuana may be sold or distributed at the event

Section 5.

- ▶ Retail Shops

Sale Quantity Limits

- ▶ A retail store may not exceed in one transaction:
 - ▶ Greater than **1 ounce** usable marijuana (bud and flower)
 - ▶ Greater than **7 grams** marijuana concentrate
 - ▶ Products containing more than a **total of 5600mg of THC**
- ▶ Further restrictions on onsite consumption
 - ▶ 1 gram per person per day
 - ▶ 10 mg edible THC, per person per day
 - ▶ No marijuana concentrate may be sold for onsite consumption

Retail Store Privileges and Prohibitions

- ▶ Each customer must be physically present at the time of sale, must furnish valid ID proving age

Retail store may not sell, give, distribute marijuana:

- ▶ To anyone under 21
 - ▶ To anyone intoxicated or impaired
 - ▶ That is improperly packaged or labeled
 - ▶ In quantities exceeding limits (1 ounce, 7 grams, or 5600mg)
 - ▶ Over the internet
 - ▶ After its expiration date
- ▶ A retail store may not conduct business between 5 am and 8 am
 - ▶ A retail store may not offer free marijuana for any reason
 - ▶ A retail store may not offer alcohol, free or for compensation

Onsite Consumption Endorsement

- ▶ If a retail store obtains onsite consumption endorsement, it may allow consumption of specific products in a designated area
- ▶ An endorsement is only valid in conjunction with a retail license
- ▶ Onsite consumption area must be within the licensed premises but separate from the main retail area by a secure door, with a separate ventilation system
- ▶ No employee, licensee, or agent of a licensee may consume marijuana during the course of a work shift
- ▶ No tobacco or tobacco products may be consumed in the marijuana consumption area
- ▶ No marijuana or marijuana product may be brought into the consumption area that was not purchased at the retail store

Onsite Consumption

- The consumption area must be isolated from all other areas of the retail store by walls and a secure door, accessible only from the retail store
- ▶ The consumption area must have a smoke-free area for employees to monitor the consumption area
- ▶ The consumption area must have a ventilation system that directs air outside through a filtration system
- ▶ Consumption area may be outdoors if surrounded by a sight-obscuring fence or wall, and if found to be compatible with neighboring uses
- ▶ All unconsumed marijuana must be adequately packaged in accordance with 306.345, or adequately destroyed in accordance with 306.740
- ▶ Patrons must be monitored at all times for over-consumption
- ▶ Written materials must be provided with dosage and safety information for each type of marijuana or marijuana product

Onsite Consumption

- ▶ A retail store may post the following notices visible to customers:
- ▶ “Consumption of marijuana in public is prohibited by law”
- ▶ “Transportation or carriage of marijuana or marijuana products on Alaska waterways, including cruise ships, or by air carrier is prohibited by federal law”
- ▶ “Transportation or shipment of marijuana or marijuana products outside the State of Alaska is prohibited by federal law.”
- ▶ “Providing marijuana to persons under 21 years of age is prohibited by law”

Restricted Access

- ▶ A person under 21 years old may not enter a retail marijuana store at any time, each entry must be posted with sign says “No one under 21 years of age allowed”
- ▶ Any area where marijuana is stocked for sale is a restricted access area.
- ▶ Restricted access signs must be posted, ID badges worn, visitors escorted
- ▶ A retail store may not sell, give, distribute, until all testing and labeling requirements are met

Advertising Restrictions

- ▶ Retail store may not have more than 3 signs identifying by its business name
- ▶ Advertisement for marijuana may not contain a statement that
 - ▶ is false or misleading
 - ▶ promotes excessive consumption
 - ▶ represents that use of marijuana has curative or therapeutic effects
- ▶ Advertisements for marijuana may not depict a person under 21 consuming marijuana, or other depictions designed to appeal to persons under 21
- ▶ Advertisements for marijuana may not be placed within 1000 feet of any school, post secondary campus, child care facility, substance abuse treatment facility, playground, recreation center, public park, library, or game arcade
- ▶ Advertisements for marijuana may not be placed on public transit or publicly owned property

Advertising Restrictions

- ▶ Advertisements must include the business name, license number, and warning statements if the advertisement contains written information about marijuana or photographic or illustrative depictions of marijuana
- ▶ Business cards and merchandise that only contain the business name and logo, license name, and contact information are not considered advertising or promotions

Advertising Restrictions

- ▶ A retail store may not give coupons, or conduct promotional activities, games, or competitions to encourage sale of marijuana
- ▶ All advertising for marijuana or any marijuana product must contain each of the following warnings:
 - ▶ "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 breastfeeding."

Section 6.

- ▶ Cultivation Facilities

Cultivation Privileges and Prohibitions

- ▶ Standard > 500sqft, limited < 500sqft
- ▶ Authorized to propagate, cultivate, harvest, prepare, cure, package, store, and label marijuana
- ▶ May sell marijuana to another licensed cultivation facility, a licensed product manufacturing facility, or a licensed retail store,
- ▶ Must provide samples of each harvest to be tested
- ▶ May provide samples of marijuana to retail stores or manufacturing facilities
- ▶ Cultivation must be separated from any retail or manufacturing activities
- ▶ A cultivation facility may not provide directly marijuana to a consumer, with or without compensation
- ▶ No person may consume marijuana on licensed premises or within 20 feet of any building
- ▶ May not treat or adulterated marijuana to alter color, appearance, odor
- ▶ Cultivation facilities may not extract except with a manufacturing license

Restricted Access Areas

- ▶ All cultivation must be conducted enclosed in a physical barrier, sight obscuring wall or fence 6ft tall if outdoor
- ▶ All areas of cultivation, processing, storage must be restricted access.
- ▶ Cultivation facility must ensure that marijuana cannot be seen from outside the facility, and does not emit a detectable odor.
- ▶ Any area where marijuana is grown, processed, packaged, stored or destroyed must be a restricted access area, must maintain video surveillance

Required Laboratory Testing

- ▶ Cultivation facility may not sell or transport until required testing has been completed
- ▶ Harvest batches segregated by strain, random sample selected
- ▶ Signed statement of true random selection, maintain a copy of this document
- ▶ Cultivation facility responsible for transport of test samples to testing facility
- ▶ Maintain batch appropriately, cannot sell or transport until testing is completed
- ▶ Maintain testing results as business records

Sampling

- ▶ Cultivation facilities may provide not more than one ounce of marijuana per month to a retail store or manufacturing facility free of charge
- ▶ Unused samples must be returned to cultivation facility or destroyed and documented
- ▶ A cultivation facility may provide a sample to an employee for the purposes of quality control not to exceed a cumulative total of one ounce per 30-day period
- ▶ Each employee that receives a sample must fill out a quality control form
- ▶ Samples must leave the licensed premises in opaque, resealable, child-resistant packaging and labeled “For Quality Control”
- ▶ Each sample must be tracked using the inventory tracking system
- ▶ MCB may require cultivation facility to provide random samples of various materials for compliance checks

Excise Tax

- ▶ Cultivation facilities responsible for excise tax
- ▶ Cultivation facility must submit reports to Dep. Of Revenue monthly, pay required excise tax on all marijuana sold or given as samples
- ▶ Excise tax only applies to marijuana transferred to manufacturing or retail stores, not between cultivation facilities
- ▶ Marijuana is taxed at \$50 per ounce, or proportionate part thereof
- ▶ Total number of ounces, names and addresses of buyers, weight of marijuana sold to each buyer

Section 7.

- ▶ Manufacturing Facilities

Manufacturing Facility Privileges

- ▶ Anyone handling marijuana in a manufacturing facility must have a valid food worker card, keep in possession while on premises
- ▶ Standard manufacturing authorized to manufacture, extract, refine, process, cook, package, label, and store marijuana products and concentrates
- ▶ Concentrate manufacturing authorized to manufacture, extract, refine, process, cook, package, label, and store only concentrates
- ▶ Authorized to sell, distribute, or deliver marijuana extract or marijuana product to a licensed retail store or to another licensed product manufacturing facility
- ▶ Must provide and transport samples of marijuana concentrate or marijuana product to a licensed testing facility
- ▶ May provide a sample of an approved marijuana concentrate or product to a retail marijuana store

Manufacturing Facility Prohibitions

- ▶ May not sell, deliver, distribute, or transfer marijuana, marijuana concentrate, or a marijuana product directly to a consumer
- ▶ May not sell marijuana, marijuana concentrate, or a marijuana product that is not properly manufactured, packaged, and labeled
- ▶ May not allow any person to consume marijuana, marijuana concentrate, or a marijuana product on licensed premises
- ▶ May not sell any product that is an “adulterated food or drink,” or anything that closely resembles a familiar food or drink
- ▶ Marijuana products may not be packaged to look like candy
- ▶ No bright colors or cartoon characters appealing to children

Approval of Concentrates and Products

- ▶ Each product must be approved by MCB, will not approve prohibited products
- ▶ Manufacturing facilities must maintain ingredient lists and potency limits for products
- ▶ Ingredient lists and potency limits must be made available to AMCO and MCB
- ▶ New products must be submitted for approval, \$250 product list change fee

Concentrate Production

- ▶ Manufacturing facility must have standard operating procedures, good manufacturing practices, a safety plan, and a training plan
- ▶ Concentrates may be created using:
 - ▶ Water, ice, dry ice
 - ▶ Food based, propylene glycol, glycerin, butter, oil, or cooking fats
 - ▶ N-butane, isobutane, propane, or heptane or other solvents or gases the MCB approves
- ▶ Infused butter, oils, or fats may be used in preparing edible products, but may not be prepared as stand-alone edible products for sale
- ▶ solvents and carbon dioxide at least 99 percent purity, ventilated area, professional grade closed-loop extraction system
- ▶ All sources of ignition must be controlled
- ▶ Each employee must be fully trained on how to use extraction systems, handling and storage of materials, direct access to safety data

Concentrate Production

- ▶ Professional grade closed-loop systems must be certified by a licensed engineer, commercially manufactured, safe, built to generally accepted engineering codes
- ▶ Approved by the local fire, safety, building code
- ▶ Heat, screens, presses, steam, ice, and other methods without employing solvents or gases
- ▶ May use food-grade glycerin, ethanol, and propylene glycol solvents to create extracts
- ▶ All ethanol must be recaptured

Restricted Access and Storage

- ▶ All extraction or product manufacturing operations must take place in a restricted access area
- ▶ Full video surveillance over each area where concentrate is produced, where product manufacturing takes place, where any marijuana or product is stored, where waste is destroyed
- ▶ Storage areas must be moisture/temperature controlled and protected from pests and vermin

Required Laboratory Testing

- ▶ Manufacturing facility may not sell or transport until required testing has been completed
- ▶ Production batches separated, random sample selected
- ▶ Signed statement of true random selection, maintain a copy of this document
- ▶ Manufacturing facility responsible for transport of test samples to testing facility
- ▶ Maintain batch appropriately, cannot sell or transport until testing is completed
- ▶ Maintain testing results as business records

Potency Limits

- ▶ Potency levels may not exceed the following:
- ▶ **5mg of active tetrahydrocannabinol (THC) or Delta 9** in a single serving of a marijuana product
- ▶ **not more than 10 servings**, or 50 milligrams of active THC or Delta 9, in a single packaged unit of an edible product
- ▶ THC content must be evenly distributed throughout the product **within 20% of the target amount.**
- ▶ If product contains multiple servings, product must be clearly marked with serving sizes
- ▶ Liquid product packaging must indicate number and size of individual servings
- ▶ **Remember: 5mg per serving, 10 servings per package**

Section 8.

- ▶ Testing Facilities

Testing Privileges and Prohibitions

- ▶ A person may not provide a marijuana testing service unless the person has obtained a marijuana testing facility license from the MCB
- ▶ Applicant may not have any direct or indirect financial interest in any other marijuana license type in Alaska
- ▶ Applicant may not have a financial interest in common with a person who is a licensee of another marijuana establishment type in Alaska
- ▶ May have any amount of marijuana on its premises at any given time for testing purposes, must be documented in inventory tracking system
- ▶ May not sell, deliver, distribute, or transfer marijuana to a consumer, with or without compensation
- ▶ No person may be allowed to consume marijuana on the licensed premises

Proficiency Testing Program

- ▶ Third party accreditation assures all testing laboratories are correctly following methods and procedures, adequate documentation
- ▶ Development of a proficiency testing program will establish industry-sanctioned standards
- ▶ MCB may require successful completion of a proficiency testing program upon availability

Scientific Director

- ▶ Each testing facility must employ a scientific director
- ▶ Responsible for overseeing scientific methods of laboratory, ensuring maintenance of standards, supervising laboratory staff
- ▶ Educational requirements in either chemical or biological sciences:
 - ▶ Doctorate degree, two years post degree lab experience
 - ▶ Masters degree, four years post degree lab experience
 - ▶ Bachelors degree, six years post degree lab experience

Testing Methodologies

- ▶ Testing facility must use as guidelines or references for testing methodologies:
 - ▶ American Herbal Pharmacopoeia's *Cannabis Inflorescence: Standards of Identity, Analysis, and Quality Control, Revision 2014*
 - ▶ United Nations Office on Drugs and Crime's *Recommended Methods for the Identification and Analysis of Cannabis and Cannabis Products: Manual for Use by National Drug Analysis Laboratories*, dated 2009
- ▶ Testing facility may notify the MCB of an alternative valid testing methodology, may require validation
- ▶ MCB may require random validation of execution of each testing methodology a facility conducts

Standard Operating Procedure Manual

- ▶ Each testing facility must have written operating procedures manual accessible to all employees at all times, must be approved signed and dated by scientific director
- ▶ Manual must contain detailed testing method instructions, minimum standards

Laboratory Testing

- ▶ Potency analysis, THC, THCa, CDB, CBDa
- ▶ Moisture content
- ▶ Foreign matter
- ▶ Microbial screening
- ▶ Pesticides
- ▶ Chemical residue
- ▶ Metal screening
- ▶ Residual solvent levels

Potency Testing

- ▶ All bud and flower, concentrates, and marijuana products must be tested for potency
- ▶ Required testing must at minimum find concentrations of **THC, THCa, CBD, CBDA and CBN** cannabinoids
 - ▶ THC and THCa may be combined, CBD and CBDA may be combined
- ▶ Results must be reported as a percentage for each cannabinoid
- ▶ Product testing must list total mg of each cannabinoid in a single retail unit
- ▶ THC content must be within 20% of manufacturer's target
 - ▶ Example: 25mg total / 5 servings = between 4mg and 6mg THC per serving
- ▶ Edible products will **fail** potency testing if single retail unit contains more than **50mg total THC**
- ▶ Edible products will **fail** potency testing if THC content is not homogeneous

Substance	Acceptable Limits Per Gram	Product to be Tested
E. coli	less than 1 colony forming unit (CFU/g)	flower; marijuana products; water-based and food-based concentrates
Salmonella	less than 1 colony forming unit (CFU/g)	flower; marijuana products; water-based and food-based concentrates
Fungus	less than 1 colony forming unit (CFU/g)	flower; marijuana products; water-based and food-based concentrates
Butanes	less than 800 parts per million (PPM)	solvent-based concentrates
Heptanes	less than 500 parts per million (PPM)	solvent-based concentrates
Hexane	less than 10 parts per million (PPM)	solvent-based concentrates
Toluene	less than 1 parts per million (PPM)	solvent-based concentrates
Total Xylenes	less than 1 parts per million (PPM)	solvent-based concentrates
Benzene	less than .025 parts per million (PPM)	solvent-based concentrates

Chain of Custody

- ▶ Testing facility must maintain current list of authorized persons, entry restricted to those persons
- ▶ Clear instructions for minimum required sample sizes, storage requirements, and documentation including:
 - ▶ State of packaging, integrity of seals
 - ▶ Condition and amount of sample as received
 - ▶ Names of each person handling the samples
 - ▶ Any transfer of samples to another testing facility
 - ▶ Disposal of samples
- ▶ All storage areas must be adequately secured, all samples stored appropriately

Retests and Failed Material

- ▶ If a sample does not pass a required test, the harvest batch or production lot from which it originated also fails that test
- ▶ The establishment providing the sample must dispose of the entire harvest batch or production lot, document the disposal in the inventory tracking system
- ▶ MCB may authorize a retest to validate the test results if a marijuana establishment petitions for a retest
- ▶ MCB may allow a failed batch to be used to make a solvent-based extract if it passes all required tests after processing

Section 9.

