

# Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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# **MEMORANDUM**

TO: Marijuana Control Board

DATE: September 4, 2024

FROM: Kristina Serezhenkov, Regulations

Specialist

RE: Flowering Plants Tracking

Requirement

This project was opened at the June 2024 Board meeting. The attached regulations draft is for board discussion. It proposes to amend:

### 3 AAC 306.435(a)(2)(A). Marijuana inventory tracking system.

This is amended to allow a plant that is flowering but also under 18 inches to be assigned a tracking number.

## 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
- Table the regulations project
- Close the regulations project

Register	_, 2024	COMMER	CE, COMMUNITY, AND EC. DEV.
(Words in <b>boldface and underlined</b> indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)			
3 A A C 306 4	35(a)(2)(A) is amended to	read:	
3 AAC 306.435(a)(2)(A) is amended to read:			
(a) A marijuana cultivation facility shall			
***			
(2) assign a tracking number to each			
(A) plant that is			
(i) over 18 inches tall; or [AND]			
(ii) 18 inches tall and under if the plant is flowering; and			
(B) package of marijuana to be transferred to another facility; a package of			
marijuana may not exceed 10 pounds;			
(Eff. 2/21/2016, Register 217; am 03/13/2020, Register 233; am 1/22/2023, Register 245; am			
8/16/2024 Register 251; am/, Register)			
Authority:	AS 17.38.010 AS	S 17.38.150	AS 17.38.200
	AS 17.38.070 AS	S 17.38.190	AS 17.38.900
	AS 17.38.121		

#### Commented [KRS1]: NOTES:

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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 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;