



MEMORANDUM

TO: Marijuana Control Board DATE: January 22, 2024

FROM: Kristina Serezhenkov, Regulations RE: Regulations: Plant Height
Specialist

This project was opened at the June 2023 Board meeting and was in discussion at several subsequent Board meetings. At the November 2023 Board meeting the project was clarified to focus on a proposed change to plant height for inventory tracking purposes. The attached regulations draft is for board discussion. It proposes to amend:

3 AAC 306.435(a) Marijuana inventory tracking system.

The height at which a marijuana cultivation facility shall assign a tracking number to a marijuana plant is increased from eight inches tall to eighteen inches tall.

Options for the board:

- Move to approve and send to Law for initial review and (with Law's approval) subsequent public comment
- Move to amend and then send to Law for initial review and (with Law's approval) subsequent public comment
- Move to send back to staff for more work
- Close the regulations project

Register _____, _____ 2024 COMMERCE, COMMUNITY, AND EC. DEV.

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

3 AAC 306.435(a) is amended to read:

Commented [KRS1]: 3 AAC 306.435. Marijuana inventory tracking system

(a) A marijuana cultivation facility shall use a marijuana inventory tracking system in compliance with 3 AAC 306.730 to ensure all marijuana propagated, grown, or cultivated on the marijuana cultivation facility's premises is identified and tracked from the time the marijuana is propagated through transfer to another licensed marijuana establishment, including when marijuana or marijuana product is relocated to the new licensed premises in the case of a transfer of a marijuana establishment license to another location approved by the board, or destruction. The marijuana cultivation facility shall assign a tracking number to each plant over **18 [EIGHT]** inches tall and each package of marijuana to be transferred to another facility. A package of marijuana may not exceed 10 pounds. The marijuana cultivation facility shall also assign a plant batch name or number to each batch of clones or cuttings. A batch may not consist of more than 50 clones or cuttings.

(Eff. 2/21/2016, Register 217; am 03/13/2020, Register 233; am 1/22/2023, Register 245; 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 17.28.121