- ▶ Cannabis and the Human Body

Effects of Consumption

- ▶ Endogenous Cannabinoid System (ECS)
- ▶ CB1, CB2, Anandamide, 2-Arachidonoylglycerol (2-AG)
- ▶ Effects in the brain:
 - ▶ Pleasure
 - ▶ Memory, learning
 - ▶ Concentration
 - ▶ Judgement
 - ▶ Sensory and time perception
 - ▶ Movement, coordination
 - ▶ Pain sensation
- ▶ Impairment of motor skills, higher cognitive function, decision making
- ▶ Increased blood pressure

Noticeable Effects

- ▶ Physiological, psychological, behavioral effects vary widely
 - ▶ Facial flushing, dry mouth, drooping eyelids, red glassy eyes
 - ▶ Incontrollable or inappropriate laughter
 - ▶ Slurred or choppy speech, disjointed sentences, difficulty staying on topic
 - ▶ Reduced coordination
 - ▶ Impaired higher cognitive functions
 - ▶ Time distortion
 - ▶ Hallucinations, dysphoria, unable to converse, paranoia, anxiety
- ▶ No death by marijuana overdose has been reported, does not mean a person cannot “overdose” on THC

Modes of Consumption

- ▶ Inhalation
 - ▶ Combustion
 - ▶ Vaporizing
 - ▶ “Dabbing”
- ▶ Ingestion
 - ▶ Edibles
 - ▶ Tincture
- ▶ Topical
 - ▶ Balms, salves, lotions,
 - ▶ Trans-dermal patches

Duration of Effects

- ▶ Duration of effects varies depending on several factors
 - ▶ Method of consumption
 - ▶ Dosage
 - ▶ Potency
 - ▶ Frequency of use
 - ▶ Individual metabolism
- ▶ Consumers need to be informed of estimated duration and effects
- ▶ Retention of marijuana in the body can be as little as a few days, or as much as several months
- ▶ Tolerance may develop in frequent users

Identifying Impaired Persons

- ▶ Do not allow entry, sell, or consumption to any impaired person
- ▶ What to look for:
 - ▶ Bloodshot glassy eyes, drooping eyelids
 - ▶ Lethargic body movements
 - ▶ Dry mouth
- ▶ Behavior:
 - ▶ Irregular, disconnected thought patterns
 - ▶ Misjudgments of time
 - ▶ Fidgeting, anxious, paranoid

Section 10.

- ▶ Determining valid Identification

Verifying Authenticity

- ▶ Authenticating valid forms of identification (ID) is crucial
- ▶ ID presented for entry must be unexpired, unaltered
 - ▶ Passports
 - ▶ Drivers license, instruction permit
 - ▶ ID card of any state or territory, U.S., D.C, Canada
- ▶ Must be issued by an authorized federal or state government agency

ID Check Procedure

- ▶ Greet customer verbally
- ▶ Ask for the card so that both sides can be inspected
- ▶ Verify authenticity
 - ▶ Look for watermarks, holograms, ghost images, and micro-printing
- ▶ Check the expiration date to ensure the ID is current
- ▶ Compare likeness of photo to person presenting the ID
 - ▶ Ignore hair, look for matching bone structure, eyes, ears
- ▶ Ask questions to verify identity
 - ▶ DOB, address, height, middle name, etc.
- ▶ Different formatting for under-21 ID
- ▶ ID checking machines are available, not always accurate

Verifying Age

- ▶ Birth year + 20 + 1 = the year that person turned 21
- ▶ If that year is the same as the current year, check to see if their birthday has passed
- ▶ Look for subtle differences in the face shape, ears, nose, mouth, and teeth
- ▶ Ask for hats, hoods, sunglasses, etc. to be taken off
- ▶ Ask for additional forms of ID or coworker help if ID validation is unclear
- ▶ If validity or age cannot be determined, refuse entry or sale

False Identification

- ▶ Look for obvious signs of tampering or forgery
 - ▶ Bubbles, uneven thickness, split laminate
- ▶ Words that don't belong on any federal or state issued ID card include:
 - ▶ Authentic
 - ▶ Official
 - ▶ Genuine
- ▶ After identifying a fake, follow house rules in confiscating and recording the event
- ▶ Forged ID cards should be turned over to law enforcement as soon as possible

Preventing Unlawful Consumption

- ▶ It is unlawful to consume marijuana in a public place, \$100 fine
- ▶ Includes highways, transportation facilities, schools, places of amusement or business, parks, playgrounds, prisons, and hallways, lobbies
 - ▶ FNSB includes waterways
- ▶ With a prior endorsement from MCB, a retail shop may permit consumption of marijuana purchased on the licensed premises, in a designated area
- ▶ Manufacturing facilities and cultivation facilities may not allow any person to consume marijuana on the licensed premises, including outdoor cultivation areas

Counting Purchase Attempts

- ▶ AS 17.38 allows for an individual to possess, use, display, purchase, or transport one ounce or less of marijuana
 - ▶ 1 ounce of usable marijuana, or
 - ▶ 7 grams of marijuana concentrate for inhalation, or
 - ▶ 5600 milligrams of THC total
- ▶ Potency Limits
 - ▶ For a single serving, 5 milligrams active Delta 9 tetrahydrocannabinol (THC)
 - ▶ Not more than 10 servings, or 50 milligrams of active THC in a single packaged unit of edible marijuana product
- ▶ THC content must be homogeneous, or evenly distributed throughout the entire marijuana product

Section 11.

- ▶ Observation and Communication

Customer and Visitor Communication

- ▶ It is the responsibility of each marijuana handler to observe all customer and visitor behavior for signs of suspicious behavior and impairment
- ▶ Some behavior to look out for:
 - ▶ Loitering near the entrance, or in the parking lot
 - ▶ Many customers looking for a particular person or employee
 - ▶ Secretive or discrete exchanges between persons
- ▶ Communicate with customers and visitors

Management Support

- ▶ Stay informed of current marijuana laws and regulations in the State of Alaska and in local governments
- ▶ Licensee and marijuana establishment responsible for ensuring a safe work environment for all agents and employees
- ▶ Ask management for house policies on dealing with specific situations
- ▶ Voice concerns to management
- ▶ Employees and agents are held accountable for their actions, civil or criminal charges
- ▶ Do not carry out instructions you are uncomfortable with

Refusal of Service

- ▶ If you are unsure of a situation, refuse service
- ▶ Be sure that reasoning is not discriminatory
- ▶ It is illegal to refuse service based on any of the following: gender, physical or mental disability, marital status, pregnancy, parenthood, race, religion, color, or national origin
- ▶ Retail: it is unlawful for a person to purchase, and transport, more than an ounce of usable marijuana in a single transaction

Dealing with Impaired Persons

- ▶ It is unlawful to serve or allow entry to an impaired person
- ▶ Be clear and direct
- ▶ Instruct the person that they need to leave the premises safely, immediately
- ▶ Offer to call a cab or a friend to pick them up
- ▶ Use calm, but assertive verbal and body language
- ▶ Be sure to have backup available when dealing with impaired persons

Difficult Situations and Emergencies

- ▶ All agents and employees should be trained in emergency situation procedures, fire extinguishers, fire escape route, AED
- ▶ Always have at least two marijuana handlers on shift when an establishment is open for business
- ▶ Representatives of a marijuana establishment may refuse service to anyone, unless that refusal is a violation of AS 18.80.210
- ▶ Each establishment should have policies and procedures for handling various difficult situations
- ▶ Do not physically restrain anyone unless you have been professionally trained to do so

Driving High is a DUI

- ▶ Impaired driving is a serious matter, should be taken into account before a person is served any marijuana
 - ▶ How did they arrive? How will they be leaving? How much are they consuming?
- ▶ Using marijuana before driving could result in arrest for driving under the influence (DUI)
- ▶ Marijuana should not be consumed in combination with alcohol or prescription medications
- ▶ Driving is most dangerous with edibles, because the effects are more unpredictable, they take longer to develop, and last significantly longer

Illegal Activities

- ▶ No alcohol, firearms, or illegal drugs in a licensed marijuana establishment, no gambling, no prostitution
- ▶ Could be cause for suspension or revocation of license, civil or criminal liability, notify management immediately
- ▶ If you become aware of a potentially violent situation, immediately alert management, call law enforcement immediately at any signs of danger
- ▶ Safe Intervention procedure:
 - ▶ Isolate the hostile individual, outside if possible
 - ▶ Tell the individual their behavior will not be tolerated, instruct them to leave
 - ▶ Do not physically retaliate to verbal assault
 - ▶ If you feel that there is or will be a threat to public safety, immediately inform law enforcement
 - ▶ Never try to physically restrain a hostile individual unless you have been professionally trained to do so

Incident Reporting

- ▶ Each establishment must maintain records of all incidents or unusual activity
- ▶ Record the date and time, describe the event, and any employees involved in the incident
- ▶ Maintain incident reports as part of business records
- ▶ Keeping documentation of all visitors into a restricted access area is required

Section 12.

- ▶ Penalties for Unlawful Acts

Inspection and Investigation

- ▶ Local law enforcement can enforce state law
- ▶ “Investigators” not “inspectors”
- ▶ Investigators include the director of the MCB, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity
- ▶ Inspect the licensed premises, including any marijuana on the premises, equipment used in cultivating, processing, testing, or storing marijuana
- ▶ May issue a report or notice of a violation of regulations, exercise peace officer powers, or take any other necessary action
- ▶ Each establishment must cooperate with investigators, including:
 - ▶ Permitting entry and inspection of the licensed premises
 - ▶ Access to business records at reasonable times when requested
- ▶ Investigators must be able to provide proof of identification

Report or Notice of Violation

- ▶ Investigators may issue an inspection report, an advisory report, or a notice of violation
- ▶ Inspection report
 - ▶ Documents each inspection of licensed premises, prescribed by statute, regulation, and MCB
- ▶ Advisory notice
 - ▶ Report incident or defect that could violate statute or regulation
- ▶ Notice of violation
 - ▶ When an inspection report or other credible information shows an establishment in violation of statute or regulation
- ▶ An establishment that receives a notice of violation may respond within ten days to request an opportunity to appear before the MCB
- ▶ A notice of violation may be the basis of a proceeding to suspend or revoke a marijuana establishment's license

Suspension or Revocation of a License

- ▶ MCB will suspend or revoke a marijuana license if a licensee is:
 - ▶ Convicted of a felony
 - ▶ Found guilty of selling alcohol without a license, or selling alcohol to a minor
 - ▶ Found guilty of a misdemeanor crime involving a controlled substance, violence against a person, use of a weapon, or dishonesty
 - ▶ Found guilty of a class A misdemeanor relating to selling, furnishing, or distributing marijuana or operating an establishment where marijuana is consumed contrary to state law
 - ▶ Found to have not disclosed any of the above on an initial application

Suspension or Revocation of a License

- ▶ The board may also take action to protect the best interest of the public in response to:
 - ▶ Using any extraction or manufacturing process not approved by the board
 - ▶ Selling or distributing any marijuana concentrate or product that has not been approved by the board
 - ▶ Failing to correct any defect that is the subject of a notice of violation
 - ▶ Knowingly allowing an employee or agent to violate Alaska marijuana laws and regulations
 - ▶ Failing to comply with any applicable public health, fire, safety, or tax law or regulation
 - ▶ Using the licensed premises for any illegal purpose
- ▶ AMCO must immediately give notice of the reasons for the suspension

Seizure of Marijuana

- ▶ Investigators may seize marijuana from a licensed or previously licensed establishment if the establishment has:
 - ▶ marijuana not properly logged into the inventory tracking system
 - ▶ any forbidden adulterated marijuana food or drink product
 - ▶ any marijuana or marijuana product that is not properly packaged and labeled
 - ▶ not renewed its license as required
- ▶ AMCO must immediately give notice of the reasons for the seizure and the time and place of a hearing before the MCB
- ▶ The seizure order may direct the facility to continue care of the plants until the hearing, but prohibit any transfer, sale, or other commercial activity
- ▶ If after a hearing before the MCB finds that seizure of the marijuana was justified, the marijuana or marijuana product will be destroyed

Hearing and Appeals

- ▶ An aggrieved party may appeal to the MCB regarding any action of AMCO including within 15 days after receiving notice of:
 - ▶ suspending or revoking a license
 - ▶ seizing marijuana or a marijuana product
 - ▶ imposing a civil fine
- ▶ A person aggrieved by a final decision of the MCB suspending or revoking a license or imposing a civil fine may appeal to the Superior Court

Civil Fines

- ▶ The board may impose a civil fine not to exceed the greater of:
 - ▶ \$10,000 for the first violation
 - ▶ \$30,000 for the second violation
 - ▶ \$50,000 for the third or subsequent violation
 - ▶ an amount that is three times the monetary gain realized by the marijuana establishment, licensee, or person as a result of the violation, as determined by the board

Surrender or Destruction of a License

- ▶ A license must be surrendered to AMCO on demand if AMCO or the MCB orders.
- ▶ A license must be surrendered within 10 days after the marijuana establishment loses or vacates the licensed premises
- ▶ If a license is destroyed, the marijuana establishment must promptly notify the MCB

Section 13.

- ▶ Conclusion

Knowledge test

- ▶ The Knowledge test will consist of twenty questions and a definition section testing your knowledge of the material covered in this course
- ▶ Take a moment to review the glossary

Keep in touch!

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CHAMP Certification Course
Edition 2.2, July 2016
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The Cannabis Handler and Marijuana Professional (CHAMP) Certification Course was created through extensive research, and with information gathered from industry professionals with years of collective field experience. Information from various publications, articles, and observations from field experts have all been incorporated into the making of this manual. All photos and illustrations are the property of Serious Circus, LLC, all persons depicted are models.

Information presented in CHAMP is meant to provide suggestions of good practices and methods of conduct for the industry professional and should not be taken as legal advice. Consult your local regulatory authority with specific questions regarding cannabis and marijuana in your area. Further questions or concerns may be directed to the Alcohol & Marijuana Control Office's website at www.commerce.alaska.gov/web/amco/ or its office is at 550 West 7th Ave. Suite 1600, Anchorage, AK 99501 or by telephone at (907) 269-0350.

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Section 1.

Introduction

The Cannabis Handlers and Marijuana Professionals (CHAMP) Certification Course will provide the industry professional with the fundamental skills that they need in order to operate legally and safely in the State of Alaska.

The main focus of this training program addresses these specific areas:

- To provide clear understanding of AS 17.37, AS 17.38, and 3 AAC Chapter 306. Regulation of Marijuana Industry
- To give a clear explanation of the effects of marijuana consumption, as well as how to identify an impaired person
- Determining valid identification
- Preventing unlawful consumption
- Building the necessary skills to safely handle difficult situations
- To outline the penalties associated with unlawful acts

Marijuana Laws vary from state to state, this course is intended to cover only the treatment of marijuana within the State of Alaska.

Licensees, employees, or agents of marijuana establishments who sell, cultivate, manufacture, test, or transport marijuana or a marijuana product, or who check the identification of a customer or visitor, are required to obtain a marijuana handler permit from the Alcohol and Marijuana Control Office (AMCO) before being licensed or beginning employment at a marijuana establishment. To obtain a marijuana handler permit, one must first complete a marijuana handler permit education course approved by the board such as this one, pass a written test demonstrating an understanding of the course material, and

obtain a certificate of course completion from the course provider. A person who has completed the marijuana handler permit course may then present that course completion certificate to AMCO, who will then issue a marijuana handler permit card valid for three years. A person may renew an expiring card by passing a written test demonstrating an understanding of the course subjects. A licensee, employee, or agent must keep the marijuana handler permit card in that person's immediate possession when on the licensed premises of a marijuana establishment or while transporting marijuana or marijuana products.

Section 2.

Terms and Concepts

Marijuana is the term defined by the State of Alaska to describe all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate.

Marijuana Establishments are state licensed businesses that are directly involved in the growing, production, testing, and retail sale of marijuana. There are four types of marijuana establishments:

- 1. Cultivation facilities**
 - a. Limited (<500sqft)
 - b. Standard (>500sqft)
- 2. Manufacturing facilities**
 - a. Concentrate-only
 - b. Standard
- 3. Testing facilities**
- 4. Retail facilities**
 - a. Retail facilities may also apply for a public consumption endorsement

There are several legal terms and documents related to the regulation of the marijuana industry. Alaska Statute 17.37, 17.38, and Alaska Administrative Code Chapter 306 will be referred to throughout this course.

- **AS 17.37** refers to the Medical Uses of Marijuana for Persons Suffering from Debilitating Medical Conditions Act.
- **AS 17.38**, also known as Ballot Measure 2, refers to the Act to tax and regulate the production, sale, and use of marijuana.

- **3 AAC 306**, also referred to as Chapter 306, is the chapter to tax and regulate the marijuana industry in the State of Alaska as adopted by the marijuana control board.

Liability and Responsibility

Becoming a part of the commercial marijuana industry requires a great level of responsibility and compliance with state and local law. It is extremely important for one to understand the liability and personal responsibility associated with this new industry.

Marijuana laws and zoning in the State of Alaska are made at two different levels of government:

1. State - Creates statewide laws and regulations. Responsible for licensing, designates buffer distances, does not handle zoning permits
2. Municipality - Handles local zoning requirements and may restrict any or all marijuana establishments, but may not restrict personal use. Ability to create sales taxes. Can be more restrictive than state, but not less restrictive. May create a local regulatory authority. Includes city councils, village mayor's offices, planning and zoning departments.

