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Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
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Anchorage, Alaska 99501  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Linda Mattson  
Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor *AS*  
465.4081

**DATE:** January 23, 2019

**RE:** Filed Permanent Regulations: Marijuana Control Board  
  
Marijuana Control Board regulations re: license conversions (3 AAC 306.010; 3 AAC 306.100)

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Attorney General File: 2018200819  
Regulation Filed: 1/22/2019  
Effective Date: 2/21/2019  
Print: 229, April 2019

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

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF MARIJUANA CONTROL BOARD

The attached eight pages of regulations, dealing with conversion of marijuana licenses are certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its October 17, 2018 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: 11/13/18

  
\_\_\_\_\_  
Erika McConnell, Director

FILING CERTIFICATION

I, <sup>Kevin Meyer</sup>~~Valerie Nunn-afaaluk Davidson~~, Lieutenant Governor for the State of Alaska, certify that on JANUARY 22, 20 19 at 10:13A m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
\_\_\_\_\_  
Lieutenant Governor

Effective: February 21, 2019.

Register: 229, April 2019

3 AAC 306.010(a) is amended to read:

(a) The board will not issue a marijuana establishment license if the licensed premises will be located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility. The distance specified in this subsection must be measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school ground, the outer boundaries of the recreation or youth center, the main public entrance of the building in which religious services are regularly conducted, or the main public entrance of the correctional facility. This section does not prohibit the renewal of an existing marijuana establishment license, **a license conversion under 3 AAC 306.047**, or the transfer of an existing marijuana establishment license to another person if the licensed premises were in use before the school ground, recreation or youth center, the building in which religious services are regularly conducted, or a correctional facility began use of a site within 500 feet. If an existing marijuana establishment license for premises located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility is revoked or expires, the board will not issue another marijuana establishment license for the same premises unless the school ground, the recreation or youth center, the building in which religious services are regularly conducted, or the correctional facility no longer occupies the site within 500 feet.

(Eff. 2/21/2016, Register 217; am 2/21/2019, Register 229)

**Authority:** AS 17.38.010                      AS 17.38.150                      AS 17.38.200  
                          AS 17.38.070                      AS 17.38.190                      AS 17.38.900  
                          AS 17.38.121

3 AAC 306 is amended by adding a new section to read:

**3 AAC 306.047. License Conversion.** (a) An application to convert an existing limited marijuana cultivation facility license to a standard marijuana cultivation <sup>facility</sup> license, an existing standard marijuana cultivation facility license to a limited marijuana cultivation facility license, an existing marijuana concentrate manufacturing facility license to a marijuana product manufacturing facility license, or an existing marijuana product manufacturing facility license to a marijuana concentrate manufacturing facility license must be filed in writing on a form the board prescribes, in compliance with the application procedure set out in 3 AAC 306.025.

(b) To qualify for a license conversion under this section, neither the licensee nor the license location may change.

(c) The license conversion application must contain

(1) an affidavit showing where and when the applicant posted notice of the application, and proof of advertising as required in 3 AAC 306.025(b);

(2) any changes proposed to the approved operating plan;

(3) a detailed diagram of the proposed licensed premises; the diagram must show all entrances and boundaries of the premises, restricted access areas, and storage areas;

(4) the title, lease, or other documentation showing the licensee's sole right to possession of the proposed licensed premises, if the proposed licensed premises for the converted license differ from the existing licensed premises;

(5) the balance of the license fee, if the post-conversion license fee is greater than the pre-conversion license fee;

(6) the application fee; and

(7) any other information required by the board. (Eff. 2/21/2019, Register 229)

**Authority:** AS 17.38.010                      AS 17.38.150                      AS 17.38.200  
                  AS 17.38.070                      AS 17.38.190                      AS 17.38.900  
                  AS 17.38.121

3 AAC 306.060 is amended to read:

**3 AAC 306.060. Protest by local government.** (a) Not later than 60 days after the director sends notice of an application for a new marijuana establishment license, renewal of a marijuana establishment license, license conversion, or transfer of a marijuana establishment license to another person, a local government may protest the application by sending the director and the applicant a written protest and the reasons for the protest. The director may not accept a protest received after the 60-day period. If a local government protests an application for a new or renewal license, for a license conversion, or for a transfer of a license to another person, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) A local government may recommend that the board approve an application for a new license, renewal of a license, license conversion, or transfer of a license to another person subject to a condition. The board will impose a condition a local government recommends unless the board finds the recommended condition is arbitrary, capricious, and unreasonable. If the board imposes a condition a local government recommends, the local government shall assume responsibility for monitoring compliance with the condition unless the board provides otherwise.

