

AMENDMENT

#1

RUFFRIDGE

OFFERED IN THE HOUSE

TO: CSHB 119(L&C), Draft Version "B"

1 Page 1, following line 9:

2 Insert a new bill section to read:

3 **** Sec. 2.** AS 43.61.010(b) is amended to read:

4 (b) The department may exempt certain parts of the marijuana plant from the
5 excise tax described in (a) of this section or may establish a rate lower than \$12.50-an
6 [\$50 PER] ounce for certain parts of the marijuana plant."
7

8 Renumber the following bill sections accordingly.
9

10 Page 2, line 8, through page 3, line 10:

11 Delete all material.
12

13 Renumber the following bill sections accordingly.
14

15 Page 3, line 13:

16 Delete "applies"

17 Insert "and AS 43.61.010(b), as amended by sec. 2 of this Act, apply"
18

19 Page 3, line 14:

20 Delete "sec. 1"

21 Insert "secs. 1 and 2"
22

23 Page 3, line 15:

1 Delete all material.

2

3 Renumber the following bill section accordingly.

4

5 Page 3, line 16:

6 Delete "Except as provided in sec. 9 of this Act, this"

7 Insert "This"

AMENDMENT #2

OFFERED IN THE HOUSE

BY REPRESENTATIVE CARRICK

TO: CSHB 119(L&C), Draft Version "B"

1 Page 2, line 14:

2 Delete "Monthly statement"

3 Insert "Quarterly statements [MONTHLY STATEMENT]"

4

5 Page 2, line 16:

6 Delete "calendar month"

7 Insert "quarter [CALENDAR MONTH]"

8

9 Page 2, line 20:

10 Delete "month"

11 Insert "quarter [MONTH]"

12

13 Page 2, line 28:

14 Delete "monthly"

15 Insert "quarterly [MONTHLY]"

16

17 Page 2, line 30:

18 Delete "month"

19 Insert "quarter [MONTH]"

20 Delete "monthly"

21 Insert "quarterly [MONTHLY]"

22

23 Page 2, line 31:

- 1 Delete "month" in both places
- 2 Insert "quarter [MONTH]" in both places

AMENDMENT #3

OFFERED IN THE HOUSE

BY REPRESENTATIVE CARRICK

TO: CSHB 119(L&C), Draft Version "B"

- 1 Page 2, line 10:
- 2 Delete "10"
- 3 Insert "six"

AMENDMENT #4

OFFERED IN THE HOUSE

BY REPRESENTATIVE CARRICK

TO: CSHB 119(L&C), Draft Version "B"

1 Page 1, line 1, following "Act":

2 Insert "**relating to marijuana cultivation;**"

3

4 Page 1, following line 2:

5 Insert a new bill section to read:

6 **** Section 1.** AS 17.38 is amended by adding a new section to read:

7 **Sec. 17.38.075. Marijuana inventory tracking at marijuana cultivation**
8 **facilities.** A marijuana cultivation facility shall assign a tracking number to each crop
9 of marijuana plants when the height of one or more plants exceeds eight inches. The
10 board may not require a marijuana cultivation facility to assign an individual tracking
11 number to each plant propagated, grown, or cultivated on the marijuana cultivation
12 facility's premises."

13

14 Page 1, line 3:

15 Delete "**Section 1**"

16 Insert "**Sec. 2**"

17

18 Renumber the following bill sections accordingly.

19

20 Page 3, line 13:

21 Delete "sec. 1"

22 Insert "sec. 2"

23

1 Page 3, line 14:

2 Delete "sec. 1"

3 Insert "sec. 2"

4

5 Page 3, line 15:

6 Delete "Sections 3 - 5"

7 Insert "Sections 4 - 6"

8

9 Page 3, line 16:

10 Delete "sec. 9"

11 Insert "sec. 10"

AMENDMENT #5

OFFERED IN THE HOUSE

BY REPRESENTATIVE CARRICK

TO: CSHB 119(L&C), Draft Version "B"

1 Page 1, line 1, following "Act":

2 Insert "relating to the lawful operation of retail marijuana stores;"

3

4 Page 1, following line 2:

5 Insert new bill sections to read:

6 **** Section 1.** AS 17.38.070(a) is amended to read:

7 (a) Notwithstanding any other provision of law, the following acts, when
8 performed by a retail marijuana store with a current, valid registration, or a person 21
9 years of age or older who is acting in the person's capacity as an owner, employee, or
10 agent of a retail marijuana store, are lawful and are not an offense under state law or a
11 basis for seizure or forfeiture of assets under state law:

12 (1) possessing, displaying, storing, or transporting marijuana or
13 marijuana products, except that marijuana and marijuana products may not be
14 displayed in a manner that is visible to the general public from a public right-of-way;

15 (2) delivering or transferring marijuana or marijuana products to a
16 marijuana testing facility;

17 (3) receiving marijuana or marijuana products from a marijuana testing
18 facility;

19 (4) purchasing marijuana from a marijuana cultivation facility;

20 (5) purchasing marijuana or marijuana products from a marijuana
21 product manufacturing facility; and

22 (6) delivering, distributing, or selling marijuana or marijuana products
23 to a consumer, a marijuana cultivation facility, or a marijuana product

1 **manufacturing facility** [CONSUMERS].