Municipal ordinances will vary throughout the state. It is the industry professional's responsibility to stay informed of all state and local legal requirements regarding their business. Keep in mind that local law enforcement can enforce state laws.

The **Alcohol and Marijuana Control Office (AMCO)** is the governing authority over marijuana regulations and all establishments in the State of Alaska. AMCO is responsible for the issuance, renewal, transfer, suspension, and revocation of all marijuana licenses. AMCO operates within laws that are passed by the state legislature and signed into law by the governor.

Violating or ignoring marijuana regulations can result in very serious consequences, such as fines, lawsuits, suspension or

revocation of marijuana license, civil or criminal charges, injury and/or death.

All employees and licensees are responsible for adhering to all regulation and inspection to avoid penalty or forced closure of the establishment.

Retail sales of marijuana are restricted to state-licensed entities and only to adults **over the age of 21.**

Marijuana sales by unlicensed individuals or entities remain subject to criminal penalties. To deliver for compensation less than 1 ounce of marijuana without a marijuana retail license can result in a class A misdemeanor punishable by up to 1 year imprisonment and/or a fine up to \$10,000. Delivery with or without compensation of an ounce or more may result in a class C felony punishable by up to 5 years imprisonment and/or a fine up to \$50,000.

Criminal negligence describes conduct of an employee, licensee, or agent that "grossly deviates" from normal, reasonable standards of an ordinary person. Criminal negligence could result in the suspension or revocation of a marijuana establishment license.

Criminal liability will result when a responsible individual ignores or breaks the law regarding the sale or consumption of marijuana. Penalties for licensees, agents, and employees may include fines, suspension or revocation of marijuana license, and/or jail time.

Civil Liability can occur when an individual, an owner, or the establishment itself is held financially accountable for injury or damages to or by a customer of the establishment. By contributing to or not preventing an injury or civil damages, a civil lawsuit may be filed against the establishment, owner, or individual. When a civil lawsuit is filed, all safety procedures and protocols will be investigated, as well as actions of all employees and licensees.

Civil Fines may be imposed on any marijuana establishment, licensee, or person that AMCO determines violated AS 17.38 or Chapter 306. Civil fines may not exceed the greater of

1. an amount that is three times the monetary gain realized by the marijuana establishment, licensee, or person as a result of the violation, as determined by the board;
2. \$10,000 for the first violation
3. \$30,000 for the second violation
4. \$50,000 for the third or subsequent violation

Until a marijuana establishment surrenders its license to the board, and so long as business is conducted under the license on the licensed premises, the person or entity holding the license is responsible and liable for the conduct of the business. Any individual exercising actual authority over the conduct of business on the licensed premises must be the holder of the marijuana establishment license, or an agent or employee of that person unless the board has approved a transfer of the license to a different person.

Risk Awareness

Because of the historical stigma and changing laws in the marijuana industry, there are many risks associated with marijuana that industry professionals need to be aware of. Federal legality is perhaps the largest question that the legal marijuana industry is waiting for an answer to. While legal under state law, federal law enforcement may choose to enforce marijuana drug scheduling through cease and desist orders, product and asset seizure, or possibly more drastic measures depending on severity of offense.

Because of the existing illegality at the federal level, nearly all federally insured banks refuse to allow marijuana business access to the banking system. The result is a cash only industry, where the use of checking accounts, credit cards, and investment loans are largely out of the question. This cash only industry creates a target on marijuana businesses and employees and may attract criminal actors. Marijuana establishments and

licensees should be very aware of the risks a cash only industry poses for its employees.

Risk Acceptance

In order to change policies and public opinion on marijuana, the industry must work together towards following state regulation and minimizing risk. The best way to accomplish this task is through knowledge and education. Stay informed on all current cannabis news, studies, and local regulation.

Risk Management

Now that we understand the risks associated with the marijuana industry, we must work toward minimizing and managing those risks. Having adequate safety measures and security systems in place at each marijuana establishment, including 24 hour lighting of entrances and exits, security cameras, and commercial grade locks, will greatly reduce chances of break-ins and other criminal activity. Identification (ID) checks, age requirement signage, childproof packaging, and buffer distances from schools and day cares, may help reduce children's access to accidentally consuming or unlawfully purchasing marijuana. Remember, no one under 21 years of age may enter a marijuana establishment.

The implications of a cash-only industry can be very dangerous for a marijuana establishment, and therefore very important for each to have policies and procedures in place to prevent violence and theft. Each employee should be aware of these risks and trained in preventative measures to take in various situations. Thorough and ongoing employee training is necessary in creating a safe and comfortable work environment.

AS 17.37 & AS 17.38

AS 17.37 refers to the Medical Uses of Marijuana for Persons Suffering from Debilitating Medical Conditions Act. AS 17.37

created a confidential registry of patients and listing of caregivers, and lays out privileges and restrictions of medical use of marijuana. Since AS **17.38** has a much broader scope, much of AS 17.37 has been essentially nullified.

One aspect of AS 17.37 that remained relevant is the provision that a physician is not subject to arrest, prosecution, disciplinary proceeding, or denial of any right or privilege for advising a patient diagnosed as having a debilitating medical condition of possible benefits of medical use of marijuana. Nothing in AS 17.38 changed any privileges and prohibitions related to medical cards issued per AS 17.37.

AS 17.38, also known as Ballot Measure 2, refers to the Act to tax and regulate the production, sale, and use of marijuana. AS 17.78 is responsible for the creation of the Marijuana Control Board, and provided the outline for the regulation and rule making of the marijuana industry in the State of Alaska.

The main goals behind **AS 17.38** are to allow law enforcement to focus on violent and property crimes, and to enhance individual freedom by legalizing marijuana for all persons 21 years of age or older. AS 17.38 also states that the production and sale of marijuana should be regulated so that:

- Individuals will have to show proof of age before purchasing marijuana
- Legitimate, taxpaying business people, and not criminal actors, will conduct sales of marijuana
- Marijuana sold by regulated businesses will be labeled and subject to additional regulations to ensure that consumers are informed and protected.

AS 17.38 does not exempt any individual or entity from any requirement of federal law, nor will it pose any obstacle to federal enforcement of federal law.

AS 17.38 does not authorize the cultivation or sale of industrial hemp.

In regards to personal use, 17.38 authorized the following acts by persons 21 years of age or older and will not be a criminal or civil offense under Alaska law:

- Possessing, using, displaying, purchasing, or transporting one ounce or less of marijuana or marijuana accessories
- Possessing, growing, processing, or transporting no more than six marijuana plants, with three or fewer being mature, flowering plants, and possession of all marijuana produced by the plants on the premises where the plants were grown
- Transferring one ounce or less of marijuana and up to six immature marijuana plants to a person who is 21 years of age or older without remuneration
- Consumption of marijuana, except in public
- Assisting another person who is 21 years of age or older in any of the above

A local government may prohibit the operation any or all types of commercial marijuana establishments. A local government may also govern the time, place, manner and number of marijuana establishment operations. A local government may establish civil penalties for violation of an ordinance or regulation governing the time, place, and manner of a marijuana establishment that may operate in such local government. A local government may designate a local regulatory authority responsible for processing registration applications to operate a marijuana establishment within that local government.

Local government cannot restrict or prohibit the personal use of marijuana.

"Cole Memo"

On August 29, 2013 Deputy Attorney General James Cole issued a Department of Justice memorandum to federal prosecutors and federal law enforcement. The "**Cole Memo**," as it is commonly referred to, outlines policies with respect to state marijuana laws. According to the memo, the federal government will focus its efforts on eight enforcement priorities and rely on state law enforcement authorities to manage areas that are not federal priorities.

The memo states,

"The Department's guidance in this memorandum rests on its expectation that state and local governments that have enacted laws authorizing marijuana-related conduct will implement strong and effective regulatory and enforcement systems that will address the threat those state laws could pose to public safety, public health, and other law enforcement interests."

The eight areas of particular concern are:

1. Preventing the distribution of marijuana to minors
2. Preventing revenue from the sale of marijuana from going to criminal enterprises, gangs, and cartels
3. Preventing the diversion of marijuana from states where it is legal from going to other states
4. Preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity
5. Preventing violence and the use of firearms in the cultivation and use of marijuana
6. Preventing drugged driving and the exacerbation of other adverse public health consequences associated with marijuana use
7. Preventing the growing of marijuana on public lands, as well as public safety and environmental dangers posed by marijuana production on public lands
8. Preventing marijuana possession or use on federal property

Role of Government

AMCO is responsible for the issuance, renewal, transfer, suspension, and revocation of all marijuana licenses.

Employees and licensees are required to cooperate with all AMCO representatives and investigators as well as all local, state, and federal law enforcement. AMCO representatives are required to furnish an ID badge or other form of proof of identification. Regulation enforcement is handled by AMCO officers who may inspect any marijuana establishment at any time in any reasonable manner without a search warrant. AMCO officer inspections may check for required sign postage, current

marijuana handler cards for each employee/licensee, and proper procedures to adhere to state regulations. They may inspect any marijuana or marijuana product on the premises, any equipment used, the inventory tracking system, business records and computers.

Community Decisions

Each community has the option to "opt-out," or prohibit the sale or production of marijuana within its boundaries.

If a majority of persons vote to approve this prohibition, or if a local government's assembly or city council passes an ordinance to the same effect, the local government must prohibit the sale or importation of marijuana and any marijuana product.

A local government may not prohibit the personal use and possession of marijuana and marijuana products as authorized under AS 17.38.

If a majority of persons vote to remove a prohibition currently in effect, or if a local government's assembly or city council passes an ordinance to the same effect, that repeal is effective the first day following the certification of the election.

Laws Regarding Consumption

Consuming marijuana in public is prohibited. AS 17.38 defines "in public" as a place to which the public or a substantial group of persons has access and includes highways, transportation facilities, schools, places of amusement or business, parks, playgrounds, prisons, and hallways, lobbies, and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence.

With prior approval of the board, a marijuana retail store may receive an **onsite consumption endorsement** that would allow for consumption of marijuana or a marijuana product purchased on the licensed premises, in a designated area on the same licensed premises.

It will remain a criminal offense for someone under 21 to possess any amount of marijuana, AS 17.38 made the use of marijuana legal only for persons 21 years of age or older.

AS 17.38 also states that a person, employer, school, hospital, recreational or youth center, correction facility, corporation or any other entity who occupies, owns or controls private property may prohibit or otherwise regulate the possession, consumption, use, display, transfer, distribution, sale, transportation or growing of marijuana on or in that property.

Section 3.

Applications and Licensing

This section and the following several sections provide a summary of Alaska Administrative Code Chapter 306 Regulation of the Marijuana Industry. It is only a summary and should not be taken as legal advice. A complete version of 3 AAC Chapter 306, as well as forms and instructions for filing an application for a marijuana establishment license can be found online at the Alcohol & Marijuana Control Office's website or at the board's office. The board's website address is www.commerce.alaska.gov/web/amco/ and its office is at 550 West 7th Ave. Suite 1600, Anchorage, AK 99501. The board's telephone number is (907) 269-0350.

A marijuana establishment may not operate in the State of Alaska unless it has obtained the applicable marijuana establishment license from the marijuana control board. An individual or entity may hold more than one license type, with the exception of Marijuana Testing Facilities. If an individual holds interest in a Marijuana Testing Facility, they may not hold interest in any other license type.

License types and fee amounts:

- Non-refundable application fee - \$1000
- Annual license renewal fee - \$600
- Annual Marijuana Testing Facility - \$1000
- Annual Limited Marijuana Cultivation Facility - \$1000
- Annual Standard Marijuana Cultivation Facility - \$5000
- Annual Concentrate Manufacturing Facility - \$1000
- Annual Standard Marijuana Product Manufacturing Facility - \$5000
- Annual Marijuana Retail Facility - \$5000
- Non-refundable fee to change a marijuana establishment's business name, licensed premises diagram, operating plan, or proposed new marijuana product - \$250

License Restrictions

State-designated **buffer distances** from sensitive receptors are measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the sensitive receptor, or front entrance of religious building. Marijuana establishments may be "grandfathered in" if a sensitive receptor comes in after a license has been awarded, meaning they will be allowed to remain in that location, renew their license, or transfer their license to another person. Grandfather rights will not apply if license is revoked or expires.

The board will not issue a marijuana establishment license if:

- the licensed premises will be located within 500 feet of:
 - a school ground
 - a recreation or youth center
 - a building in which religious services are regularly conducted
 - a correctional facility
- the licensed premises will be located in a liquor license premises
- when a local government protests an application on the grounds that that the applicant's proposed licensed premises are located in a place where a local zoning ordinance prohibits the marijuana establishment

The board will not issue a marijuana establishment license to a person, partnership, LLC, or corporation in which any member/owner:

- is prohibited under AS 17.38 from receiving a marijuana establishment license because of a conviction of a felony
- has been found guilty of selling alcohol without a license
- has been found guilty of selling alcohol to an individual under 21 years of age
- has been found guilty of a misdemeanor crime involving a controlled substance, violence against a person, use of a weapon, or dishonesty within the preceding five years
- has, within two years before submitting an application, been convicted of a class A misdemeanor relating to selling, furnishing, or distributing marijuana or operating

an establishment where marijuana is consumed contrary to state law

- is not a resident of the State of Alaska as determined by PFD filing status

License Conditions

Marijuana establishment licenses are site-specific, meaning they are issued only for the location specified on the license as "licensed premises". A marijuana establishment must have a right to possession of its licensed premises at all times, and may not lease its licensed premises to another person for any reason. If a marijuana establishment wishes to reduce or expand the area of the licensed premises used for a marijuana establishment, they must submit a new line drawing showing the proposed changes to the premises, pay the \$250 fee, and obtain the board's written approval.

A marijuana establishment may not relocate its licensed premises to a different place without obtaining a new license for the new premises.

Application for a New License

An applicant for a new marijuana establishment license must file a completed application on a form the board prescribes, a \$1000 nonrefundable application fee, the applicable annual license fee, as well as fingerprint cards and fees required for a criminal background check.

An application for a new marijuana establishment license must include:

- The name of the applicant and any business name the applicant will use for the proposed marijuana establishment
- The applicant's state business license number
- The name, mailing address, telephone number, and social security number of each proposed licensee and each affiliate of each proposed licensee

- an electronic mail address at which the applicant agrees to receive any correspondence from the board before and after it receives a license;
- the type of license the applicant is requesting
- the address of the premises to include global positioning system (GPS) coordinates where the applicant intends to operate a marijuana establishment
- A detailed diagram of the proposed licensed premises showing all entrances and boundaries of the premises, restricted access areas, and storage areas;
- The title, lease, or other documentation showing the applicant's right to possession of the proposed licensed premises;
- An affidavit showing where and when the applicant posted notice of the application and proof of advertising as required
- Additional license type-specific information that the board requires
- A marijuana establishment license application must include the applicant's operating plan describing to the board's satisfaction the proposed marijuana establishment's plans for
 - Security
 - Inventory tracking of all marijuana and marijuana products on the premises
 - Employee qualification and training
 - Waste disposal
 - Transportation and delivery of marijuana and marijuana products
 - Signage and advertising

Application for a Retail Marijuana Store License

In addition to general application requirements, retail stores must also submit a copy of the required food safety permit and an operating plan that includes a description of the way marijuana and marijuana products will be displayed and sold.

Application for a Cultivation Facility License

In addition to general application requirements, proposed marijuana cultivation facilities must submit an operating plan

that includes the size of the space intended to be under cultivation, the growing medium to be used, fertilizers, chemicals, gases, and delivery systems, including carbon dioxide management. The operating plan must also include the irrigation and waste water systems to be used, waste disposal arrangements, odor control methods, and testing procedure and protocols the cultivation facility will follow.

Application for a Manufacturing Facility License

In addition to other application requirements, a manufacturing facility must demonstrate to the board's satisfaction that the applicant will operate in compliance with each applicable provision of Chapter 306 and each applicable public health, fire, safety, and tax code and ordinance of the state and the local government. A licensee, employee, or agent of any manufacturing facility may not have an ownership interest in, or a direct or indirect financial interest in a licensed marijuana testing facility.

A copy of a food safety permit must be submitted if required from the Department of Environmental Conservation (DEC). Marijuana establishment must provide a diagram of the proposed licensed premises identifying the area where any in-house testing would occur, and where marijuana products or concentrates will be stored. The applicant must provide a description of the equipment, solvents, gases, chemicals, and other compounds used in production as well as the processes used. The applicant also must describe procedures for waste disposal. The applicant must list each marijuana product the applicant intends to process, along with a product description of the color, shape, texture, ingredients and standard production procedure to be used. The applicant must describe the packaging to be used for each type of product and sample labels showing how the required labeling information will be set out.

Application for Marijuana Testing Facility License

An applicant for a new marijuana testing facility license must file an application on a form the board prescribes, including each test the marijuana testing facility will offer, the

marijuana testing facility's standard operating procedure for each test, and the acceptable range of results for each test.

