From: Barret Goodale
To: CED AMCO REGS (CED sponsored)
Subject: Public Comment on Overlapping Premises
Date: Wednesday, October 11, 2023 11:17:27 AM

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Dear Members of the Board,

Thank you for having staff prepare this regulation draft addressing conflicting regulations. While this version fixes the discrepancies in the regulation, it only allows shared space of restricted access areas for marijuana or marijuana product storage. I believe the board was open to the idea of allowing shared packaging space so long as all the product was tracked appropriately in the Metrc system. This would allow companies to efficiently use their space by allowing multiple licenses (ie retail, manufacturing, and Cultivation) owned by the same persons or company, to use the same packaging space instead of having to have 3 separate rooms that are setup in the same way for the same type of activities.

In order to allow the shared use of restricted access areas for packaging, I believe there needs to be a change to 306.710(d) to replace “for a marijuana or marijuana product storage area” with “a restricted access area”.

A removal of 306.305(c)1, 306.405(b)1, 306.505(b)1 would also be needed to allow for restricted access areas to be used for multiple licenses for other purposes than product storage.

Below are the specific regulations I have referenced.

3 AAC 306.710(d) The board may approve overlapping premises for two or more licenses, owned by the same person or the same group of persons, and within the same building, to use in common for a marijuana or marijuana product storage area if (1) the marijuana or marijuana product is properly accounted for in the marijuana establishment's inventory tracking system required under 3 AAC 306.730; (2) the marijuana or marijuana product is expressly identified as inventory of the appropriate marijuana establishment to which the marijuana or marijuana product belongs; and (3) the area is in compliance with this section and any other provision of this chapter that applies to restricted access areas, including video surveillance as required under 3 AAC 306.720 and restricted access area provisions specific to the license type to which the marijuana or marijuana product belongs.

306.305C (1) conduct any marijuana cultivation operation in a room separate from any other operation and the retail marijuana store, and shall conduct any marijuana product manufacturing operation in a room separate from any other operation and the retail marijuana store; if the rooms are connected and co-located, a secure door must separate the rooms from each other; a secure door must separate any room connected to and co-located with the retail marijuana store; and

306.405b(1) conduct any product manufacturing operation in a room separate from any other operation and the marijuana cultivation facility, and shall conduct any retail marijuana store operation in a room separate from any other operation and the marijuana cultivation facility; if the rooms are connected and co-located, a secure door must separate the rooms from each other; a secure door must separate any room connected to and co-located with the marijuana cultivation facility; and

306.505b(1) conduct any marijuana cultivation operation in a room separate from any other operation and the marijuana product manufacturing facility, and shall conduct any retail marijuana store operation in a room separate from any other operation and the marijuana product manufacturing facility; if the rooms are connected and co-located, a secure door must separate the rooms from each other; a secure door must separate any room connected to and co-located with the marijuana product manufacturing facility; and

Thank you for your consideration,

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Alaska Marijuana Industry Association member