



MEMORANDUM

TO: Marijuana Control Board DATE: September 11, 2019

FROM: Erika McConnell, Director RE: Regulations Project – Infants on
Marijuana Control Board Premises

The board opened this regulations project at the May 2019 meeting. The purpose of this project is to allow infants on licensed premises so that new mothers employed at marijuana facilities may bring their infants to breastfeed and otherwise care for them.

The proposal for board consideration would allow infants up to the age of one year to be in a licensed premises, but not in onsite consumption areas. I am recommending the exception stop at one year because after that, a child is more mobile and likely to grab something and put it in its mouth.

The American Academy of Family Physicians “recommends that all babies, with rare exceptions, be breastfed and/or receive expressed human milk exclusively for the first six months of life. Breastfeeding should continue with the addition of complementary foods throughout the second half of the first year. Breastfeeding beyond the first year offers considerable benefits to both mother and child, and should continue as long as mutually desired.”

Options for the board:

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

3 AAC 306.325 is amended to read:

3 AAC 306.325. Access restricted at retail marijuana store. (a) A person who is over one year of age and under 21 years of age may not enter a retail marijuana store.

(b) Each entry to a retail marijuana store must be posted with a sign that says "No one over one year of age and 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.

(c) 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 in compliance with 3 AAC 306.710.

(d) If a retail marijuana store displays marijuana to a consumer for the purpose of smelling the marijuana before purchase, the retail marijuana store shall package the marijuana in a sample jar that is protected by a plastic, metal, or other protective mesh screen, and the jar must remain in the monitored custody of the retail marijuana store during consumer inspection. (Eff. 2/21/2016, Register 217; am ___/___/____, Register _____)

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200
AS 17.38.070 AS 17.38.190 AS 17.38.900
AS 17.38.121

3 AAC 306.710(c) is amended to read:

(c) In a restricted access area, a licensee, employee, or agent of the marijuana establishment shall wear a current identification badge bearing the person's photograph. A person

who is over one year of age and under 21 years of age may not enter a restricted access area.

Any visitor to the restricted access area **who is 21 years of age or older** must

(1) show identification as required in 3 AAC 306.350 to prove that person is 21 years of age or older;

(2) obtain a visitor identification badge before entering the restricted access area;

and

(3) be escorted at all times by a licensee, employee, or agent of the marijuana establishment.

(Eff. 2/21/2016, Register 217; am ___/___/_____, Register _____)

Authority:	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		