A person seeking a marijuana testing facility license must display competence in performing each test the potential licensee will offer as an independent third-party testing facility. These tests include those for THC, THCa, CBD, CBDA and CBN potency, harmful microbes including E. Coli and salmonella, residual solvents, pesticides, poisons, toxins, harmful chemicals, molds, mildew, or filth.

In evaluating testing competence, the board may require the applicant to demonstrate proficiency in testing, conduct an on-site inspection of the applicant's premise, and examine applicable requirement compliance qualifications. These include:

- qualifications of the testing facilities personnel
- standard procedures for each testing methodology used
- proficiency testing results
- quality control and quality assurance
- Security
- chain of custody
- specimen retention
- Space
- Records
- reporting of results

Testing licenses will be awarded if the board finds the proposed testing facility generally in compliance with good laboratory practices.

Application Procedures

As soon as practical after initiating a new marijuana license application, the applicant must give notice of the application to the public by

- posting a copy of the application, on the form the board prescribes, for 10 days at
 - the location of the proposed licensed premises
 - one other conspicuous location in the area of the proposed premises

- publishing an announcement once a week for three consecutive weeks in a newspaper of general circulation in the area; or
- in an area where no newspaper circulates, the applicant must arrange for broadcast announcements on a radio station serving the local area where the proposed licensee seeks to operate twice a week for three successive weeks during triple A advertising time
- submit a copy of the application:
 - the local government
 - any community council in the area of the proposed licensed premises

After the applicant completes the notice requirements and submits remaining application requirements, the applicant must pay the application and licensing fees. The applicant must then use the board's electronic system to inform the board that the applicant has submitted a complete application.

When AMCO receives an application for a marijuana establishment license, determination will be made to find if the application is complete. If the application is deemed complete, AMCO will immediately give written notice to:

- the applicant
- the local government with jurisdiction over the applicant's proposed licensed premises
- the community council if the proposed licensed premises are located within the boundary of a community council established by municipal charter or ordinance
- any nonprofit community organization that has requested notification in writing

If an application for a marijuana establishment license is incomplete, AMCO must notify the applicant by e-mail at the address provided.

Criminal Justice Information and Records

When filing an application for a new marijuana establishment license or transfer of a license, each applicant must submit fingerprints and fees required by the Department of Public

Safety for a criminal background check. The board will use the criminal justice report to determine if an applicant qualifies for a marijuana establishment license.

Licensure in an Area With No Local Government

The board will not approve a new license in an area outside, but within 50 miles of, the boundary of a local government unless the board receives a petition to issue the license signed by a majority of the permanent residents residing within one mile of the proposed premises.

In an area that is 50 miles or more from the boundary of a local government, the applicant must submit a petition to issue the license containing the signatures of two-thirds of the permanent residents residing within a radius of five miles of the United States post office station nearest to the proposed licensed premises. If there is no United States post office station within a radius of five miles of the proposed licensed premises, the petition must be signed by two-thirds of the permanent residents residing within a five-mile radius of the proposed licensed premises.

Application for Renewal of a License

Each marijuana establishment must file a renewal application annually not later than June 30. AMCO will send notice on or before May 1st to the marijuana establishment's e-mail address on file with the board. The notice will include instructions on using and submitting the renewal form. The marijuana establishment must submit the renewal application and renewal fee electronically no later than June 30 of each year.

Ownership Change Reporting

Within 10 days of any change in ownership, a licensed marijuana establishment must report the change on a form prescribed by the board. If any change will result in a change in controlling interest of the marijuana establishment license, the marijuana establishment must file an application for transfer of license to another person.

In this section, "ownership change" means:

- if the licensee is a partnership, any change in the identity of the partners, or in the ownership percentages held by any partners
- if the licensee is a limited liability company, any change in the identity of the members, or in the ownership percentage held by any member
- if the licensee is a corporation, any sale of corporate stock to a person not currently an owner, or any change of the percentage ownership of an existing shareholder.

License Transfer

A person may not transfer a marijuana establishment license or a controlling interest in a marijuana establishment license without applying for and receiving the written consent of the board.

Transfer of a license includes a sale of all or part of the interest of an individual owner. An application for transfer of a marijuana establishment license, or of a controlling interest in a marijuana establishment license, must be filed in writing on a form the board prescribes, in compliance with the application procedure.

The application must name the current holder of the marijuana establishment license and the proposed transferee. The application must contain the same information about each transferee as is required of an applicant for a new license. The application must follow rules and meet requirements set out in 3 AAC 306.045.

Relocation Not Allowed

Marijuana establishment licenses are site-specific, meaning the licensed premises cannot be relocated. Licenses are issued for a prescribed space at a specific GPS location, they are no longer applicable if a marijuana establishment relocates. If a licensee wishes to operate a marijuana establishment at a different location, the establishment must submit a new application for the new premises, and must surrender the existing license where the marijuana establishment does not intend to continue its operation.

Local Government Protest

Not later than 60 days after AMCO sends notice of an application for a new, renewal, or transfer of a marijuana establishment license, a local government may protest the application by sending AMCO and the applicant a written protest and the reasons for the protest. AMCO may not accept a protest received after the 60-day period.

If a local government protests an application for a new, renewal, or for a transfer of a license, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. If a local government determines that a marijuana establishment has violated a provision of AS 17.38, Chapter 306, or a condition the board has imposed on the licensee, the local government may notify the board. Unless AMCO finds that the local government's notice is arbitrary, capricious, and unreasonable, AMCO will prepare the determination as an accusation against the licensee and conduct proceedings to resolve the matter as provided under Chapter 306.

Public Participation

Any person may object to an application for a new license, renewal of a license, or transfer of a license to another person by submitting a written statement of reasons for the objection to the board and the applicant not later than 30 days after notice of the application. The objection must be sent to the applicant at the mailing address or electronic mail address provided in the notice of application. If the board determines to conduct a public hearing, an interested person may give oral testimony at the public hearing. The board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local government to an application.

Action Procedure

The board must either grant or deny an application not later than 90 days after receiving the complete application. However, the board will not grant or deny the application before:

- the time allowed for a protest, unless the local government waives its right to protest
- the time allowed for an public objection has elapsed.

Not later than seven days before the date set for board action on an application for a new license, renewal of a license, or transfer of a license to another person, a meeting agenda will be posted listing the matters scheduled for action at that meeting. The board may review an application for a new license, renewal of a license, or transfer of a license to another person, without additional notice to the applicant.

The board will consider any written objection, protest, suggested condition, or petition, and also will consider any testimony received at a hearing on public protest held when it considers the application. AMCO will retain the written objection, protest, or suggested condition or petition, and the hearing record as part of the permanent record of the board's review of an application.

Application Denial

After review of the application of a new, renewal, or transfer of a license, including the applicant's proposed operating plan and all relevant information, the board will deny an application for a new license if the board finds that:

- the application is not complete as required under the applicable provisions
- contains any false statement of material fact
- the license would violate any restriction in 3 AAC 306.010
- the license would violate any restriction applicable to the particular license type authorized under Chapter 306
- the license is prohibited as a result of an ordinance or election
- the board finds that the operating plan does not adequately demonstrate that the applicant will comply with applicable provisions
- the license would not be in the best interests of the public

If the board denies an application, not later than 15 days after the board meeting at which the application was denied the board must furnish a written statement of issues to the applicant,

explaining the reason for the denial in clear and concise language, and identifying any statute or regulation on which the denial is based. In the notice of denial the board will inform the applicant of the right to an informal conference under 3 AAC 306.085 and to a formal hearing under 3 AAC 306.090.

Informal conference

Not later than 15 days after the date of the written notice of denial, the applicant may request an informal conference with the AMCO director or the board. An informal conference must be held at a time and place convenient to the applicant and the board not later than the next scheduled meeting of the board. An informal conference may be conducted by telephone. If the informal conference does not resolve the matter to the applicant's satisfaction, the applicant may request a formal hearing by filing a notice of defense, not later than 15 days after the last day of the informal conference.

Formal hearing

If an applicant is aggrieved by an action of the board denying the application, the applicant may request a formal hearing by filing a notice of defense in compliance with AS 44.62.390 not later than 15 days after the date of the written notice of the denial, or with 15 days of the last day of the informal conference, if the applicant requested and participated in an informal conference. Failure to file a notice of defense constitutes a waiver of the right to a formal hearing.

Appeals

An aggrieved applicant or marijuana establishment license holder may appeal to the board regarding any action of AMCO, the director, or an employee or agent of the board regarding an application for a new license, a license renewal, or a transfer of license to another person.

An applicant or marijuana establishment license holder aggrieved by a final decision of the board regarding an application for a new license, a license renewal, or a transfer of license to another person may appeal to the Superior Court under AS 44.62.560.

Public records

Marijuana establishment applications are public records. The board may, at the request of any applicant, designate materials confidential if they contain proprietary information including trade secrets or are required to be kept confidential by any federal or state law.

Death of a Licensee

If an individual who is the sole licensee of a marijuana establishment dies, the marijuana establishment must cease operation. A personal representative appointed by the Superior Court for the estate of the deceased licensee may submit to AMCO a written request to reopen the business, along with a copy of the court order appointing the personal representative. If the licensed marijuana establishment is in **good standing**, and the personal representative is not a person prohibited from holding a marijuana establishment license, the board may grant permission to reopen the business but must transfer the ownership of the license within 90 days

Section 4.

Operating Requirements

All Licensed Marijuana Establishments

A marijuana establishment license will be **site-specific**. Licensed premises must be clearly designated in a line drawing submitted with a license application. A marijuana establishment's license must be posted in a conspicuous place within the licensed premises. A marijuana establishment may not alter the functional floor plan without prior approval from the board.

A marijuana establishment must make the existing or proposed licensed premises available for inspection by an investigator. The board may also request a local fire protection agency or any other state health and safety agency to inspect licensed premises or proposed licensed premises. Areas of inspection may include the premises, facilities, qualifications of personnel, methods of operation, business and financial records, marijuana inventory tracking system, and policies of any marijuana establishment.

Marijuana Handler Permit

Each licensee, employee, or agent of a marijuana establishment must obtain a marijuana handler permit before becoming licensed or beginning employment. This includes anyone who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor. To obtain a marijuana handler permit, a person must complete an approved marijuana handler permit education course and pass a written test demonstrating an understanding of the course material. The course provider will provide a certificate of course completion to present to the board. Upon payment of \$50 to AMCO, the board will issue a marijuana handler permit card valid for three years from the

date of issue. A person may renew a marijuana handler card by passing a written test demonstrating an understanding of the course subjects.

Each licensee, employee, or agent must keep their marijuana handler permit card in their immediate possession, or a keep a valid copy on file on the premises, at all times when on the licensed premises of the retail marijuana store.

Security and Restricted Access Areas

Each licensee, employee, or agent of a marijuana establishment must display an **identification badge** issued by the marijuana establishment at all times when on the licensed premises.

A marijuana establishment must restrict access to any part of the licensed premises where marijuana or a marijuana product is grown, processed, tested, stored, or stocked. Each entrance to a restricted access area must be marked by a sign that says "Restricted access area. Visitors must be escorted." A marijuana establishment must limit the number of visitors to not more than five visitors per employee escort. In a restricted access area, a licensee, employee, or agent of the marijuana establishment must wear a current identification badge bearing that person's photograph. Any visitor to the restricted access area must show identification as required to prove that person is 21 years of age or older, obtain a visitor identification badge, and must be escorted by an employee at all times.

The licensed premises of a marijuana establishment must have **exterior lighting** to facilitate surveillance, a **security alarm system** on all exterior doors and windows, and **continuous video monitoring**. A marijuana establishment must use **commercial grade door locks** on all exterior entry points to the licensed premises. A marijuana establishment must have policies and procedures that are designed to prevent diversion of marijuana or marijuana product in or out, and prevent loitering.

Video Surveillance

A marijuana establishment must install and maintain a video surveillance and camera recording system as required. The video system must cover each restricted access area and each entrance to a restricted access area within the licensed premises. Surveillance must also cover each entrance to the exterior of the licensed premises and each point-of-sale area.

Required video cameras must be placed in a way that produces a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises. Both the interior and the exterior of each entrance to the facility must be recorded by a video camera. Any area where marijuana is grown, cured, manufactured, stored, sold, or destroyed, must have a camera placement in adequate fixed positions in the room facing the primary entry door, at a height that will provide an unobstructed view of the regular activity.

Surveillance video recording equipment and records must be housed in a locked and secure area accessible only to an authorized person, investigators, and law enforcement personnel. A marijuana establishment may use an off site monitoring service and off site storage of video surveillance records if security requirements at the off site facility are at least as strict as on site security requirements.

Each surveillance recording must be preserved for a **minimum of 40 days**, in a format that can be easily accessed for viewing, clearly and accurately display the **time and date**, and archived in a format that **does not permit alteration** of the recorded image.

Marijuana Inventory Tracking System

The State of Alaska has chosen to use a marijuana inventory tracking system called **METRC by Franwell**. METRC stands for Marijuana Enforcement Tracking, Reporting and Compliance. Franwell charges \$40 per month per license for access to METRC

for ongoing training, support and maintenance. Tracking tags cost \$0.45 apiece for plants and \$0.25 apiece for package tags.

While AMCO has access to all accounts in METRC, licensees will only be able to access their own information, they will not be able see any information about any other licensee. Franwell will be offering live webinar training three times per week, 50 weeks per year for ongoing training. Written training manuals will be provided.

A marijuana establishment may use their own inventory tracking system, but is must be capable of sharing information with METRC to ensure all marijuana and marijuana product cultivated, processed, and sold in the state is identified and tracked from seed or cutting, through transfer to other licensed establishments, to a completed sale to consumer, or disposal of the harvest batch or production lot. Marijuana delivered to a marijuana establishment must be weighed on a state certified and registered scale.

The inventory tracking system must be used to ensure all marijuana and marijuana product in a marijuana establishment's possession is identified and tracked from the time it is received, until the time it is sold, transferred, or otherwise disposed of. When marijuana is delivered or transported to the licensed premises, the marijuana establishment must immediately enter identification information for that batch into the inventory tracking system.

A marijuana establishment may not accept marijuana or a marijuana product that is not accompanied by a **valid transport manifest** generated from the inventory tracking system of the marijuana establishment that originated the delivery. A marijuana establishment must reconcile each transaction and current inventory to its inventory tracking system at the close of business each day. The receiving marijuana establishment receiving establishment will be held responsible for any variance in the quantity of marijuana or marijuana product received and the quantity sold, transferred, or disposed of.

Clones or cuttings must be limited to 50 or fewer and must be identified by a batch tracking number. The marijuana cultivation facility must assign a tracking number to each plant over eight inches tall. When harvested, bud and flowers, clones or cuttings, or leaves and trim of separate harvest batches of distinct strains may be combined in a package for wholesale not exceeding five pounds. Each **harvest batch** must be given an inventory tracking number. A marijuana cultivation facility must record each sale and transport of each batch in the inventory tracking system, and must generate a valid transport manifest to accompany each transported batch. A cultivation facility must record in the inventory tracking system all marijuana samples provided for the purpose of negotiating sales. This record must include the amount of each sample, the receiving retail store or manufacturing facility, and the disposal of any expired or outdated promotional sample returned to the cultivation facility.

Packaging and Labeling

A retail marijuana store must ensure that all marijuana and marijuana products sold on its licensed premises are packaged and labeled in compliance with Chapter 306. All marijuana or marijuana products sold to a retail customer must be packaged in **opaque, resealable, child-resistant packaging** when the purchaser leaves the retail section of the licensed premises.

Packaging may not have any printed images that specifically target persons under 21 years of age. Packaging may not resemble any widely branded food, drink, or candy product by using familiar words/colors/styles so that it could be easily mistaken for that branded food product. The packaging must also protect the product from contamination and may not impart any toxic or damaging substance to the marijuana.

No form of marijuana or marijuana product may be labeled as organic.

All marijuana sold at a retail marijuana store must have a label on each package identifies the retail marijuana store by name or distinctive logo and marijuana establishment license number.

Each package of marijuana or marijuana product sold to a retail store for resale to a consumer must have a label with the following information:

- the name and license number of the establishment where the marijuana grown or processed
- the harvest or production lot number assigned to the product in the package
- the net weight of the product in the package not including weight of packaging
- The estimated amount of THC per serving, as well as the number of servings total
- each of the following statements
 - "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 breastfeeding."

A marijuana cultivation facility may package its marijuana bud and flower in a wholesale package not exceeding five pounds to be repackaged by the retail store or product manufacturing facility, or not exceeding one ounce if it will be sold to a customer without repackaging by the retailer. Each package prepared must be identified by a tracking label generated by the cultivation facility's inventory tracking system.

