

(Words in boldface and underlined indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

The introductory language of 3 AAC 306.720(a) is amended to read:

(a) A marijuana establishment shall install and maintain a video surveillance [AND CAMERA] recording system as provided in this section. The video **surveillance recording** system must [COVER]

3 AAC 306.720(a)(1) is amended to read:

(1) **cover** each restricted access area and each entrance to a restricted access area within the licensed premises; **each entrance to the exterior of the licensed premises; each point-of-sale area; and**

3 AAC 306.720(a)(2) is amended to read:

(2) **have backup power supply to support a minimum of one hour of recording time in the event of power interruption** [EACH ENTRANCE TO THE EXTERIOR OF THE LICENSED PREMISES; AND

3 AAC 306.720(a)(3) is repealed:

(3) repealed ___/___/____; [EACH POINT-OF-SALE AREA].

(Eff. 2/21/2016, Register 217; am 12/10/2020, Register 236; 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



Date: 09/02/2022
To: amco.regs@alaska.gov
From: Alaska Marijuana Industry Association (AMIA)

Re: Public Comment on 3 AAC 306 of the Alaska Administrative Code,
dealing with video surveillance-power backup

Dear Honorable Marijuana Control Board Members,

The Marijuana Control Board proposes to adopt regulation changes in 3 AAC 306 of the Alaska Administrative Code, dealing with video surveillance—power backup. We **do not** support this change as written. There are regulation clean up elements in parts of this proposed change that we agree with, i.e 3 AAC 306.720 (a)(1) “(1) *cover each restricted access area and each entrance to a restricted access area within the licensed premises; each entrance to the exterior of the licensed premises; each point-of-sale area*” Additionally, we support the clarity that is provided by defining video surveillance system.

However, changes to 3 AAC 306.720 (a)(2) “(2) *have a backup power supply to support a minimum of one hour of recording time in the event of power interruption*” we do not support. We believe that in the event of a power outage there is nobody who is more focused on getting things back up and running than the business owner. There could be a requirement to have a power backup, but defining the time it must back up for is not appropriate. Additionally, the appropriate language to use would be to require a Uninterruptible Power Supply (UPS), the language as written in this proposed change suggests that an operator needs to have complete power backup. By design UPS are “fail-on,” meaning that if the system that it is attached to loses power, the UPS will turn on automatically. So there is already a layer of protection and redundancy built in. Requiring a UPS alone would be ok. But to define the time that it must stay on is an overreach. For businesses to comply with this regulation change as it is currently written, they would need to obtain expensive equipment, but they also would need to make arrangements for its installation. We have concerns that requiring a time limit of 1 hour may not be able to be obtained in the case of a power outage or interruption resulting in arbitrary compliance situations for licensees. We ask that you please rewrite this change with no arbitrary time limit and define instead as an uninterruptible power supply. Our objection to this aside, we do believe that it is wise, as a protection for the licensee, to have a UPS on their surveillance systems, and that UPS should be maintained in proper working order.

Respectfully,

On behalf of the AMIA Board of Directors:

A stylized, handwritten-style signature of Ryan Tunseth in a dark, bold font.

Ryan Tunseth
President (AMIA)
president@alaskamia.org

The Alaska Marijuana Industry Association is Alaska's only statewide cannabis industry trade group. Our mission is to promote and advocate for a vibrant and reasonably regulated Alaska-based marijuana industry. The AMIA serves to strengthen and enhance a network of connected, independent, informed, regionally, and community-directed Alaska marijuana organizations.
www.alaskamia.org