(c) If a local government determines that a marijuana establishment has violated a provision of AS 17.38, this chapter, or a condition the board has imposed on the licensee, the local government may notify the board. Unless the director finds that the local government's notice is arbitrary, capricious, and unreasonable, the director shall prepare the determination as an accusation against the licensee under AS 44.62.360 and conduct proceedings to resolve the matter as provided under 3 AAC 306.820.

(d) In this section, "local government" means each local government with jurisdiction over the licensed premises. (Eff. 2/21/2016, Register 217; am 2/21/2019, Register 229)

**Authority:** AS 17.38.010            AS 17.38.150            AS 17.38.200  
                  AS 17.38.070            AS 17.38.190            AS 17.38.900  
                  AS 17.38.121

3 AAC 306.065 is amended to read:

**3 AAC 306.065. Public participation.** A person may object to an application for a new license, renewal of a license, license conversion, or transfer of a license to another person by submitting a written statement of reasons for the objection to the board and the applicant not later than 30 days after the director has determined that the application is complete and has given written notice to the local government in accordance with 3 AAC 306.025. The objection must be sent to the applicant at the mailing address or electronic mail address provided in the notice of application and also to the board. If the board determines to conduct a public hearing under this section, an interested person may give oral testimony at the public hearing. (Eff. 2/21/2016, Register 217; am 12/28/2017, Register 224; am 2/21/2019, Register 229)

**Authority:** AS 17.38.010            AS 17.38.150            AS 17.38.200

AS 17.38.070

AS 17.38.190

AS 17.38.900

AS 17.38.121

3 AAC 306.075(b) is amended to read:

applications

AN APPLICATION

(b) Not later than seven days before the date set for board action on ~~[AN]~~ applications, <sup>3</sup>  
 [FOR A NEW LICENSE, RENEWAL OF A LICENSE, OR TRANSFER OF A LICENSE TO ANOTHER PERSON,] the director shall post a meeting agenda listing the matters scheduled for action at that meeting. The board may review an application [FOR A NEW LICENSE, RENEWAL OF A LICENSE, OR TRANSFER OF A LICENSE TO ANOTHER PERSON,] without additional notice to the applicant.

(Eff. 2/21/2016, Register 217; am 12/28/2017, Register 224; am 2/21/2019, Register 229)

**Authority:** AS 17.38.010 AS 17.38.150 AS 17.38.200

AS 17.38.070 AS 17.38.190 AS 17.38.900

AS 17.38.121

3 AAC 306.080(d) is amended to read:

(d) If the board denies an application for a new license, renewal of a license, **license conversion,** or transfer of a license to another person, the board will, not later than 15 days after the board meeting at which the application was denied, furnish a written statement of issues to the applicant, explaining the reason for the denial in clear and concise language, and identifying any statute or regulation on which the denial is based. In the notice of denial the board will inform the applicant of the right to an informal conference under 3 AAC 306.085 and to a formal hearing under 3 AAC 306.090.

3 AAC 306.080 is amended by adding a new subsection to read:

(e) After review of the application and all relevant information, the board will deny an application for license conversion if the board finds

(1) the application contains any false statement of material fact;

(2) the license would violate any restriction applicable to the particular license type authorized under this chapter;

(3) the license is prohibited under this chapter as a result of an ordinance or election conducted under AS 17.38.210, 3 AAC 306.200, or 3 AAC 306.230;

(4) the board finds that the application does not adequately demonstrate that the applicant will comply with applicable provisions of this chapter;

(5) the application is protested by the local government; or

(6) the license conversion would not be in the best interests of the public. (Eff.