With each harvest batch or production lot of marijuana sold, the originating establishment must affix a label setting out the name and license number of the marijuana cultivation facility where the marijuana was grown, the harvest batch number and net weight of the marijuana in the package, and a complete list of all soil amendments, fertilizers, and other crop production aids applied to the growing medium or plants included in the batch

including pesticides, fungicides, and herbicides. The establishment must also disclose the name of the licensed marijuana testing facility that performed required laboratory testing and the results of each required laboratory test.

Prior to transportation, a wholesale shipment of marijuana must have a label affixed to the shipping container showing the results of required testing including:

- a cannabinoid potency profile expressed as a range of percentages that extend from the lowest to highest percentage of concentration for each cannabinoid listed from every test conducted on that strain or production lot from the same marijuana facility within the last three months
- a statement listing the results of required microbial testing
- a statement listing the results of required residual solvent testing, if applicable; and
- a statement listing contaminants for which the product was tested in addition to Chapter 306 requirements, including:
 - molds, mildew, and filth
 - herbicides, pesticides, and fungicides
 - harmful chemicals

If a marijuana facility ships wholesale marijuana that has not been tested for each contaminant listed, the label for that lot must include a statement identifying each contaminant for which that lot has not been tested.

Health and Safety Standards

A marijuana establishment must comply with all applicable health and safety requirements specified in Chapter 306, and is subject to inspection by the local fire department, building investigator, or code enforcement officer to confirm that health or safety violations are not present.

All marijuana establishments must take all reasonable measures and precautions necessary to ensuring a sanitary workplace. Any person who has an illness, open sore or wound, or other

potential source of infection must not come in contact with marijuana or a marijuana product. The licensed premises must have adequate and readily accessible toilet facilities that are maintained, sanitary, and in good repair. Convenient hand washing stations must be accessible to employees, with soap and running water at a suitable temperature, and sanitary drying devices.

Each person working in direct contact with marijuana must practice good hygiene. These practices include washing hands thoroughly before starting work, after using toilet facilities, and at any other time when hands may have become soiled or contaminated.

Floors, walls, and ceilings must be clean and in good repair. All areas where marijuana or a marijuana product is stored, displayed, or sold, must be adequately lit. All cleaning compounds, sanitizing agents, and pesticide chemicals must be properly identified and stored in a safe manner.

Adequate sanitation practices must be used in receiving, inspecting, transporting, and storing marijuana. All marijuana must be stored in a manner that prevents the growth of bacteria, microbes, or other undesirable microorganisms. A marijuana establishment must ensure that any marijuana **stored improperly** or beyond its usable life is not salvaged and returned to the marketplace.

Should an incident occur in which marijuana or marijuana product may have become damaged or contaminated, inspection must prove that the marijuana was not adversely affected by the incident. The marijuana establishment must maintain a record of salvaged marijuana in its inventory tracking system, including the name, lot number and final disposition.

Waste Disposal

All garbage and waste must be properly disposed of and waste disposal equipment maintained to avoid odors, pests, and contamination any area of the marijuana establishment.

A marijuana establishment must manage and dispose of any generated solid or liquid marijuana waste in compliance with applicable federal, state, and local laws. Marijuana waste must be rendered unusable before it leaves a marijuana establishment. Marijuana waste includes: plant waste (roots, stalks, leaves, and stems), solid marijuana sample plant waste, liquid waste water and other waste as determined by the board.

A marijuana establishment must give the board **3 days notice** using the inventory tracking system three days before making the waste unusable and disposing of it, however, the board may authorize immediate emergency disposal. The marijuana establishment must keep a record of the final destination of marijuana waste made unusable.

Marijuana plant waste must be made unusable by grinding the waste and mixing it with at least an equal amount of other compostable or non-compostable materials. A marijuana establishment may use another method to make marijuana waste unusable if the board approves the method in advance. Waste material may be mixed with materials such as food waste, yard waste, grease or oils, paper, cardboard, or plastic waste.

Standardized Scales

A marijuana establishment must use registered scales in compliance with the Weights and Measures Act. A marijuana establishment must maintain registration and inspection reports of scales registered and upon request by the board or AMCO, provide a copy of the registration and inspection reports of the registered scales to the board for review.

Transportation

A marijuana establishment must transport marijuana as follows:

- A marijuana cultivation facility may transport marijuana to another marijuana cultivation facility, a marijuana product manufacturing facility, a marijuana testing facility, or a retail marijuana store;

- A marijuana product manufacturing facility may transport a marijuana product to another marijuana product manufacturing facility, a marijuana testing facility, or a marijuana retail store
- A marijuana testing facility may transport marijuana or a marijuana product to the facility from which it received the marijuana or another marijuana testing facility
- A retail marijuana store may transport marijuana or a marijuana product to another retail marijuana store.

A marijuana establishment from which a shipment of marijuana or marijuana product originates is responsible for preparing, packaging, and securing the marijuana or marijuana product during shipment, for recording the transfer in the marijuana inventory tracking system, and for preparing the transport manifest.

An individual transporting marijuana must have a valid marijuana handler permit in their possession at all times. Marijuana must be packaged within a sealed, tamper-evident shipping container, and appropriately labeled.

When marijuana or a marijuana product is transported, the marijuana establishment that originates the transport must use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and of expected delivery, and the make, model, and license plate number of the transporting vehicle. A complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times. A copy of the transport manifest must be given to the licensed marijuana establishment that receives the shipment.

During transport, the marijuana or marijuana product must be securely locked in a **sealed package** or container and in a **locked storage compartment** in the vehicle transporting the marijuana or marijuana product. The sealed package **may not be opened during transport**. A vehicle transporting marijuana or a marijuana product must travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and may

not make unnecessary stops in between except to deliver or pick up marijuana or a marijuana product at another licensed marijuana establishment.

When a marijuana establishment receives transported marijuana, the recipient of the shipment must use the inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received. The recipient must refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest. A marijuana establishment is required to keep records of all marijuana or marijuana products shipped from or received at that marijuana establishment.

Business Records

A marijuana establishment must maintain, in a reasonably prudent manner, all books and records necessary to fully account for each business transaction for the **current year and three preceding calendar years**.

Records for the last **6 months** must be maintained on the marijuana establishment's licensed premises, while older records may be archived on or off premises. Other information that a marijuana establishment must maintain include:

- A current list of employees, including full name and marijuana handler permit number of each person
- The business contact information for vendors that maintain video surveillance systems and security alarm systems
- records related to advertising and marketing
- A current diagram of the licensed premises including each restricted access area
- A log recording the name, and date and time of entry of each visitor permitted in a restricted access area
- All records normally retained for tax purposes
- Accurate and comprehensive inventory tracking records that account for all marijuana inventory activity
- Transportation records for marijuana and marijuana products as required

A marijuana establishment must provide any record required to be kept on the licensed premises to an employee of the board upon request. Any record kept off premises must be provided to the board's employees not later than three business days after a request for the record. Any loss of records and data, including electronically maintained records, does not excuse a violation of this section. The board may determine a failure to retain required records to be a license violation affecting public safety.

Section 5.

Retail Shops

Except as permitted under AS 17.38.020, a person may not sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or any marijuana product to a consumer unless the person is operating, or is an employee or agent of, a licensed retail marijuana store. After submitting a retail store application, the applicant must demonstrate to the board's satisfaction that the applicant will operate in compliance with each applicable provision of Chapter 306 and each applicable public health, fire, safety, and tax code and ordinance of the state and the local government. A licensee, employee, or agent of any retail marijuana store may not have an ownership interest in, or a direct or indirect financial interest in a licensed marijuana testing facility.

Limit on Quantity Sold

A retail marijuana store may not sell in a single transaction:

- more than **1 ounce of usable marijuana**
- more than **7 grams of marijuana concentrate** for inhalation
- products containing more than a **total of 5600 milligrams of THC**.

The marijuana control board may enact further restrictions on quantities of marijuana sold when it is being purchased for consumption onsite in a permitted consumption room. Information will be added as it becomes available.

Retail Store Privileges and Prohibitions

All marijuana sold by a retail store must be packaged, labeled, not exceeding the quantity and potency limits provided in Chapter 306. Each customer must be **physically present** on the licensed premises at the time of sale, and must furnish valid

identification proving they are over 21 years of age. A licensed retail marijuana store is authorized to sell marijuana purchased from a licensed marijuana cultivation facility, marijuana product purchased from a licensed marijuana product manufacturing facility. All marijuana and marijuana products on the licensed premises must be stored in a manner consistent Chapter 306. If the retail store obtains a consumption endorsement from the board, the retail store may permit consumption of marijuana or a marijuana product purchased on the licensed premises, in a designated area on the licensed premises.

A licensed retail marijuana store may not sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver, marijuana or a marijuana product:

- to a person under 21 years of age,
- to a person that is under the influence of alcohol, inhalants, or controlled substances
- that is not labeled and packaged as required in Chapter 306
- in a quantity exceeding the limit set out in Chapter 306
- over the Internet; a licensed retail marijuana store may only sell marijuana or a marijuana product to a consumer who is physically present on the licensed premises
- after the expiration date shown on the label of the marijuana or marijuana product

A licensed retail marijuana store may not conduct business on or allow a consumer to access the retail marijuana store's licensed premises between the hours of **5:00 a.m. and 8:00 a.m.** each day, or allow a person to consume marijuana or a marijuana product on the retail marijuana store's licensed premises, except in a designated area with a consumption endorsement from the board.

A retail store may not offer or deliver to a consumer for any reason, free marijuana or marijuana product, including a sample, or alcoholic beverages, free or for compensation.

Access Restriction

A person under 21 years of age may not enter a retail marijuana store at any time.

Each entry to a retail marijuana store must be posted with a sign that says "No one under 21 years of age allowed." The sign must be not less than 12 inches long and 12 inches wide, with letters at least one-half inch in height in high contrast to the background of the sign.

An area of a retail marijuana store's licensed premises where marijuana or any marijuana product is stocked for sale or dispensed for sale is a restricted access area. The retail marijuana store must post signs, require identification, and escort visitors through restricted access areas as required in Chapter 306.

A retail marijuana store may not sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver, marijuana or a marijuana product until all laboratory testing and labeling requirements have been met.

Marijuana Advertising Restrictions

A retail marijuana store may have not more than three signs, visible to the general public from the public right-of-way, that identify the retail marijuana store by its business name. A sign may be placed in the retail marijuana store's window or attached to the outside of the licensed premises. The size of each sign may not exceed 4,800 square inches.

An advertisement for marijuana or a marijuana product may not contain a statement or illustration that is **false or misleading**, that **promotes excessive consumption**, or that represents that the use of marijuana has **curative or therapeutic effects**.

Advertisements may not depict a person under 21 years of age consuming marijuana or include objects, cartoon characters, toys, or any other depictions designed to appeal to a person under 21 years of age.

A retail marijuana store may not place an advertisement for marijuana or a marijuana product within **1,000 feet** of the perimeter of any **school**, post secondary **education campus**, **child**

care facility, substance abuse treatment facility, playground, recreation center, public park, library, or game arcade that is open to persons under 21 years of age. Advertisements for marijuana also may not be placed on or in a **public transit vehicle, public transit shelter, or on a publicly owned or operated property.**

A retail marijuana store may not give coupons as promotional materials, or conduct promotional activities, games, or competitions to encourage sale of marijuana.

All advertising for marijuana or any marijuana product must contain each of the following warnings:

- "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 breastfeeding."

Section 6.

Cultivation Facilities

Excluding personal use, a person may not plant, propagate, cultivate, harvest, trim, dry, cure, package, or label marijuana grown at a place under that person's control or sell marijuana grown at a place under that person's control to a marijuana establishment unless the person has obtained a marijuana cultivation facility license from the board in compliance with this chapter or is an employee or agent acting for a licensed marijuana cultivation facility.

The board will issue two types of marijuana cultivation facility licenses: standard cultivation, and limited cultivation. A standard cultivation license is for any facility with greater than 500 square feet under cultivation, meaning the actual floor area where plants are kept. This measurement does not account for hallways, offices, storage areas, etc. A limited cultivation license is for a facility with 500 or fewer square feet under cultivation.

After submitting a cultivation facility application, the applicant must demonstrate to the board's satisfaction that the applicant will operate in compliance with each applicable provision of Chapter 306 and each applicable public health, fire, safety, and tax code and ordinance of the state and the local government. A licensee, employee, or agent of any marijuana cultivation facility may not have an ownership interest in, or a direct or indirect financial interest in a licensed marijuana testing facility.

Privileges and Prohibited Acts

A licensed marijuana cultivation facility is authorized to propagate, cultivate, harvest, prepare, cure, package, store, and label marijuana, and to sell marijuana to a licensed retail marijuana store, another licensed marijuana cultivation

facility, or a licensed marijuana product manufacturing facility. A cultivation facility must provide samples of each harvest cycle to be tested by a licensed marijuana testing facility. All marijuana inventory must be stored on the licensed premises in a secure restricted access area and must be accounted for in the cultivation facility's marijuana inventory tracking system. Cultivation facilities must transport all marijuana in compliance with Chapter 306.

Marijuana cultivation facilities may provide a sample of their marijuana to licensed retail marijuana stores or marijuana product manufacturing facilities.

A marijuana cultivation facility that obtains any other marijuana establishment license must conduct any product manufacturing or retail marijuana store operation in a room completely separated from the marijuana cultivation facility by a secure door.

A licensed standard marijuana cultivation facility may not sell, distribute, or transfer marijuana or a marijuana product to a consumer, with or without compensation.

No person, including a licensee, employee, or agent, may consume marijuana on the licensed premises or within 20 feet of the exterior of any building or outdoor cultivation facility on the licensed premises. Cultivation facilities may not treat or otherwise adulterate marijuana with any organic or non-organic chemical or other compound to alter the color, appearance, weight, or odor of the marijuana. Cultivation facilities may not extract marijuana concentrates except as permitted under a marijuana product manufacturing facility license. All marijuana must be properly packaged and labeled before being sold.

Restricted Access Areas

A marijuana cultivation facility must restrict access to any part of the licensed premises where marijuana or a marijuana product is grown, processed, tested, stored, or stocked. All marijuana growing operation must be within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof, and doors. Where not prohibited by local government, outdoor

production may take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight-obscuring wall or fence at least six feet high.

A marijuana cultivation facility must ensure that any marijuana at the marijuana cultivation facility cannot be observed by the public from outside the marijuana cultivation facility, and does not emit an odor that is detectable by the public from outside the marijuana cultivation facility.

A marijuana cultivation facility must have full video surveillance of the licensed premises as required, including any area where marijuana is grown, processed, packaged, or stored, or where marijuana waste is destroyed.

Required Laboratory Testing

A marijuana cultivation facility may not sell or transport any marijuana until all required laboratory testing has been completed. A marijuana cultivation facility must collect a random sample for testing by segregating harvested marijuana into batches of individual strains of bud and flower, then selecting a random sample from each batch. The cultivation facility must designate an individual responsible for collecting each sample, and provide a signed statement of true random selection to the marijuana testing facility. The cultivation facility must maintain a copy of this statement as a business record. The cultivation facility is responsible for transporting the sample to the testing facility. While the sample is being tested, the cultivation facility must maintain the batch in a secure, cool, and dry location to prevent the marijuana from becoming contaminated, and may not sell or transport any marijuana from this batch until the required testing has been completed in writing. The marijuana cultivation facility must maintain the testing results as part of its business records.

Samples

A sample provided to a retail store or manufacturing facility for the purpose of negotiating a sale may be not more than one ounce, and a cultivation facility may not provide any one

licensed retail store or manufacturing facility with more than one ounce of marijuana per month free-of-charge. A retail store or manufacturing facility must either return the marijuana sample to the marijuana cultivation facility that provided the sample, or destroy the marijuana sample after use and document the destruction in the retail store inventory tracking system.

Random Sampling

The board must from time to time require a cultivation facility to provide samples of the growing medium, soil amendments, fertilizers, crop production aids, pesticides, or water for random compliance checks. The samples will be screened for pesticides, chemical residues, unsafe levels of metals, and other laboratory tests in the interests of the public. The board must identify a licensed marijuana testing facility to perform the testing and collect samples, testing costs are the responsibility of the the cultivation facility.

Marijuana Excise Tax

A marijuana cultivation facility must submit monthly reports to the Department of Revenue and pay the required excise tax on all marijuana sold or provided as a sample to a marijuana establishments.

Reports must include the total number of ounces (including fractional ounces) sold or transferred, the names and addresses of each buyer, and the weight of marijuana sold or transferred to each buyer.

Section 7.

Manufacturing Facilities

A person may not extract marijuana concentrate for sale or formulate or manufacture any marijuana product for sale unless that person has obtained a marijuana product manufacturing facility license from the board, or is an employee or agent acting for a licensed marijuana product manufacturing facility. The board will issue two types of manufacturing licenses, standard marijuana product manufacturing facility and marijuana concentrate manufacturing facility.

A licensee, employee, or agent of a marijuana product manufacturing facility who handles marijuana at the facility must obtain a food worker card and keep that card in that person's possession at all times while on the licensed premises of the manufacturing facility.

