

FINDING OF EMERGENCY

The Marijuana Control Board finds that an emergency exists and that the attached regulations are necessary for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

On November 6, 2020, the governor declared a public health disaster emergency under AS 26.23.020 due to the outbreak and continued spread of COVID-19: in particular, widespread community transmission. The declaration is effective November 16, 2020 to December 15, 2020 and replaces a prior declaration of public health emergency that expired November 15, 2020.

The United States Centers for Disease Control and Prevention and the Alaska Department of Health and Social Services have warned that COVID-19 is highly contagious and that physical distancing is paramount to containing the spread of the virus. Alaska instituted public health mandates requiring that individuals maintain physical distance from people who are not members of the person's household. The mandates allow for the continued operation of businesses where people can maintain the required social distance when inside. Marijuana retail stores continue to operate and are open.

Marijuana retail stores have implemented strict measures, including capacity limitations, physical distancing, and mask requirements, to minimize the spread of COVID-19. Under the prior emergency, the board concluded those efforts were enhanced by permitting window and curbside delivery of retail purchases. The board concludes that so long as patrons are able to enter the premises of retail marijuana stores, it is necessary to take every possible step to protect the health and safety of those patrons and employees engaged in a retail transaction. Therefore, the Board concludes it is necessary to again permit curbside and window delivery of retail orders for the length of this COVID-19 public health emergency, any extension of this emergency, or any new adoption of this emergency by the Governor or Alaska State Legislature

To protect the public health, the board must pass emergency regulations to permit window and curbside delivery.

THEREFORE: The Marijuana Control Board finds that it is in the best interest of the state to enact emergency regulations.

ORDER CERTIFYING ADOPTION

I certify that the Marijuana Control Board under the authority of AS 17.38.121 and 17.38.190, adopted at its November 23, 2020 meeting the **attached ___ pages** of regulation changes as an emergency regulation to take effect immediately upon filing by the lieutenant governor as provided in AS 44.62.180(3).

This action is not expected to require an increased appropriation.

Date: _____

Glen Klinkhart, Interim Director

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on _____,
20____, at _____, I filed the attached regulation according to the provisions of AS 44.62.

Lieutenant Governor

Effective: _____.

Register: _____.