

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

Not a draft but a presentation of information.

Short description: This proposed project touches on adding or updating definitions with a focus on ‘non-flowering’ and ‘immature’ though related definitions of ‘flowering’ and ‘mature’ are included. The project seeks to better align definitions with technical terminology (inflorescence, trichomes) and industry processes and to provide clarity.

At the last meeting board asked staff to relisten to the prior meeting recording of the conversation related to line item 26 to remind and provide clarity to the board of the discussion on clearly defining non-flowering. This discussion is transcribed in part and summarized in part below. Line 76 is added to this project as it seeks to refine the definition of ‘immature’ and is a related topic.

2.5.26 MCB mtg. comment 20.57 timestamp 5 hrs 39-40 minutes in. (current line item 76)
[Zoom Link Day 2](#) Passcode: 76189252

Bailey Stuart: “So, immature means a marijuana plant 18 inches or less in height with no visible crystals, buds, flowers, and in which the exposure to light is scheduled with the intent to prevent formation of crystals, buds, or flowers. Buds or flower inflorescence is the technical term. Crystals should be trichomed, so there’s some corrections with .990.....(a) excuse me B4, that could be corrected. If we’re going to be going through this kind of like rewrite. Unless the board disagrees. Then use correct terminology and get it corrected.”

At this point, conversation moves to total THC definition in .990 and controlling interest issues and does not return to this topic.

2. 9.26 MCB mtg. timestamp 36 minutes in. (current line item 26)
[Zoom Link](#) Passcode 84257566

Bailey Stuart reads the comment out loud; ‘the last portion of this comment is to amend definition of flowering and non-flowering to reduce redundant and conflicting information.’ She comments she is not sure what the issue is and asks staff for information. Looking at definitions in 306.900. Lacy Wilcox comments that maybe it is defined differently in different places. Bailey Stuart reads out the definition of ‘flowering’ while commenting that the language should be changed. Jane Sawyer opines that the issue might be because we don’t have a definition of ‘non-flowering’ and this it is only cited one time in the regulations. Bailey Stuart says she considers our definition of non-flowering to be ‘mature’. Lacy Wilcox, for the non-flowering definition opines that ‘for the purpose of enforcement could mean mothers, veg plants, clones, cuttings. And the only thing flowering is what’s in the flowering room making buds. Everything else is technically non-flowering.’ Lacy Wilcox asks Joe Bankowski and he agrees that ‘it is more all-encompassing, like Ms. Wilcox stated’.

The discussion continues and touches on DOR's definitions of 'flowering'. Bailey Stuart summarizes and states she is not seeing anything that needs to be amended currently. She sees no other further deliberation and moves to next topic.

Staff seeks guidance on what wording the board wishes to use for refining definitions and if the board wishes to pursue line item 26 or not? How does this project need to move forward?

Presented for board consideration are the current definitions in 3 AAC 306 for **flowering, immature, mature, and "bud and flower"** as well as definitions from the Department of Revenue. The board had asked for some comparison with DOR's definitions.

As noted at the 2/9/2026 MCB special meeting. There is no current definition for 'non-flowering' in marijuana regulations.

Line Items 26, 76

Cites found with 'flowering' and 'non-flowering' referenced are listed here:

AS 17.38.020 Personal use of marijuana references **mature, flowering plants** together. Immature also referenced in this section. No definitions for flowering, immature, or mature are found in marijuana statute in the definitions section- this is only in regulations.

3 AAC 306.405(a)(9)(A) Standard marijuana cultivation facility: privileges and prohibited acts references **mature, non-flowering plants used as mother plants** together.

3 AAC 306.435(a)(2) Marijuana inventory tracking system requires a tracking number to each plant that is either **mature or flowering**.

3 AAC 306.990. Definitions.

(a) In AS 17.38 and this chapter,

(3) **"flowering"** means a marijuana plant that has visible crystals, buds, or flowers, or for which the exposure to light is scheduled with the intent to produce crystals, buds, or flowers;

(4) **"immature"** means a marijuana plant 18 inches or less in height with no visible crystals, buds, or flowers, and in which the exposure to light is scheduled with the intent to prevent formation of crystals, buds, or flowers;

- (6) "mature" means a marijuana plant over 18 inches in height;

(b) In this chapter, unless the context requires otherwise,

(4) "bud and flower" means the hairy, sticky, or crystal-covered parts of mature female marijuana plants generally harvested for their high potency content;

15 AAC 61.990 Department of Revenue -Definitions:

DOR classifies non-exempt marijuana to be taxed into five categories (see 15 AAC 61.100), **mature bud, immature bud, abnormal bud, remainder of the plant, and clones** and defines each of the five categories as follows: (flowering is not one of the five categories, but is included in the definitions below)

- (11) "abnormal bud" means a flower formed on a flowering marijuana plant, and consists of calyx, pistils, resin, and trichomes, that also
- (A) failed a microbial testing required by 3 AAC 306.645(b); or
 - (B) contains observable seeds;
- (12) "clones" has the meaning given in 3 AAC 306.990(b);
- (13) "flowering" has the meaning given in 3 AAC 306.990(a);
- (14) "immature bud" means an immature flower formed on a flowering marijuana plant, and consists of calyx, pistils, resin, and trichomes that generally;
- (A) appear loose, wispy, or leafy; and
 - (B) are not dense to sight or touch;
- (15) "mature bud" means a mature flower formed on a flowering marijuana plant, and consists of calyx, pistils, resin, and trichomes that are generally
- (A) swelled with resin;
 - (B) dense to sight and touch; and
 - (C) visibly covered in trichomes;
- (16) "remainder of the plant" means any part of a flowering marijuana plant not included in (11), (14), or (15) of this section.

Example pulled from research on the definition of 'immature plant':

"Immature plant" or "Immature cannabis plant" means a living specimen of the genus *Cannabis* that is in a vegetative stage of development, is maintained under a light regimen that suppresses flowering, and completely lacks any visible, observable, or developing cannabis inflorescence. For the purposes of tracking, inventory control, and plant-count limitations, a specimen ceases to be an immature cannabis plant and shall be reclassified as a mature cannabis plant immediately upon the physical emergence of any portion of an inflorescence, including any cluster of pistillate flowers, budding structures, or dense floral groupings at any nodal intersection.