Manufacturing Facility Privileges

Licensed manufacturing facilities are authorized to purchase marijuana from a marijuana cultivation facility or from another marijuana product manufacturing facility. Manufacturing facilities may manufacture, extract, refine, process, cook, package, label, and store marijuana products and concentrates as approved in Chapter 306. These include waxes or oils, edible products, ointments, salves, patches, or tinctures.

A manufacturing facility may sell, distribute, or deliver marijuana extract or any marijuana product only to a licensed retail marijuana store or to another licensed marijuana product manufacturing facility. Manufacturing facilities must provide and transport samples of marijuana concentrate or other marijuana product to a licensed marijuana testing facility. Manufacturing facilities may provide a sample of an approved marijuana concentrate or product to a retail marijuana store for

the purpose of negotiating a sale. All inventory must be stored in a restricted access area, and transported according to Chapter 306.

Prohibited Acts

A licensed manufacturing facility may not sell, deliver, distribute, or transfer marijuana, marijuana concentrate, or a marijuana product directly to a consumer, with or without compensation, or sell marijuana, marijuana concentrate, or a marijuana product that is not manufactured, packaged, and labeled in compliance Chapter 306. A manufacturing facility may not allow any person to consume marijuana, marijuana concentrate, or a marijuana product on the licensed premises.

Manufacturing facilities may not sell any product that is an "adulterated food or drink," or anything that closely resembles a familiar food, drink, or candy. Marijuana products may not be packaged to look like candy, using bright colors or cartoon characters that would appeal to children.

All marijuana accepted from a cultivation facility or another marijuana product manufacturing facility must be properly identified with a required labels, and must be accompanied by a valid transport manifest showing the source and destination of the marijuana shipment.

Concentrate Manufacturing License

A marijuana concentrate manufacturing facility is allowed to extract marijuana concentrates, but not any other form of marijuana product. A licensed marijuana concentrate manufacturing facility may not manufacture, refine, process, cook, package, label, store, sell, distribute, deliver, or provide samples of any marijuana product other than marijuana approved concentrates.

Approval of Concentrates and Marijuana Products

A manufacturing facility must obtain the board's approval for each product it will manufacture. The board will not approve a product that is listed as prohibited Chapter 306. An applicant may request approval of intended products by including in its operating plan a photograph, drawing, or graphic representation of the expected appearance of each final product and the proposed procedure or process for each product.

A licensed marijuana product manufacturing facility may at any time submit a new product approval request to the board on a form the board prescribes along with a \$250 change fee. A licensed marijuana product manufacturing facility must keep its ingredient list and potency limits for any food product containing marijuana on file at the marijuana product manufacturing facility's licensed premises. The ingredient list and potency limits for any product manufactured at the facility must be made available for inspection on request by AMCO, or an employee or agent of the board.

Production of Concentrates

Before producing marijuana concentrate for sale, a marijuana product manufacturing facility must develop standard operating procedures, good manufacturing practices, a safety plan, and a training plan for each individual employed in an extraction process.

A marijuana product manufacturing facility may create marijuana concentrates only as follows:

- water-based marijuana concentrate using only water, ice, or dry ice
- food-based marijuana concentrate may be produced through the use of propylene glycol, glycerin, butter, olive oil, or other typical cooking fats

Infused dairy butter, oils, or fats may be used in preparing edible products, but may not be prepared as stand-alone edible products for sale.

Solvent-based marijuana concentrate may be produced using N-butane, isobutane, propane, or heptane or other solvents or gases the board approves that exhibit minimal potential health risks. Any solvents and carbon dioxide used must be of at least 99 percent purity and must be used in a ventilated area using a professional grade closed-loop extraction system designed to recover the solvents. All sources of ignition must be controlled if a flammable atmosphere is or could be present. A manufacturing facility using a professional grade closed-loop gas extraction system must ensure that each vessel is used in compliance with its manufacturer's stated pressure ratings.

Each person using a solvent, gas, or closed-loop extraction system must handle and store materials safely, and must be fully trained on how to use the system with direct access to applicable material safety data sheets.

A licensed engineer must certify that any professional grade closed-loop system was commercially manufactured, is safe for its intended use, and is built to generally accepted engineering codes. Any professional grade closed-loop system, and other equipment and facilities used in the extraction process, must be approved by the local fire code official and meet any applicable fire, safety, and building code requirements.

A marijuana product manufacturing facility may use heat, screens, presses, steam distillation, ice water, and other methods without employing solvents or gases to create:

- kief
- hashish
- bubble hash
- infused dairy butter, or oils or fats
- other extracts

A manufacturing facility may use food-grade glycerin, ethanol, and propylene glycol solvents to create extracts. All ethanol

must be removed from the extract in a manner to recapture the solvent and ensure that it is not vented into the atmosphere.

Restricted Access and Storage Areas

A marijuana product manufacturing facility must perform all extraction or product manufacturing operations in a restricted access area. A marijuana product manufacturing facility must have full video surveillance covering each area where marijuana concentrate is produced, where any product manufacturing operation involving marijuana occurs, where any marijuana or a marijuana product is stored, and where marijuana waste is destroyed. Any area where marijuana or a marijuana product is stored must be moisture- and temperature-controlled and protected from pests and vermin.

Required Laboratory Testing

A marijuana product manufacturing facility must provide a sample of each marijuana product manufactured at the facility to a licensed marijuana testing facility, and may not sell or transport a marijuana product until such laboratory testing has been completed. Each manufacturing facility must designate an individual responsible for collecting each sample by selecting a product at random from each production lot in an amount required by the marijuana testing facility. That individual must then prepare a signed statement showing that each sample has been randomly selected, provide that signed statement to the marijuana testing facility, and maintain a copy as a business record. The manufacturing facility is responsible for transporting the sample to the marijuana testing facility.

After collecting and transporting a sample for testing, a marijuana product manufacturing facility must segregate the entire production lot until the marijuana testing facility reports the results from its tests. During this period, the production lot should be kept in a secure, cool, and dry location to prevent contamination. The manufacturing facility may not sell or transport any marijuana product from the

segregated lot until the marijuana testing facility has completed its testing and provided results, in writing, to the manufacturing facility. The marijuana product manufacturing facility must maintain the testing results as part of its business records.

Potency Limits

A marijuana product manufacturing facility may not prepare a marijuana product with potency levels exceeding the following:

- **5mg of active tetrahydrocannabinol** (THC) or Delta 9 in a single serving of a marijuana product
- **not more than 10 servings**, or 50 milligrams of active THC or Delta 9, in a single packaged unit of an edible product

THC content must be homogeneous, or evenly distributed throughout the marijuana product **within 20% of the target amount**.

If the marijuana product contains multiple servings, it must be designed so that the product itself has markings to clearly delineating each serving of the product. In the case of liquid products with multiple servings, the packaging must indicate the number and size of individual servings.

Section 8.

Testing Facilities

A person may not provide a marijuana testing service unless the person has obtained a marijuana testing facility license from the board in compliance with this chapter. A person seeking a marijuana testing facility license must submit an application for a marijuana testing facility license that demonstrate to the board that the applicant will operate in compliance with each applicable provision of Chapter 306, and will operate within each applicable health, fire, safety, tax code and ordinance of the state and the local government.

An applicant of a marijuana testing facility license may not hold any direct or indirect financial interest in any other marijuana license type in the state, or have a financial interest in common with a person who is a licensee of a marijuana establishment in this state other than a testing facility. Also, no agents or employees of a testing facility may have direct or indirect financial interest in another licensed marijuana establishment.

Privileges and Prohibitions

A licensed marijuana testing facility may have any amount of marijuana on its premises at any given time, so long as the testing facility's marijuana inventory tracking system document that all marijuana are only for testing purposes. A testing facility may not sell, deliver, distribute, or transfer marijuana to a consumer, for compensation or not. No person may be allowed to consume marijuana the licensed premises.

Proficiency Testing Program

When an accredited proficiency testing program becomes available in the state, the board may require an applicant for a testing

facility license to successfully complete a proficiency testing program within 12 months of receiving a license.

Before renewing a testing facility license, the board may require the facility to participate in a proficiency testing program. The license of a marijuana testing facility may be limited, suspended, or revoked if the facility fails to participate or fails to receive a passing score in a proficiency testing program.

Scientific Director

A marijuana testing facility must employ a scientific director who will be responsible for overseeing scientific methods of the testing facility laboratory, ensuring maintenance of laboratory quality standards, and supervising all laboratory staff. The scientific director must have either:

- a doctorate degree in chemical or biological sciences and at least two years of post-degree laboratory experience
- a master's degree in chemical or biological sciences and at least four years of post-degree laboratory experience
- a bachelor's degree in chemical or biological sciences and at least six years of post-degree laboratory experience

Testing Methodologies

A licensed marijuana testing facility must use as guidelines or references for testing methodologies texts such as the American Herbal Pharmacopoeia's *Cannabis Inflorescence: Standards of Identity, Analysis, and Quality Control, Revision 2014*, and the United Nations Office on Drugs and Crime's *Recommended Methods for the Identification and Analysis of Cannabis and Cannabis Products: Manual for Use by National Drug Analysis Laboratories*, dated 2009.

A testing facility may notify the board of an alternative scientifically valid testing methodology that the testing facility proposes to use for any laboratory test it conducts. The board may require third-party validation of any monograph,

peer-reviewed scientific journal article, or analytic method the marijuana testing facility proposes to follow to ensure the methodology produces comparable and accurate results.

The board may require random validation of a marijuana testing facility's execution of each testing methodology the facility uses. The marijuana testing facility must pay all costs of validation.

Standard Operating Procedure Manual

Each licensed marijuana testing facility must have a written manual of standard operating procedures with detailed instructions explaining how to perform each testing method used and minimum standards for each test. The written manual of standard operating procedures must be available to each employee of the marijuana testing facility at all times.

The written manual of standard operating procedures must cover at minimum:

- sample preparation for each matrix that will be tested
- reagent, solution, and reference standard preparation
- instrument setup, if applicable
- standardization of volumetric reagent solutions, if applicable
- data acquisition
- calculation of results
- identification criteria
- quality control frequency
- quality control acceptance criteria
- corrective action protocol.

The scientific director must approve, sign, and date each standard operating procedure.

Laboratory Testing of Marijuana

Offered tests may include potency analysis, moisture content, foreign matter inspection, microbial screening, pesticide, chemical residue, metal screening, and residual solvents levels.

Potency Testing

All marijuana bud and flower, marijuana concentrate, and marijuana products must be tested for potency by a licensed testing facility. The required cannabinoid potency test must at least determine the concentration of **THC, THCa, CBD, CBDA and CBN** cannabinoids.

A marijuana testing facility must report potency test results as follows:

- The testing facility must list a single percentage for each required cannabinoid, representing an average concentration of all samples within that test batch. The sum of THC and THCa may be reported as total THC; the sum of CBD and CBDA may be reported as total CBD;
- For potency testing on a marijuana product, the testing facility must list the total number of milligrams for each cannabinoid contained within a single retail sale unit.
- When testing whether the THC content is homogeneous, the reported content of each serving must be within 20 percent of the manufacturer's target. For example, if a product contains five serving with 25 milligrams of total THC, each serving must contain between four and six milligrams of THC.

An edible marijuana product will **fail** required laboratory potency testing if:

- a single unit of packaged edible retail marijuana product is determined to have **more than 50 milligrams of total THC**
- the THC content of the edible marijuana product is **not homogeneous**, or evenly distributed throughout the product

Substance	Acceptable Limits Per Gram	Product to be Tested
E. coli	less than 1 colony forming unit (CFU/g)	flower; marijuana products; water- and food-based concentrates
Salmonella	less than 1 colony forming unit (CFU/g)	flower; marijuana products; water- and food-based concentrates
Fungus	less than 1 colony forming unit (CFU/g)	flower; marijuana products; water- and food-based concentrates
Butanes	less than 800 parts per million (PPM)	solvent-based concentrates
Heptanes	less than 500 parts per million (PPM)	solvent-based concentrates
Hexane	less than 10 parts per million (PPM)	solvent-based concentrates
Toluene	less than 1 parts per million (PPM)	solvent-based concentrates
Total Xylenes	less than 1 parts per million (PPM)	solvent-based concentrates
Benzene	less than .025 parts per million (PPM)	solvent-based concentrates

Chain of Custody

A marijuana testing facility must establish a chain of custody and sample requirement instructions. These must include issuing instructions for minimum sample requirements and storage requirements, and extensive documentation. Documentation must include:

- the state of packaging integrity seals
- the condition and amount of sample as received
- each person handling the samples
- any transfer of samples to another testing facility
- the disposal of samples

The testing facility must also maintain a current list of authorized persons and restrict entry to the testing facility to those authorized persons. The testing facility must be adequately secure all storage areas, and ensure samples are stored appropriately.

Failed Materials and Retests

If a sample tested by a marijuana testing facility does not pass the required tests, the marijuana establishment that provided the sample must dispose of the entire **harvest batch** or **production lot** from which the sample was taken and document the disposal in the inventory tracking system.

If a marijuana establishment petitions for a retest of marijuana or a marijuana product that failed a required test, the board may authorize a retest to validate the test results.

If a sample of marijuana fails a required test, any marijuana material from the same plants automatically fails that test. The board may approve a request to allow a failed batch of marijuana to be used to make a carbon dioxide or solvent-based extract, as long as it passes all required tests after processing.

Section 9.

Cannabis and the Human Body

Effects of Consumption

It is important for all industry professionals to have a clear understanding of how cannabis can be consumed. Marijuana manufacturers have the ability to extract the THC, or tetrahydrocannabinol, from the plant matter and use it in a wide variety of products. It is important to know at what point the THC becomes psychotropic, or mind and mood altering. Understanding the effect and duration of THC on the body and thought processes is essential to all marijuana handlers.

Effects in the Brain

While many believe that marijuana is a relatively harmless drug, it is important to recognize how marijuana affects the brain and body. The endocannabinoid system refers to the communication network of cannabinoid receptors located throughout the body, most notably effecting the brain, the central nervous system, and the immune system. Cannabinoid receptors located on pre-synaptic neurons in the brain absorb cannabinoid and affect how the brain communicates with the rest of the body.

Many of these receptors are found in the parts of the brain that influence:

- Pleasure
- Short term memory
- Learning
- Concentration
- Judgment
- Sensory and time perception
- Movement
- Coordination
- Pain sensation

Short-term effects of marijuana can include:

- Impairment in memory and learning
- Distorted reality perception
- Difficulty in critical thinking and problem solving
- Reduced judgment and coordination

These effects on nerve cells in the brain are responsible for impairments of associative processes, higher cognitive function, and psycho-motor behavior such as driving abilities while under the influence of marijuana.

Noticeable Effects

The importance of preventing marijuana over-consumption is comparable to the importance of preventing drunkenness in an alcohol establishment. Being able to identify the customers who should no longer be served, sold to, or allowed into the premises is the responsibility of each and every marijuana handler.

Physiological, psychological, and behavioral effects of marijuana vary widely among individuals and present a list of common responses to cannabis.

- Mild dizziness, increase in appetite, rapid heartbeat, drooping eyelids, dry mouth and tremors
- Merriment and happiness, reaching exhilaration at high doses
- Relaxed inhibition, impaired judgment, bodily relaxation, increased sociability and talkativeness
- Enhanced sensory perception, giving rise to increased aesthetic attentivity
- Heightened imagination leading to a subjective sense of increased creativity
- Reduced coordination and ataxia (loss of full control of bodily movements), impaired driving ability
- Paranoia, anxiety, and panic attacks
- Cannabinoid Hyperemesis has been seen in chronic marijuana users, effects include nausea, vomiting, diarrhea, and abdominal pain

Cannabidiol, or CBD is one of over 80 known cannabinoid compounds in marijuana. CBD is non-psychoactive, and therefore does not produce any "high." Since CBD mostly reacts to CB 2 receptors in the body, mainly located in the immune system, rather than CB 1 receptors, research is currently being performed to identify potential anti-seizure, anti-inflammatory, and neuroprotective effects.

Modes of Consumption

When it comes to cannabis consumption, the delivery method plays a very large role in what the effects of consumption will be. Obtaining the desired mental and physical effects of cannabis is largely dependent upon how it's consumed, since each consumption method provides a unique experience and specific effects. Modes of consumption can be broken into three main categories:

- Inhalation
 - Combustion
 - Vaporizing
 - Dabbing
- Ingestion
 - Edibles
 - Tincture
- Topical
 - Balms, salves, lotions,
 - Trans-dermal patches

Combustion

Historically, the most common form of cannabis ingestion has been by burning and inhaling the dried flowers or leaves of the cannabis plant. Hashish (compressed resins and trichomes of the marijuana plant) and kief (dry crystallized trichomes resembling a fine powder) can also be consumed this way. Marijuana can be smoked through a hand pipe, smoked using a water pipe (bong), or rolled using rolling papers (joint).