2/21/2016, Register 217; am 2/21/2019, Register 229)

<b>Authority:</b>	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.085(a) is amended to read:

(a) If an applicant for a new license, renewal of a license, **license conversion**, or transfer of a license to another person is aggrieved by an action of the board denying the application, the applicant may, not later than 15 days after the date of the written notice of denial, request an informal conference with the director or the board. An informal conference requested under this



section must be held at a time and place convenient to the applicant and the board, but not later than the next scheduled meeting of the board. An informal conference may be conducted telephonically.

(Eff. 2/21/2016, Register 217; am 2/21/2019, Register 229)

<b>Authority:</b>	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.090(a) is amended to read:

(a) If an applicant for a new license, renewal of a license, **license conversion**, or transfer of a license is aggrieved by an action of the board denying the application, the applicant may request a formal hearing by filing a notice of defense in compliance with AS 44.62.390 not later than 15 days after the date of the written notice of the denial, or as provided in 3 AAC 306.085(b) if the applicant requested and participated in an informal conference. Failure to file a notice of defense as provided in this section constitutes a waiver of the right to a formal hearing.

(Eff. 2/21/2016, Register 217; am 2/21/2019, Register 229)

<b>Authority:</b>	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.095 is amended to read:

**3 AAC 306.095. Appeals.** (a) An aggrieved applicant or marijuana establishment license holder may appeal to the board regarding any action of the director, or an employee or agent of

the board regarding an application for a new license, a license renewal, **a license conversion**, or a transfer of license to another person.

(b) An applicant or marijuana establishment license holder aggrieved by a final decision of the board regarding an application for a new license, a license renewal, **a license conversion**, or a transfer of license to another person may appeal to the superior court under AS 44.62.560.

(Eff. 2/21/2016, Register 217; am 2/21/2019, Register 229)

<b>Authority:</b>	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.100(a) is amended to read:

(a) The non-refundable application fee for a new marijuana establishment license, **an application for license conversion**, or an application to transfer a license to another person is \$1,000.

am 8/11/2018, Register 227;

(Eff. 2/21/2016, Register 217; am 7/19/2017, Register 223; am 2/21/2019, Register 229)

<b>Authority:</b>	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

# MEMORANDUM

## State of Alaska Department of Law


**To:** The Honorable Kevin Meyer  
Lieutenant Governor

**Date:** December 13, 2018

**File No.:** 2018200819

**Thru:**

**Tel. No.:** 465-3600

**From:** Steven C. Weaver   
Senior Assistant Attorney General  
and Assistant Regulations Attorney  
Legislation and Regulations Section

**Re:** Marijuana Control Board regulations  
re: license conversions (3 AAC  
306.010 - 3 AAC 306.100)

The Department of Law has reviewed the attached regulations of the Marijuana Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. I have reviewed this project under a delegation dated December 3, 2018 from the regulations attorney. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Marijuana Control Board after the close of the public comment period. The regulations establish procedures and requirements for: [1] converting an existing limited marijuana cultivation facility license to a standard marijuana cultivation facility license; [2] converting an existing standard marijuana cultivation facility license to a limited marijuana cultivation facility license; [3] converting an existing, and more limited, marijuana concentrate manufacturing facility license to a marijuana product manufacturing facility license; and [4] converting an existing marijuana product manufacturing facility license to a marijuana concentrate manufacturing facility license.

Similar to existing 3 AAC 306.080(a)(5) regarding new licenses, 3 AAC 306.080(e)(4) provides for a denial of a license conversion application if that application "does not adequately demonstrate that the applicant will comply with applicable provisions of this chapter." Though the text conditions board action on an unspecified event that may or may not happen in the future, the text allows reasoned decision-making to ensure, consistent with AS 17.38.010(b)(2), that "legitimate, taxpaying business people, and not criminal actors, will conduct sales of marijuana," and to keep in harmony with the federal government's position on federal criminal laws regarding controlled substances.

