AMIA Takes Proactive Approach to COVID-19

March 18, 2020 – The Alaska Marijuana Industry Association reached out to Governor Dunleavy and other state leaders to express our concerns about rumored restrictions or mandated closures of marijuana businesses.

The AMIA urges the governor and his team to consider restrictions on the number of people allowed in a retail at one time as an alternative to a shutdown of the industry. The closure of legal cannabis businesses will certainly drive consumers to the unregulated market.

Additionally, our industry will likely not benefit from efforts to assist small businesses because of our federal status. Since relief is not available to cannabis businesses, it is even more important to find solutions that keep employees and the public safe, while avoiding an industry shutdown.

The AMIA has prepared the attached Best Practices document, which in no way is all encompassing or to be taken as sole guidance or legal advice. It is to serve as a starting point for behaviors that are shown to mitigate risk.

The AMIA welcomes feedback from licensees as it works to be transparent with the industry and engaged with policymakers.

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Contact: Lacy Wilcox, 907-419-0961
March 18, 2020

The Honorable Michael Dunleavy, Governor
State of Alaska
Alaska State Capitol Building, Third Floor
Juneau, AK 99801

Via email: angela.hull@alaska.gov

Dear Governor Dunleavy:

The Alaska Marijuana Industry Association (AMIA) respectfully asks that you consider our thoughts and concerns as you make important decisions about our industry in this time of crisis.

The Alaska Marijuana Industry is an industry that is entirely owned by Alaskan citizens. This industry is made up of families and community members who want nothing more than to do our part to keep our neighbors safe and assist in stemming the curve of this pandemic. We do understand that restrictions are likely forthcoming and would like to offer ideas for your consideration that we believe would serve the public health while also providing a service and goods that are tested and regulated in order to provide safe access to marijuana/marijuana products. Without access to safe, tested, and taxed marijuana and marijuana products, consumers will look to the unregulated and unlicensed market. We feel this would be contrary to public health and safety.

Unlike any other industry, the Marijuana Industry is supplied from instate producers, no marijuana products are shipped into the State for sale at marijuana licensed retail establishments. Therefore, given that, marijuana cultivation and manufacturing companies are already not open to the public and are operating voluntarily at reduced/essential staff, guidance that affirms this practice would be welcomed. Many of our licensees are instructing any staff that have traveled in the last two weeks to stay home and self-quarantine. Our licensees are creating workstation bubbles, meaning that no other employee comes within six feet of another staff members workstation bubble. Conveniently, many cultivation and manufacturing establishments, as normal daily protocol, already require staff members to wear personal protective gear like goggles, foot booties, and hazmat suits to limit any contamination to the plants or marijuana products.

Marijuana retailers statewide are implementing smart approaches to dealing with the public such as restrictions on the number of customers inside an establishment at one time, the ability to place your order ahead of pickup to expedite shopping and limit in person contact. Retailers are also doing simple things like putting taped lines six feet apart for where customers stand in line to be rung up – this gives customers a clear physical indication of how far away they need to stand from the next customer in line. Guidance that mirrors the practices that many are putting in place would be welcome. We would suggest a 5-6 customer at a time limit for retailers. We would caution against condensing our open hours to not compress people into rushes, as that would only increase person to person contact. We would however support a separate shopping window for more vulnerable or elderly customers.
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We understand that Alaska is a recreational market by name but the reality is so many consumers purchase marijuana and marijuana products for medical purposes, these products are essential to many Alaskans health and well being. The simple fact is many Alaskans use cannabis as medicine and since we have no medical market structure simply shutting our businesses down will without a doubt drive people to the black/unregulated market, who in a state of heightened anxiety, more than ever, need their relief. We do not want to drive these responsible Alaskan consumers to the illicit market where often cannabis can be delivered to your doorstep with no precautions against the spread of the virus, nor any testing as required by our state’s regulatory regime. We would be thrilled to work with the state on emergency regulations that would provide for rules around retail curbside pickup or even perhaps an option for delivery, which can be done more safely with the regulated businesses then those who operate in the shadows of the black market.