The effects of smoking dried cannabis are felt almost immediately, and begin to diminish after about an hour. Depending on the individual and the THC potency, effects wear off almost completely within 90 minutes to 4 hours. By inhaling THC directly into the bloodstream, the onset of effects is felt immediately which makes judging doses fairly easy. Regular inhalation of any type of smoke creates a number of health issues, which is why it is the least recommended form of marijuana consumption.

It is important to note that when smoking from hand pipes or water pipes, many users are also inhaling small amounts of butane gas from the lighters they are using. To avoid butane inhalation, many people use hemp wick or similar when smoking from pipes or bongs to avoid the chemical taste and possible negative health impacts associated with butane inhalation.

Vaporization

Vaporization is the process by which the terpenes and resin of the cannabis plant are heated to an evaporation point, somewhere between 240° and 440° Fahrenheit, without combusting any plant material. There are two main forms of vaporization, conduction and convection. Conduction heat is created when plant matter or concentrate is heated directly against a heating element or hot plate. Conduction vaporizers are usually cheaper and heat up quickly, but often require stirring of the herbs to avoid combustion. A convection vaporizer is a device that is able to heat dry flower or concentrates by passing hot air through, evenly heating the marijuana to a desired temperature. This is a more complex heating system, often making convection vaporizers more expensive. Both types allow a person to inhale the active THC and other cannabinoids as vapor instead of smoke, eliminating many of the undesirable and harmful effects of smoking.

Dabbing

A somewhat controversial form of vaporization that is becoming more popular is the "dabbing" method. Dabbing is a form of vaporization in which very potent cannabis concentrates are

dropped on a heated titanium, quartz, or ceramic nail piece, creating a vapor that is then inhaled. There are many health benefits associated with inhaling clean concentrates over dried flower combustion, however, the effects of these high-potency concentrates can be quite intense, and can be dangerous for new users. Dabbing also carries the danger of a super-heated nail piece, often achieved via a hand held torch. While the dangers of hand torches and hot metals can be compared to the same risks of cooking over a gas stove, burn risks are highest with the dabbing method and caution should always be taken. Dabbing does provide many benefits to experienced users, such as an immediate, very strong dose of THC and CBD.

Much of the concern over dabbing is over how the concentrates are made, many inexperienced individuals trying to make **Butane Hash Oil** at home have instead managed to start fires, cause explosions, and create other dangerous situations. Research is still being done on the physical and psychological effects of regular concentrate use, but some studies suggest a greater risk of dependency and strong withdrawal symptoms associated with heavy concentrate use.

Edibles

In order for marijuana to produce a "high", the THC found in the cannabis plant must be decarboxylated. **Decarboxylation** is the process by which non-psychoactive THCa is converted to psychoactive THC. Raw cannabis contains THCa in abundance, but will not produce any "high" when ingested. There are many situations in which this is desirable, as THCa contains many of the same anti-inflammatory and other perceived health benefits as THC, just without the altered mind state. Dissolving the THC into heated fats or oils that can then be incorporated into food is a common form of decarboxylated marijuana. Edibles will take longer to take effect than inhalation, between 20 minutes to an hour or more. Doses can be difficult to judge, and it is recommended to eat a single portion of edible marijuana at a time, and wait at least an hour to assess its effects. Edibles last much longer than other consumption methods, often up to four hours or more, and will take effect significantly faster if eaten on an empty stomach.

Tincture

A tincture is a form of marijuana concentrate by extraction into an alcohol or glycerin base. Tinctures were once the primary form of cannabis medicines sold in the United States before cannabis prohibition. Tinctures are highly concentrated and require careful dosage, usually only a couple drops sublingually or in a beverage, and are generally fast acting. Active THC tinctures usually take effect faster than edibles, but not as fast as inhalation. Like edibles, if the marijuana has not been decarboxylated, the tincture will produce little to no "high."

Topical

Topical products are those that are applied directly to the skin. They include lotions, salves, balms, sprays, oils, and creams. Topicals are often marketed for skin conditions like psoriasis, rheumatoid arthritis, migraines, restless leg syndrome, muscle spasms, muscle stress and soreness. Unlike smoking, vaporizing or eating the medical cannabis, topicals cannot enter the bloodstream, and therefore will not produce the "high" associated with other forms of consumption.

Duration of Effects

While there is still much debate about the length of retention of marijuana in the body, it can be estimated by using several factors.

Dosage, method of consumption, frequency of use, and individual metabolism rate all play into how long it will take marijuana to be completely eliminated from the body. Inhalation will take effect immediately and should only last a few hours at most, while the effects of a large edible dose can still be felt the following day.

It is important for marijuana consumers to be informed of the estimated duration of effects for the various modes of consumption. This allows the consumer to choose the consumption method that will produce their individual desired effect.

The potency of marijuana being consumed is of utmost importance when calculating effect duration. Some strains of dried bud and flower have produced records of up to 30% THC, while concentrates can reach as much as 80%.

A frequent marijuana user might retain traces of marijuana ten to twenty days after the last intake, and in extreme cases may even take months. For a single use or infrequent user, it may be as few as three or four days.

What are its overdose effects?

No death from overdose of marijuana has been reported. However, an individual's health can become seriously compromised by ingesting too much marijuana, especially when inexperienced.

- Time distortions, illusions, delusions, and hallucinations are rare except at high doses.
- Emotional turmoil, dysphoria, unorganized thinking, inability to converse, agitation, paranoia, confusion, anxiety, and panic attacks may occur

Tolerance & Detection

Regular users of marijuana may develop a tolerance and require more of the drug in order to feel similar effects. This is not dissimilar to tolerances that develop with many other substances, drugs and otherwise. Unlike many other drugs THC is fat soluble and as a result is stored in fatty tissue throughout the body. This accumulation of cannabinoids can be further increased by regular and chronic use. Due to the fat soluble nature of cannabinoids they can be detected in the body for weeks or in extreme cases months. This detection window is significantly longer than that of many other popular drugs, including alcohol.

Identifying Impaired Persons

After an individual has consumed marijuana or a marijuana product, several physical and behavioral changes can become apparent. These changes can be used to judge whether a patron should be allowed to enter the premises or purchase marijuana.

Physical Change:

- Bloodshot eyes, drooping eyelids
- Lethargic body movements
- Dry mouth and lips

Change in Actions:

- Spontaneous laughter, giggling
- Unusually talkative, or unusually silent
- Increased appetite
- Irregular thought patterns
- Misjudgments of time
- Fidgeting, paranoia

Section 10.

Determining Valid Identification

AS 17.38 states that:

“(a) A person who is under 21 years of age may not present or offer to a marijuana establishment or the marijuana establishment's agent or employee any written or oral evidence of age that is false, fraudulent or not actually the person's own, for the purpose of:

(1) Purchasing, attempting to purchase or otherwise procuring or attempting to procure marijuana or marijuana products; or

(2) Gaining access to a marijuana establishment.

(b) A person who violates this section is guilty of a violation punishable by a fine of up to \$400”

Authenticating valid forms of identification is crucial for all employees and licensees of a marijuana establishment. The legal age of entry into a marijuana establishment in Alaska is 21 years old, persons under 21 may not be allowed in the licensed premises at all, even accompanied by an adult or parent. It is the responsibility of each marijuana handler to ensure their customers are of legal age before being allowed to enter the marijuana establishment.

To be admitted into a restricted access area, each visitor must show identification to prove that person is at least 21 years of age. Each visitor must obtain a visitor identification badge before entering the restricted access area and be escorted at all times by a licensee or employee.

Verifying Authenticity

Any form of identification presented for entry into a marijuana establishment must be unexpired and unaltered. Valid forms of identification include passports, driver's licenses, instruction permits, or identification cards of any state or territory of

the United States, the District of Columbia, or a province of Canada. A valid identification card must be issued by a federal or state government agency authorized to issue a driver's license or identification card.

ID Check Procedure

Greet the customer verbally, paying attention for any signs of nervousness, eye contact avoidance, or other behavioral indicators that this person might be intentionally using false identification.

Ask for the card so that both sides can be inspected, check for alterations, note the person's name, and check photo to establish likeness.

After establishing authenticity, check the expiration date to ensure the ID is current. Take care to examine the photo to ensure that it belongs to the person presenting it.

Most states, including Alaska, have made it easier to determine age by formatting over-21 ID layouts in a horizontal orientation, and under-21 IDs with a vertical layout. Under-21 IDs may also feature the date the individual would become 21. Valid IDs will also have authenticity elements such as holograms, ghost images, micro-printing, and watermarks to help confirm government issue.

Verifying Age

Perhaps the fastest way to determine a person's age by taking the birth year printed on their identification card, adding 20, then adding 1. The result will be the year that person turned 21. If that year has already passed, the person is over 21 years old. If the year is the same as the current one, check to see if their birth month and day have passed. If that year has not passed yet, the individual is not yet twenty one and therefore cannot enter the premises.

Retail Sales

One method used by underage persons to gain entry to age restricted places is to use the ID of someone over 21, such as an older sibling they resemble. Look for subtle differences in

the face shape, ears, nose, mouth, and teeth. If you are unsure that the individual presenting the ID to you is in fact the person in the photo, there are several options for verification. Start by asking questions about information on the ID, such as their birth date or their address. Ask for an additional form of identification, if further verification is necessary. If it is still unclear if the ID is valid, don't hesitate to ask for help from a manager or coworker.

If ID validity or age cannot be determined, you may refuse the entry or sale. You have the right to refuse service to anyone unless that refusal is a violation of AS 18.80.210

False Identification

It is illegal in the State of Alaska for persons under 21 years old to misrepresent their age or provide false identification.

When identifying fake IDs, look for obvious signs of tampering or forgery. Words that don't belong on any federal or state issued ID card include: authentic, official, genuine. Look for uneven thickness, bubbles, and split laminate.

Once you have identified a fake ID, follow correct house procedures in confiscating the fake, and recording the event. Confiscated fake IDs must be given to law enforcement as soon as possible.

A person may give off many signals and clues that would indicate they may be attempting to use a fake ID. What are some signs that marijuana handlers should look out for?

Preventing Unlawful Consumption

It is unlawful to consume marijuana in a public place. Remember, the penalty for an individual consuming marijuana in a public place is a \$100 fine.

A "public place" is defined as:

"In a place to which the public or a substantial group of persons has access and includes highways, transportation facilities, schools, places of amusement or business,

parks, playgrounds, prisons, and hallways, lobbies, and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence”

A retail marijuana establishment may, with an endorsement from the marijuana control board, permit consumption of marijuana or a marijuana product purchased on the licensed premises, in a designated area on the licensed premises.

Manufacturing facilities and cultivation facilities may not allow any person, including a licensee, employee, or agent, to consume marijuana or a marijuana product on the licensed premises or within 20 feet of the exterior of any building or outdoor cultivation facility on the licensed premises.

Counting Purchase Attempts

AS 17.38 allows for an individual to possess, use, display, purchase, or transport one ounce or less of marijuana. A licensed retail marijuana store must not sell more than the following quantity of marijuana or marijuana product in a single transaction:

- one ounce of usable marijuana, or
- seven grams of marijuana concentrate for inhalation, or
- marijuana or marijuana products containing a maximum of 5600 milligrams of THC.

Potency limits

A marijuana product manufacturing facility may not prepare any product with potency levels exceeding the following

- for a single serving of marijuana product, five milligrams active tetrahydrocannabinol (THC) or Delta 9
- in a single packaged unit of marijuana product to be eaten or swallowed, not more than ten servings, or fifty milligrams of active THC or Delta 9
- the THC content must be homogeneous, or evenly distributed throughout the marijuana product

Section 11.

Observation and Communication

As a marijuana handler, it is your responsibility to observe all customer and visitor behavior for signs of suspicious behavior, and impairment in the case of retail consumption venues. At some point, customers or visitor may bring illegal activities in or around your establishment.

Some behavior to look out for:

- Loitering near the entrance, or in the parking lot
- Many customers looking for a particular person or employee
- Secretive or discrete exchanges between persons

Communicating with customers and visitors is the easiest way to evaluate their behavior. Start a conversation and pay attention to their responses. Look for slurred or incoherent speech, watch body language and movements. Does this person seem erratic? Do they look like they are trying to hide something?

Communication between coworkers and management is essential to the proper operation of any marijuana establishment. Notify each other of anything unusual, or persons who should no longer be served. Teamwork is the only way to ensure that each employee is kept informed and alert. Keep a communication log when there are employees working different shifts, so that there is communication throughout all staff.

Management Support

As a new industry, it is important to stay current on marijuana laws and regulations in the State of Alaska. It is the responsibility of the licensee and marijuana establishment to ensure a safe work environment for all agents and employees. If you have a suggestion that may benefit the operation of a marijuana establishment, voice your concerns to the management or owner.

In any case, if you are unsure of how to proceed in any given situation, do not hesitate to ask management for house policies on dealing with specific situations. Management should have many policies and procedures for dealing with a host of situations.

Management is there for support and guidance, but remember that employees and agents are held accountable for their actions and could face civil or criminal charges. Each marijuana handler is not only representing the establishment that they work for, but the entire marijuana industry. Do not allow yourself to carry out instructions you are uncomfortable with or that you know to be illegal.

Refusal of Service

If you ever find yourself in a situation where you are unsure whether to serve someone or allow them entry into an establishment, it is best to follow instinct and refuse service or entry. Representatives of a marijuana establishment may refuse service to anyone, unless that refusal is a violation of AS 18.80.210. When refusing service, be sure that reasons given are not discriminatory. It is illegal to refuse service based on any of the following: gender, physical or mental disability, marital status, pregnancy, parenthood, race, religion, color, or national origin.

When operating a retail store, keep track of how often a person attempts to purchase marijuana or marijuana products in the same day. Remember, it is unlawful for a person to purchase, and transport, more than an ounce of usable marijuana in a single transaction.

Dealing with Impaired Persons

If a person arrives impaired or intoxicated to the licensed premises, it is unlawful to serve them or allow them entry. Attitude and demeanor are very important here, be clear and direct with your authority. Instruct the person that they need to leave the premises safely immediately, and ensure that they

will not be driving. Offer to call a cab or a friend to pick them up, or instruct them to the nearest bus stop.

Use calm, but assertive verbal and body language.

If a situation arises when you need to refuse entry or ask a customer to leave, be sure to have backup. Notify a manager or coworker of the situation, and be sure they are ready to support you if necessary.

What are some ways of letting a person know they must leave or can no longer be served?

Difficult Situations and Emergencies

Any person exercising authority over the conduct of business on the licensed premises is held responsible for the conduct of that business. This is not restricted solely to holder of the marijuana establishment license, but includes agents or employees of that individual. Safety is the number one priority for any business, and marijuana handlers are responsible for maintaining that safety.

It is recommended to always have at least two marijuana handlers on shift when an establishment is open for business, so that no one person has to take on any difficult situation alone. If a difficult situation arises, it is important for each employee to have a partner, or to be able to call for help if needed. Do not attempt to physically restrain anyone unless you have been professionally trained to do so.

Appropriate safety procedures should be in place and all employees should be properly trained in how to respond to emergencies. Each employee should know locations of fire extinguishers, AEDs, emergency escape routes, and meeting places.

Remember, representatives of a marijuana establishment may refuse service to anyone, unless that refusal is a violation of AS 18.80.210. When refusing service, be sure that reasons given are not discriminatory.

Driving High is a DUI

Marijuana has been approved for consumption in retail shops that have obtained a consumption endorsement from the marijuana control board. Much like drinking alcohol in a bar, marijuana and marijuana products can be purchased for consumption onsite in designated areas in these retail shops. Impaired driving is a serious matter, and should be taken into account before a person is served any marijuana. How did the person arrive, and how will they leave? Did they come with friends? Are they new to the effects of marijuana? These are all important questions to ask before a customer is served.

Driving while impaired is reckless and irresponsible. Using marijuana before driving could result in an arrest for driving under the influence (DUI). Marijuana should not be consumed in combination with alcohol or prescription medications. Mixing marijuana with alcohol or other drugs results in significantly greater impairment, and effects are much harder to calculate.

Some effects of marijuana that impair driving and motor skills include:

- Lengthened reaction time
- Short-term memory loss
- Hand-eye coordination impairment
- Reduced concentration
- Altered perception of depth, distance, and time

Although the effects of marijuana wear off more quickly than the effects of alcohol, it's not a good idea to consume marijuana within several hours before driving or operating machinery.

The more THC a person consumes, the greater the impairment and the longer the duration. The higher the THC content in the blood, the higher the chance of a motor vehicle accident.

The dangers of driving under the influence are even greater when marijuana is ingested as edibles, because the effects of marijuana can take longer to develop and last longer when it is eaten. Edible products tend to cause powerful full-body, psychoactive effects, and should be eaten sparingly. Pay attention to serving sizes and doses when making or serving edible marijuana products. Each product may not exceeding the following potency levels:

- for a single serving of marijuana product, five milligrams active tetrahydrocannabinol (THC) or Delta 9
- in a single packaged unit of marijuana product to be eaten or swallowed, not more than ten servings, or fifty milligrams of active THC or Delta 9;

The THC content in each marijuana product must be evenly distributed throughout the entire product.