2 * **Sec. 2.** AS 17.38.900(18) is amended to read:

3 (18) "retail marijuana store" means an entity registered to purchase
4 marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana
5 products from marijuana product manufacturing facilities, and to sell marijuana and
6 marijuana products to consumers, **marijuana cultivation facilities, and marijuana**
7 **product manufacturing facilities;**"

8

9 Page 1, line 3:

10 Delete "**Section 1**"

11 Insert "**Sec. 3**"

12

13 Renumber the following bill sections accordingly.

14

15 Page 3, line 13:

16 Delete "sec. 1"

17 Insert "sec. 3"

18

19 Page 3, line 14:

20 Delete "sec. 1"

21 Insert "sec. 3"

22

23 Page 3, line 15:

24 Delete "Sections 3 - 5"

25 Insert "Sections 5 - 7"

26

27 Page 3, line 16:

28 Delete "sec. 9"

29 Insert "sec. 11"

AMENDMENT

#6

OFFERED IN THE HOUSE

BY REPRESENTATIVE CARRICK

TO: CSHB 119(L&C), Draft Version "B"

- 1 Page 2, line 10:
- 2 Delete "10"
- 3 Insert "four"

AMENDMENT #7

OFFERED IN THE HOUSE

BY REPRESENTATIVE CARRICK

TO: CSHB 119(L&C), Draft Version "B"

1 Page 1, line 1, following "taxes;":

2 Insert "relating to the duties of the Department of Revenue;"

3

4 Page 3, following line 8:

5 Insert a new bill section to read:

6 "** Sec. 6. AS 44.25.020 is amended to read:

7 **Sec. 44.25.020. Duties of department.** The Department of Revenue shall

8 (1) enforce the tax laws of the state;

9 (2) collect, account for, have custody of, invest, and manage all state
10 funds and all revenues of the state except revenues incidental to a program of licensing
11 and regulation carried on by another state department, funds managed and invested by
12 the Alaska Retirement Management Board, and as otherwise provided by law;

13 (3) invest and manage the balance of the power development fund in
14 accordance with AS 44.83.386;

15 (4) administer the surety bond program for licensure as a fish
16 processor or primary fish buyer;

17 (5) establish at least one facility in each judicial district to collect
18 monthly statements and payments from retail marijuana stores under
19 AS 43.61.020."

20

21 Renumber the following bill sections accordingly.

22

23 Page 3, line 15:

1 Delete "Sections 3 - 5"

2 Insert "Sections 3 - 6"

3

4 Page 3, line 16:

5 Delete "sec. 9"

6 Insert "sec. 10"

AMENDMENT #8

OFFERED IN THE HOUSE

BY REPRESENTATIVE PRAX

TO: CSHB 119(L&C), Draft Version "B"

1 Page 1, line 10, through page 2, line 7:

2 Delete all material.

3

4 Renumber the following bill sections accordingly.

5

6 Page 3, line 9:

7 Delete "AS 43.61.010(b) is"

8 Insert "AS 43.61.010(b) - (f) and AS 44.29.020(a)(14) are"

9

10 Page 3, line 15:

11 Delete "Sections 3 - 5"

12 Insert "Sections 2 - 4"

13

14 Page 3, line 16:

15 Delete "sec. 9"

16 Insert "sec. 8"

AMENDMENT #9

OFFERED IN THE HOUSE

BY REPRESENTATIVE PRAX

TO: CSHB 119(L&C), Draft Version "B"

1 Page 1, line 10, through page 2, line 7:

2 Delete all material and insert:

3 **** Sec. 2.** AS 43.61.010(f) is amended to read:

4 (f) The marijuana education and treatment fund is established in the general
5 fund. In addition to the accounting under (c) of this section, the Department of
6 Administration shall separately account for 25 percent of the tax collected under this
7 section and deposit it into the marijuana education and treatment fund. The
8 Department of Administration shall deposit interest earned on the fund into the general
9 fund. Money in the fund does not lapse. [THE LEGISLATURE MAY USE THE
10 ANNUAL ESTIMATED BALANCE IN THE FUND TO MAKE
11 APPROPRIATIONS TO THE DEPARTMENT OF HEALTH FOR THE
12 COMPREHENSIVE MARIJUANA USE EDUCATION AND TREATMENT
13 PROGRAM ESTABLISHED UNDER AS 44.29.020(a)(14).]"

