

Byron Mallott
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520 465.5400 Fax
WWW.LTGOV.ALASKA.GOV



530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460 269.0263
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Micaela Fowler
Commerce, Community, and Economic Development

FROM: Scott Meriwether, Office of the Lieutenant Governor
465.4081

A handwritten signature in blue ink, likely belonging to Scott Meriwether.

DATE: June 27, 2017

RE: Filed Permanent Regulations: Marijuana Control Board

Marijuana Control Board update to regulations regarding the effect on licenses of a restriction on the sale of marijuana and marijuana products or the operation of marijuana establishments (3 AAC 306.250)

Attorney General File:	JU2016200838
Regulation Filed:	6/27/2017
Effective Date:	7/27/2017
Print:	223, October 2017

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE ALCOHOL & MARIJUANA CONTROL OFFICE

The attached single page of regulations, dealing with the effect on licenses of restriction on sale is certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its April 5, 2017, meeting, under the authority of AS 17.38.121 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Marijuana Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor as provided in AS 44.62.180.

Date: May 3, 2017

Erika McConnell
Erika McConnell, Director

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on June 27, 2017 at 1045A .m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Byron Mallott
Lieutenant Governor

Effective: July 27, 2017

Register: 223, OCTOBER 2017

Register 223, OCTOBER 2017 COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

3 AAC 306.250 is amended to read:

*it use a
0.5" tab, or
rather
than
a 0.25"
tab ///*

3 AAC 306.250. Effect on licenses of restriction on sale. (a) If a majority of the voters vote under 3 AAC 306.200(a) to prohibit sale of marijuana and marijuana products or the operation of marijuana establishments, or if the assembly or city council passes an ordinance to the same effect, the board will not issue, renew, or transfer to another person a license for a marijuana establishment with premises located within the boundary of the local government [OR IN THE UNINCORPORATED AREA WITHIN 10 MILES OF THE BOUNDARIES OF THE LOCAL GOVERNMENT].

(b) A license for a marijuana establishment within the boundary of the local government [OR IN THE UNINCORPORATED AREA WITHIN 10 MILES OF THE BOUNDARY OF THE LOCAL GOVERNMENT] is void 90 days after the results of the election are certified, or after the effective date of an ordinance to the same effect if the local government opted out by ordinance.

*(it bolds and
underlines
the comma) ///*

(c) A license that expires during the 90 days after the certification of a local option election, or during the period of time between adoption or passage of an ordinance to the same effect and the effective date of that ordinance, may be extended until it is void under this section, by payment of a prorated portion of the annual license fee. (Eff.

2/21/2016, Register 217, am 7/27/2017, Register 223)

(it bolds) ///

Authority: AS 17.38.020 AS 17.38.200 AS 17.38.900
AS 17.38.190 AS 17.38.210