A designated driver is a person within a group that agrees to abstain from consuming cannabis so that they will be able to safely drive the others in the group home. In the case of no designated driver, many communities support safe ride home programs. Buses and taxis are also a good option to avoid driving.

Illegal Activities

Illegal drugs, alcohol, and firearms have no place in a licensed marijuana establishment. If you become aware of any of these items on the premises, notify management immediately. The presence of any or several of these items in a marijuana establishment could be cause for suspension or revocation of the establishment's license, as well as civil or criminal liability.

Activities such as gambling and prostitution are also illegal, persons engaging in these activities should be ejected from the establishment. Always use extreme caution when dealing with illegal activities. Notify management and coworkers of your suspicions before proceeding. If you feel that you or anyone else in the establishment may be in danger, call law enforcement immediately.

Violent Situations

While violence is not a typical effect of marijuana consumption, there may be situations in which hostility may arise. Whether the situation is verbal abuse or physical assault, knowing how to handle various situations greatly reduces the chance of anyone getting hurt.

Be alert for signs of aggression or hostility, and always be aware of everyone on the premises. If you become aware of a potentially violent situation, immediately contact management or coworkers to alert them of the situation.

Intervention

- **Isolate** the hostile individual; move them away from other customers, outside if possible.
- Tell the individual that their behavior will not be tolerated and **instruct the individual to leave**.
- If the person becomes increasingly aggressive, or physically violent, **get police involved** quickly. If you feel that there is or will be a threat to public safety, immediately inform law enforcement.
- Do not retaliate or use violence against a hostile person.
- Never try to physically restrain a hostile individual unless you have been professionally trained to do so.

The best practice in avoiding unwanted law enforcement attention and potential negative consequences is intervening before a situation becomes violent. It is the responsibility of the establishment and each marijuana handler to maintain a safe environment. Identify and diffuse hostile situation before they become violent.

Incident Reporting

Make sure you are aware of company policies for incident reporting and documenting any illegal activities. These incident reports can be very useful if a situation arises where documentation is needed to determine if proper action was taken.

Keeping an employee log of daily happenings around each establishment is another good way of ensuring that everyone is staying involved, informed, and that procedures are being followed.

Section 12.

Penalties for Unlawful Acts

Marijuana sales by unlicensed individuals or entities remain subject to criminal penalties, all marijuana establishments must be state-licensed. To deliver for compensation less than 1 ounce of marijuana without a marijuana retail license may result in a class A misdemeanor punishable by up to 1 year imprisonment and/or a fine up to \$10,000. Delivery with or without compensation of an ounce or more of marijuana will result in a class C felony punishable by up to 5 years imprisonment and/or a fine up to \$50,000.

Retail marijuana sales are restricted to adults 21 years of age or older, delivery to a person under the age of 19 by a person at least 3 years his senior is a class B felony punishable by up to 10 years imprisonment and/or a fine up to \$100,000.

Inspection and Investigation

In addition to local and state law enforcement, several individuals are responsible for inspecting and investigating the marijuana industry to ensure safe practices and lawful action. These individuals are referred to as "investigators," and include the director of the board, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity. They may inspect the licensed premises of any marijuana establishment, including any marijuana and marijuana product on the premises, as well as equipment used in cultivating, processing, testing, or storing marijuana. Investigators also have authority to access to the marijuana establishment's inventory tracking system, business records, and computers, at any reasonable time and in a reasonable manner. If need arises, investigators may issue a report or notice of a violation of Chapter 306, exercise peace officer powers, and take any other action AMCO determines is necessary.

A marijuana establishment, and any licensee, employee, or agent in charge must cooperate with investigators to enforce the laws related to marijuana.

Cooperation includes permitting entry and inspection of the licensed premises, as well as access to business records at reasonable times when requested. Investigators must be able to provide proof of authority/identification

Report or Notice of Violation

Investigators may issue an inspection report, an advisory report, or a notice of violation before taking action to suspend or revoke a marijuana establishment license.

An inspection report documents each inspection of licensed premises and must be prepared on a form the board prescribes. Inspection reports must include information prescribed by statute, regulation, or the board.

Investigators may issue an advisory notice when an incident occurs or a defect is noted that could result in a violation of a statute, regulation, or municipal ordinance. An advisory notice may result from an inspection report, but is not a basis for administrative action unless the incident or defect continues or is not corrected.

Investigators may issue a notice of violation when an inspection report or other credible information shows a marijuana establishment is in violation of AS 17.38, Chapter 306, or other law relating to marijuana. The notice of violation must be delivered to the marijuana establishment at its licensed premises, and to the board. The notice must describe any violation, and cite the applicable statute, regulation, or order of the board.

A marijuana establishment that receives a notice of violation may respond to the notice orally or in writing, and may, within ten days after receiving the notice, request an opportunity to appear before the board. A notice of violation may be the basis of a proceeding to suspend or revoke a marijuana establishment's license.

Suspension or Revocation of a License

The board will suspend or revoke a marijuana establishment license if any licensee is convicted of a felony, has been found guilty of selling alcohol without a license, selling alcohol to a minor, a misdemeanor crime involving a controlled substance, violence against a person, use of a weapon, or dishonesty, a class A misdemeanor relating to selling, furnishing, or distributing marijuana or operating an establishment where marijuana is consumed contrary to state law.

The board will suspend or revoke a marijuana establishment license if if the board becomes aware that a licensee did not disclose a previous felony conviction or a conviction of a crime. The board may suspend or revoke a license, refuse to renew a license, or impose a civil fine if the board finds that a licensee for any marijuana establishment misrepresented a material fact on an application for a marijuana establishment license.

The board may also take action to protect the best interest of the public in response to:

- Using any process not approved by the board for extracting or manufacturing marijuana concentrate or products
- Selling or distributing any marijuana concentrate or product that has not been approved by the board
- Failing to correct any defect that is the subject of a notice of violation
- Knowingly allowing an employee or agent to violate Alaska marijuana laws and regulations
- Failing to comply with any applicable public health, fire, safety, or tax law or regulation in the state
- Using the licensed premises for any illegal purpose including gambling, possession or use illegal narcotics, prostitution, or sex trafficking

If AMCO finds that a person holding a marijuana establishment license has acted and appears to be continuing to act in a way that constitutes an immediate threat to the public health, safety or welfare, AMCO may issue an order immediately

suspending the license of that person, and ordering an immediate stop to the activity that constitutes the threat to the public health, safety, or welfare.

When AMCO issues a summary suspension AMCO must immediately give the marijuana establishment notice of the reasons for the summary suspension, and of the time and place for an expedited hearing before the board. Unless the marijuana establishment requests a delay, the hearing will be held within five days after AMCO gives notice of the reasons for the summary suspension and the scheduled hearing.

A local government may notify AMCO if it obtains evidence that a marijuana establishment has violated a provision of AS 17.38, Chapter 306, or a condition the board has imposed on the marijuana establishment. Unless the board finds that the local government's notice is arbitrary, capricious, and unreasonable, AMCO will prepare the notice and supporting evidence as an accusation against the marijuana establishment and conduct proceedings to resolve the matter.

A proceeding to suspend or revoke a license must be initiated by service of an accusation on the marijuana establishment. The accusation must be served at the address of the licensed premises, or at the address of the licensee who is responsible for management and compliance with laws as listed in the marijuana establishment license application. The marijuana establishment is entitled to a hearing.

If evidence shows that an employee or agent of a licensed marijuana establishment was responsible for an act that would justify suspension or revocation of the marijuana establishment's license if committed by a licensee, the board may find that licensee knowingly allowed the act.

The board may find the licensee responsible for the violation if the licensee was physically present when the violation occurred and knew or should have known the violation was occurring and took no action to stop it. If the licensee was reckless or careless in hiring the agent or employee, or failed to

adequately supervise or train the employee, the licensee may be held responsible.

Seizure of Marijuana or Marijuana Product

Investigators may seize marijuana or any marijuana product from a licensed or previously licensed marijuana establishment if the marijuana establishment has:

- any marijuana or marijuana product not properly logged into the marijuana establishment's marijuana inventory tracking system
- any forbidden adulterated marijuana food or drink product
- any marijuana or marijuana product that is not properly packaged and labeled
- not renewed its license as required

If an investigator seizes marijuana or a marijuana product, AMCO must update the marijuana inventory control tracking system to reflect the seizure and ensure that the seized items are stored in a reasonable manner. AMCO must immediately give the marijuana establishment from which the marijuana or marijuana product was seized notice of the reasons for the seizure and the time and place of a hearing before the board. Unless the marijuana establishment requests a delay, the hearing will be held within ten days after AMCO gives notice of the reasons for seizure and the scheduled hearing. If the seizure occurs in connection with a summary suspension, the hearing will be combined with a hearing on the summary.

If the marijuana establishment does not request or participate in a hearing, or if after a hearing the board finds that seizure of the marijuana or marijuana product was justified, the marijuana or marijuana product will be destroyed by burning, crushing, or mixing with other material to make the marijuana or marijuana product unusable.

If a seizure of marijuana plants takes place in a licensed standard or limited marijuana cultivation facility, the seizure order may direct the facility to continue care of the plants until the hearing, but prohibit any transfer, sale, or other commercial activity related to the plants.

Hearings and Appeals

Any person aggrieved by an action of AMCO, the director, an enforcement agent, or an employee of the board, may request a hearing by filing a notice of defense within 15 days after receiving a written accusation. Failure to file a notice of defense constitutes a waiver of the right to a hearing. An aggrieved party may appeal to the board regarding any action of AMCO, an enforcement agent, or an employee of the board charged with enforcing AS 17.38 or this chapter, including suspending or revoking a license, seizing marijuana or a marijuana product, or imposing a civil fine.

A person aggrieved by a final decision of the board suspending or revoking a license or imposing a civil fine may appeal to the Superior Court.

Civil Fines

The board may, in addition to any other penalties, impose a civil fine on a marijuana establishment, licensee, or person that the board determines has violated a provision of AS 17.38 or Chapter 306.

The board may impose a civil fine not to exceed the greater of:

- an amount that is three times the monetary gain realized by the marijuana establishment, licensee, or person as a result of the violation, as determined by the board
- \$10,000 for the first violation
- \$30,000 for the second violation
- \$50,000 for the third or subsequent violation

Surrender or Destruction of a License

A license must be surrendered to AMCO, an enforcement agent, or an employee of the board on demand if AMCO or the board so orders. The license must be surrendered within 10 days after the marijuana establishment loses or vacates the licensed premises. If a license is destroyed, the marijuana establishment must promptly notify the board.

Section 13.

Conclusion

Self assessment is something that every marijuana handler should be doing throughout their career. Take an honest look at yourself and evaluate how your skills are progressing. Are you actively practicing good judgment and risk minimization?

Good judgment includes incorporating informed opinions based on past experience into the decision making process. Is safety the primary concern when dealing with customers and visitors? Making safety a top priority helps form the foundation on which to make good choices. A marijuana handler must keep safety and risk minimization at the forefront of their focus in order to maintain a safe and comfortable environment. Continuous self-assessment of your skills, knowledge, and actions will improve all three.

Glossary

"Adulterated food or drink product" means a product that is intended to be consumed orally and that existed without marijuana in a form ready for consumption before marijuana was added by any process.

"AMCO" means the Alcoholic Beverage Control Board established by AS 04.06, renamed Alcohol & Marijuana Control Office.

"Batch" or "harvest batch" means a specifically identified quantity of plant trim, leaf, and other usable product from marijuana plants that are uniform in strain, cultivated in one place and under the same conditions, using the same medium and agricultural chemicals including pesticides and fungicides, and harvested at the same time.

"Bud and flower" means the hairy, sticky, or crystal-covered parts of mature female marijuana plants generally harvested for their high THC potency.

"Buffer distance" means the minimum distance a marijuana establishment is able to be from a sensitive receptor, 500 feet for all state required buffers.

"Butane hash oil" OR "BHO, dabs, shatter, wax" means the product of butane extraction by pouring the solvent over the plant material and then purging it off from the resulting solution using a variety of techniques and variables such as heat, vacuum and agitation.

"Cannabinoid" means any of the chemical compounds that are the active principles of marijuana, including THC, THCa, CBD, CBDA, CBN, and many more.

"CBD" means Cannabidiol, one of the main cannabinoids found in decarboxylated cannabis.

"CBDA" means Cannabidiol Acid, one of the main cannabinoids found in raw cannabis.

"CBN" means Cannabinol

"*Child-centered facility*" means any facility frequented by children, including a school, a child care 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 21 years of age.

"*Child-resistant*" means that packaging must 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.

"Clones" or "cuttings" means small starter plants used to propagate marijuana plants that are shorter than eight inches tall.

"*Closely resemble*" or "*looks like*" in reference to a marijuana product means that the product or its packaging has a shape, color, markings, or decorative patterns that are familiar to the public from a widely distributed branded food product, so that a marijuana product could reasonably be mistaken for that branded product, especially by children.

"*Consumer*" means a person 21 years of age or older who purchases marijuana or marijuana products for personal use, but not for resale to others. This does not include any marijuana establishment that re-sells marijuana or incorporates marijuana into a manufactured product

"*Contaminant*" means one or more of the following: harmful microbes, including *Escherichia coli* (E. coli). or *Salmonella* species, residual solvents, poisons or toxins, harmful chemicals, including pesticides, dangerous molds, mildew, or filth;

"*Decarboxylate*" means the process of converting non-psychoactive THCa into psychoactive delta 9 THC.

"Direct or indirect financial interest" means a legal or equitable interest in the operation of a business licensed under Chapter 306.

"Homogeneous" means a component or quality, such as THC, is spread evenly throughout the product, or can be found in equal amounts in each part of a multi-serving unit.

"Improper storage" means being exposed to extremes in temperature, humidity, smoke, fumes, pressure, or radiation due to a natural disaster, fire, accident, or equipment failure.

"Investigator" means the director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity to inspect or investigate marijuana establishments. business for which it is licensed.

"License" means a site specific state issued document awarded to an applicant which allows them to do legal business in the Alaska marijuana industry.

"Licensee" means each individual identified in 3 AAC 306.020 who must be listed in an application for a marijuana establishment license.

"Licensed premises" means any or all designated portions of a building or structure, or rooms or enclosures in the building or structure, at the specific address for which a marijuana establishment license is issued, and used, controlled, or operated by the marijuana establishment.

"Marijuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. "Marijuana" does not include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

"Marijuana concentrate" means resin, oil, wax, or any other substance produced by extracting or isolating cannabinoids, THC, or other components from a marijuana plant or from materials harvested from a marijuana plant.

"Marijuana control board" or *"the board"* is a regulatory and quasi-judicial agency established in the Department of Commerce, Community, and Economic Development and controls the cultivation, manufacture, and sale of marijuana in the State of Alaska.

"Marijuana cultivation facility" means an entity registered to cultivate, prepare, and package marijuana and to sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

"Marijuana establishment" means a state licensed marijuana cultivation facility, a marijuana testing facility, a marijuana product manufacturing facility, or a retail marijuana store.

"Marijuana manufacturing facility" means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers. There are two types of manufacturing facility licenses: extract-only and standard.

"Marijuana product" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

"Marijuana retail facility" means an entity registered to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities, and to sell marijuana and marijuana products to consumers.

"*Marijuana testing facility*" means an entity registered to analyze and certify the safety and potency of marijuana.

"Metrc™" means Marijuana Enforcement Tracking, Reporting and Compliance, which is the required seed-to-sale tracking system used in all licensed marijuana establishments in Alaska.

"Onsite Consumption Endorsement" means an AMCO approved addition to a retail license to allow for consumption of marijuana or a marijuana product purchased on a licensed premises, in a designated area on the same licensed premises.

"Production lot" means a group of marijuana products that were prepared at the same time from the same batch of marijuana, using the same recipe or process.

"Sensitive receptor" mean a school ground, recreation or youth center, building in which religious services are regularly conducted, or a correctional facility.

"Site specific" means all marijuana licenses are awarded for a specific geographic location named on the license as the licensed premises.

"THC" means tetrahydrocannabinol, the main psychoactive substance found in marijuana.

"THCa" means non-psychoactive THC Acid found in raw cannabis.

"Valid Transport Manifest" means the record generated by the marijuana tracking system stating the origination and destination establishments, the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle.

Certificate of Completion

Through the satisfactory completion of a written examination demonstrating requisite skills and expertise meeting the cannabis handling standards set by CHAMP and the Cannabis Handler and Marijuana Professional certification course, on the sixteenth of May, 2016 this certificate has been earned by:

Barack Obama



Naomi Hutchens
Course Instructor



Certificate Number:
161370101