The September 5, 2018 public notice and the November 13, 2018 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc: Hon. Julie Anderson, Commissioner  
Department of Commerce, Community, and Economic Development

Erika McConnell, Director  
Alcohol and Marijuana Control Office  
Department of Commerce, Community, and Economic Development

Linda Mattson, Regulations Contact  
Department of Commerce, Community, and Economic Development

Jedediah Smith  
Alcohol and Marijuana Control Office  
Department of Commerce, Community, and Economic Development

Harriet Dinagar-Milks, Senior Assistant Attorney General  
Commercial, Fair Business, and Child Support Section



THE STATE  
of ALASKA  
GOVERNOR BILL WALKER

Department of Law

CIVIL DIVISION

P.O. Box 110300  
Juneau, Alaska 99811  
Main: 907.465.3600  
Fax: 907.465.2520

December 3, 2018

The Honorable Kevin Meyer  
Lieutenant Governor  
Alaska State Capitol Building, 3rd Floor  
Juneau, AK 99801

Re: Regulations Approval Process; Delegation

As the Regulations Attorney, I work with your office on a regular basis as does Steven C. Weaver, Senior Assistant Attorney General and Assistant Regulations Attorney. Both Mr. Weaver and I review and approve regulations for filing by your office as required by AS 44.62.060.

Attached is a delegation of authority designating to Mr. Weaver, in my absence, full authority to conduct legal review of regulations, or take other necessary actions as Acting Regulations Attorney.

Also attached is a summary of the regulations process; I am available to provide more detail on any aspect of the regulations process.

Please let us know if there is anything we can do for you or your staff. We look forward to working with you.

Sincerely,

Handwritten signature of Susan R. Pollard in blue ink.

Susan R. Pollard  
Chief Assistant Attorney General  
and Regulations Attorney

Encl.  
SRP/hjh

cc: April Simpson, AAC Coordinator  
Office of the Lieutenant Governor

Steven C. Weaver, Sr. Assistant Attorney General  
and Assistant Regulations Attorney  
Legislation and Regulations Section

Linda Miller, Legal Editor  
Legislation and Regulations Section

2018200636

NOTICE OF PROPOSED CHANGES TO THE REGULATIONS OF THE MARIJUANA  
CONTROL BOARD REGARDING MARIJUANA LICENSE CONVERSION

The Marijuana Control Board proposes to adopt regulation changes in 3 AAC 306 of the Alaska Administrative Code, dealing conversion of marijuana licenses.

- 1) 3 AAC 306.010(a) is amended to add a license conversion
- 2) 3 AAC 306.047 is new subsection language on converting an existing marijuana cultivation facility licenses between limited and standard and converting a manufacturing license between product and concentrate facility.
- 3) 3 AAC 306.060 is amended to include license conversion to reasons for local government protest.
- 4) 3 AAC 306.065 is amended to include license conversion to reasons for public objection.
- 5) 3 AAC 306.075 is amended to include board action on applications.
- 6) 3 AAC 306.080 is amended to include license conversions and adds a new subsection to include reasons for denial of a license conversion
- 7) 3 AAC 306.085 is amended to include license conversions
- 8) 3 AAC 306.090 is amended to include license conversions
- 9) 3 AAC 306.095 is amended to include license conversions
- 10) 3 AAC 306.100 is amended to include license conversions

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Alcohol & Marijuana Control Office at 550 West 7<sup>th</sup> Avenue, Suite 1600, Anchorage, AK 99501. Additionally, the Marijuana Control Board will accept comments by electronic mail at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 pm on October 7, 2018.

You may submit written questions relevant to the proposed action to the Marijuana Control Board by email at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or at 550 West 7<sup>th</sup> Avenue, Suite 1600, Anchorage, AK 99501. The questions must be received at least 10 days before the end of the public comment period. The Alcohol & Marijuana Control Office will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or (907) 269-0350 not later than September 27, 2018, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting the Alcohol & Marijuana Control Office at (907) 269-0350 or [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov).

After the public comment period ends, the Marijuana Control Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 17.38.010, AS 17.38.070, AS 17.38.121, AS 17.38.150, As 17.38.190, AS 17.38.200, AS 17.38.900

**Statutes being implemented, interpreted, or made specific:** AS 17.38.200, AS 17.38.210, AS 17.38.900

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: August 30, 2018

A handwritten signature in black ink that reads "Erika McConnell". The signature is written in a cursive, flowing style.