AMENDMENT # 10

OFFERED IN THE HOUSE

BY REPRESENTATIVE CARRICK

TO: CSHB 119(L&C), Draft Version "B"

1 Page 1, line 1, following "Act":

2 Insert "**relating to the registration of marijuana establishments;**"

3

4 Page 1, following line 2:

5 Insert new bill sections to read:

6 **** Section 1.** AS 17.38.200(a) is amended to read:

7 (a) Each application or renewal application for a registration to operate a
8 marijuana establishment shall be submitted to the board. A renewal application may be
9 submitted up to 90 days before the expiration of the marijuana establishment's
10 registration. When filing an application for a new registration under this subsection,
11 the applicant shall submit the applicant's fingerprints and the fees required by the
12 Department of Public Safety under AS 12.62.160 for criminal justice information and
13 a national criminal history record check. When filing an application for renewal of
14 registration, an applicant shall submit the applicant's fingerprints and the fees required
15 by the Department of Public Safety under AS 12.62.160 for criminal justice
16 information and a national criminal history record check every six [FIVE] years. The
17 board shall forward the fingerprints and fees to the Department of Public Safety to
18 obtain a report of criminal justice information under AS 12.62 and a national criminal
19 history record check under AS 12.62.400.

20 *** Sec. 2.** AS 17.38.200(d) is amended to read:

21 (d) Within 45 to 90 days after receiving an application or renewal application,
22 the board shall issue a biennial [AN ANNUAL] registration to the applicant unless
23 the board finds the applicant is not in compliance with regulations enacted under

1 [PURSUANT TO] AS 17.38.190 or the board is notified by the relevant local
2 government that the applicant is not in compliance with ordinances and regulations
3 made under [PURSUANT TO] AS 17.38.210 and in effect at the time of application.

4 * **Sec. 3.** AS 17.38.210(e) is amended to read:

5 (e) A local government may establish a schedule of biennial [ANNUAL]
6 operating, registration, and application fees for marijuana establishments, provided
7 that the local government may charge the

8 (1) application fee only if an application is submitted to the local
9 government in accordance with (f) of this section; and

10 (2) registration fee only if a registration is issued by the local
11 government in accordance with (f) of this section.

12 * **Sec. 4.** AS 17.38.210(f) is amended to read:

13 (f) If the board does not issue a registration to an applicant within 90 days
14 after receiving [OF RECEIPT OF] the application filed in accordance with
15 AS 17.38.200 and does not notify the applicant of the specific, permissible reason for
16 its denial, in writing and within that [SUCH] time period, or if the board has adopted
17 regulations under [PURSUANT TO] AS 17.38.190 and has accepted applications
18 under [PURSUANT TO] AS 17.38.200 but has not issued any registrations by 15
19 months after February 24, 2015, the applicant may resubmit its application directly to
20 the local regulatory authority, under [PURSUANT TO] (c) of this section, and the
21 local regulatory authority may issue a biennial [AN ANNUAL] registration to the
22 applicant. If an application is submitted to a local regulatory authority under this
23 subsection, the board shall forward to the local regulatory authority the application fee
24 paid by the applicant to the board upon request by the local regulatory authority.

25 * **Sec. 5.** AS 17.38.210(h) is amended to read:

26 (h) A local regulatory authority issuing a registration to an applicant shall do
27 so within 90 days after receiving [OF RECEIPT OF] the submitted or resubmitted
28 application unless the local regulatory authority finds and notifies the applicant that
29 the applicant is not in compliance with ordinances and regulations made under
30 [PURSUANT TO] (b) of this section in effect at the time the application is submitted
31 to the local regulatory authority. The local government shall notify the board if a

1 **biennial** [AN ANNUAL] registration has been issued to the applicant.

2 * **Sec. 6.** AS 17.38.210(j) is amended to read:

3 (j) A subsequent or renewed registration may be issued under (f) of this
4 section on **a biennial** [AN ANNUAL] basis only upon resubmission to the local
5 government of a new application submitted to the board **under** [PURSUANT TO]
6 AS 17.38.200.

7 * **Sec. 7.** AS 17.38.320 is amended to read:

8 **Sec. 17.38.320. Effect on registrations of prohibition of marijuana**
9 **establishments.** If a majority of voters vote to prohibit the operation of marijuana
10 establishments under AS 17.38.300, the board may not issue, renew, or transfer,
11 between persons or locations, a registration for a marijuana establishment located
12 within the perimeter of the established village. A registration that may not be renewed
13 because of a local option election held under AS 17.38.300 is void 90 days after the
14 results of the election are certified. A registration that expires during the 90 days after
15 the results of a local option election are certified may be extended, until it is void
16 under this section, by payment of a prorated portion of the **biennial** [ANNUAL]
17 registration fee."

18

19 Page 1, line 3:

20 Delete "**Section 1**"

21 Insert "**Sec. 8**"

22

23 Renumber the following bill sections accordingly.

24

25 Page 3, line 13:

26 Delete "sec. 1"

27 Insert "sec. 8"

28

29 Page 3, line 14:

30 Delete "sec. 1"

31 Insert "sec. 8"

1

2 Page 3, line 15:

3 Delete "Sections 3 - 5"

4 Insert "Sections 10 - 12"

5

6 Page 3, line 16:

7 Delete "sec. 9"

8 Insert "sec. 16"