

AMENDMENT

OFFERED IN THE HOUSE  
TO: CSHB 123(L&C)

BY REPRESENTATIVE KELLER

1 Page 4, lines 14 - 17:

2 Delete "The board shall control the cultivation, manufacture, possession, and sale of  
3 marijuana in the state. The board is vested with the powers and duties necessary to enforce  
4 this chapter.

5 (b)"

6

7 Reletter the following subsections accordingly.

8

9 Page 4, line 18:

10 Delete all material.

11

12 Renumber the following paragraphs accordingly.

13

14 Page 6, following line 10:

15 Insert new bill sections to read:

16 "\* **Sec. 4.** AS 17.38.090 is amended to read:

17 **Sec. 17.38.090. Rulemaking.** (a) Not later than nine months after February 24,  
18 2015, the board shall adopt regulations necessary for implementation of this chapter.  
19 **The** [SUCH] regulations **may** [SHALL] not prohibit the operation of marijuana  
20 establishments, either expressly or through regulations that make their operation  
21 unreasonably impracticable. **The** [SUCH] regulations **must** [SHALL] include

22 (1) procedures for the issuance, **denial**, renewal, suspension, and  
23 revocation of a registration to operate a marijuana establishment; **the** [, WITH SUCH]

1 procedures are subject to all requirements of AS 44.62 (Administrative Procedure  
2 Act);

3 (2) a schedule of application, registration, [AND] renewal, and other  
4 fees [PROVIDED, APPLICATION FEES SHALL NOT EXCEED \$5,000, WITH  
5 THIS UPPER LIMIT ADJUSTED ANNUALLY FOR INFLATION, UNLESS THE  
6 BOARD DETERMINES A GREATER FEE IS NECESSARY TO CARRY OUT ITS  
7 RESPONSIBILITIES UNDER THIS CHAPTER];

8 (3) qualifications for registration that are directly and demonstrably  
9 related to the operation of a marijuana establishment;

10 (4) security requirements for marijuana establishments, including for  
11 the transportation of marijuana by marijuana establishments;

12 (5) requirements to prevent the sale or diversion of marijuana and  
13 marijuana products to persons under [THE AGE OF] 21 years of age;

14 (6) labeling requirements for marijuana and marijuana products sold or  
15 distributed by a marijuana establishment;

16 (7) health and safety regulations and standards for the manufacture of  
17 marijuana products and the cultivation of marijuana;

18 (8) [REASONABLE] restrictions on the advertising and display of  
19 marijuana and marijuana products; the regulations regarding advertising must  
20 prohibit advertising marijuana or marijuana products on or near the registered  
21 premises; [AND]

22 (9) civil penalties for the failure to comply with regulations made  
23 under [PURSUANT TO] this chapter;

24 (10) prohibitions on the manufacture of a marijuana hybrid;

25 (11) prohibitions on adulterated marijuana and marijuana  
26 products;

27 (12) requirements relating to the qualifications of registrants, the  
28 conditions upon which a registration may be issued, the accommodations of  
29 registered premises, and board inspection of those premises;

30 (13) the making of reports by marijuana establishments;

31 (14) purchase of fidelity bonds by the state for the director and the

1 employees of the board;

2 (15) required reports from corporations registered under this  
3 chapter, including reports of stock ownership and transfers and changes of  
4 officers and directors;

5 (16) creation of classifications of registration not provided for in  
6 this chapter;

7 (17) required reports from partnerships and limited partnerships  
8 registered under this chapter, including reports of transferred interests of 10  
9 percent or more;

10 (18) required reports from limited liability organizations  
11 registered under this chapter, including reports of the transfer of a member's  
12 interest if the transfer equals 10 percent or more of the ownership of the limited  
13 liability organization and any change of managers.

14 (b) In order to ensure that individual privacy is protected, the board may  
15 [SHALL] not require a consumer to provide a retail marijuana store with personal  
16 information other than government-issued identification to determine the consumer's  
17 age, and a retail marijuana store may [SHALL] not be required to acquire and record  
18 personal information about consumers."

19

20 Renumber the following bill sections accordingly.