We also are going to be among, if not the sole, Alaskan Industry that will be hard pressed to find federal governmental relief in the form of loans deferment, tax deferment, or small business assistance because of our federal status, we simply don’t qualify for most financial support. Making the thought of mandatory full closure even more frightening to the economic recoverability of our small businesses.

Please let us know if you would like to discuss further. Thank you for your consideration. And bless you and your family, may you all be safe so that you may continue to lead us through this.

Respectfully submitted on behalf of the AMIA Board,

Lacy Wilcox, President  
Alaska Marijuana Industry Association  

cc’d Via Email: Ben Stevens, Chief of Staff, Office of the Governor  
Angela Hull, Constituent Relations Director, Office of the Governor  
Julie Anderson, Commissioner, Department of Commerce, Community & Economic Development (DCCED)  
Amy Demboski, Assistant Commissioner, DCCED  
Glen Klinkhart, Director, Alcohol Marijuana Control Office, DCCED  
Senator Cathy Giessel, President of the Senate  
Representative Bryce Edgmon, Speaker of the House
ATTENTION MARIJUANA LICENSEES:  
THE AMIA OFFERS SOME COVID-19 EXPOSURE MITIGATION ADVICE TO INDUSTRY

BECAUSE OF THE CONTINUED SPREAD OF THE CORONA VIRUS AND IN MITIGATION OF POTENTIAL EXPOSURES TO OUR INDUSTRY, EMPLOYEES, AND CUSTOMERS – THE AMIA HAS COMPILED THE FOLLOWING LIST OF RISK MITIGATION MEASURES THAT ARE PRUDENT AND RESPONSIBLE FOR MARIJUANA BUSINESSES IN ALASKA. THIS LIST IS OFFERED AS GENERAL GUIDANCE AND BEST PRACTICE.

◦ Know where to find accurate State, Federal, and Local information.
◦ Know the signs and symptoms of COVID-19
◦ Require hand washing regularly at least every hour.
◦ Clean and disinfect all regularly touched surfaces routinely including menus, points of sale, ATM’s, vending machines, Door handles, etc.
◦ Designate an employee or officer who is responsible for establishing and implementing social distancing and sanitation measures established by the United States Centers for Disease Control.
◦ Implement social distancing measures including increasing physical space between employees, and customers, staggering work schedules, and minimizing face to face meetings.
◦ Maintain stock and inventory on all critical cleaning and disinfecting supplies.
◦ Encourage leave and work telework policies where feasible
◦ Require employees to stay at home if they are sick and to notify employers if anyone in their immediate family or household is sick.
◦ Require employees to take temperature daily before start of shift, Restricting work to any employee who is running a fever in excess of 100°F
◦ Limiting the number of customers allowed in the retail stores at any given time to 5.
◦ Remove any products that are touched or accessible to customers where feasible.
◦ Remove any products / discontinue practices that are intended for sniffing marijuana.
◦ Limit or cancel any non-essential travel plans that include travel outside the State of Alaska
◦ Plan and limit non-essential travel inside the State where feasible.
◦ Cancel or decline participation in trade shows or group events happening within the next three months.
◦ Limit sales or promotions that would increase the likelihood of customer density in retail stores.
◦ Limit or cancel any work gatherings or work parties.
◦ Retail stores to promote customers calling in orders or utilizing online ordering platforms to facilitate speedy transactions that limit the customers time spent in store.
◦ Require 7-day quarantine for any employees that have recently traveled from the lower 48 or abroad.
◦ Discuss with and notify AMCO of any operational changes or requested operation plan changes as a result of these COVID-19 mitigation measures.
◦ Carry gloves, hand sanitizer and N-95 masks while making deliveries.
◦ Ensure proper Personal Protective Equipment (PPE) is available for all employees, ensure that it is utilized and well maintained.
◦ Limit access to workplace locations to only essential personnel. No unnecessary or social visitors.
◦ While traveling or transporting, pack lunch and water to minimize the need for interaction with others.
◦ After travel or working shift, decontaminate, shower, and wash clothing in hot water.

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This is not legal or regulatory advice, only suggested best practices.