---

Erika McConnell, director

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))

- 1. Adopting agency: Marijuana Control Board
- 2. General subject of regulation: Marijuana license conversions
- 3. Citation of regulation (may be grouped): 3 AAC 306.010-3 AAC 306.100
- 4. Department of Law file number, if any: 2018200819

5. Reason for the proposed action:

- Compliance with federal law or action (identify): \_\_\_\_\_
- Compliance with new or changed state statute
- Compliance with federal or state court decision (identify): \_\_\_\_\_
- Development of program standards
- Other (identify): \_\_\_\_\_

6. Appropriation/Allocation: \$0

7. Estimated annual cost to comply with the proposed action to:

- A private person: \$0
- Another state agency: \$0
- A municipality: \$0

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 18	Subsequent Years
Operating Cost	<u>\$ 0</u>	<u>\$ 0</u>
Capital Cost	<u>\$ 0</u>	<u>\$ 0</u>
1002 Federal receipts	<u>\$ 0</u>	<u>\$ 0</u>
1003 General fund match	<u>\$ 0</u>	<u>\$ 0</u>
1004 General fund	<u>\$ 0</u>	<u>\$ 0</u>
1005 General fund/ program	<u>\$ 0</u>	<u>\$ 0</u>
Other (identify)	<u>\$ 0</u>	<u>\$ 0</u>

9. The name of the contact person for the regulation:



Name: Jedediah Smith  
Title: Local Government Specialist  
Address: 550 West 7<sup>th</sup> Ave, Suite 1600 Anchorage, AK 99501  
Telephone: (907) 269-0350  
E-mail address: amco.regs@alaska.gov

10. The origin of the proposed action:

Staff of state agency  
 Federal government  
 General public  
 Petition for regulation change  
 Other (identify): Marijuana Control Board

11. Date: August 30, 2018

Prepared by:



Name (printed): Jedediah Smith  
Title (printed): Local Government Specialist  
Telephone: (907) 269-0350

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Erika McConnell, director of the Marijuana Control Board, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 3 AAC 306.010-.100, regarding marijuana license conversion has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 11/13/18

Erika McConnell  
Erika McConnell, Director

Subscribed and sworn to before me at Anchorage, Alaska, on 11/13/18.



[Signature]  
Notary Public in and for the State of Alaska

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Erika McConnell, director of the Marijuana Control Board, being duly sworn, state the following:

The Marijuana Control Board did not receive any factual or other substantive information that was submitted in writing or orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Marijuana Control Board regulation on license conversion.

Date: 11/13/18

Erika McConnell  
Erika McConnell, Director

Subscribed and sworn to before me at Anchorage, Alaska, on 11/13/18.

[Signature]  
Notary Public in and for the State of Alaska



# ANCHORAGE DAILY NEWS

## AFFIDAVIT OF PUBLICATION

Account #: 270221

ST OF AK/ALCOHOL AND MARIJUANA  
CONTROL BOARD  
550 W 7TH AVE #1600  
ANCHORAGE AK 99501

Order#  
Cost

0001427209  
\$393.42

Product ADN-Anchorage Daily News  
Placement 0300  
Position 0301

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

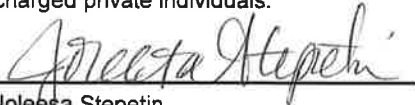
Joleesa Stepetin

being first duly sworn on oath deposes and says that he/she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on


September 05, 2018

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed

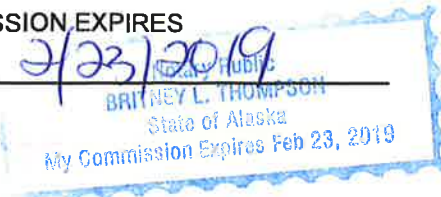
  
Joleesa Stepetin

Subscribed and sworn to before me  
this 5th day of September, 2018

  
Britney Thompson

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES



### NOTICE OF PROPOSED CHANGES TO THE REGULATIONS OF THE MARIJUANA CONTROL BOARD REGARDING MARIJUANA LICENSE CONVERSION

The Marijuana Control Board proposes to adopt regulation changes in 3 AAC 306 of the Alaska Administrative Code, dealing conversion of marijuana licenses.

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- 2) 3 AAC 306.047 is new subsection language on converting an existing marijuana cultivation facility licenses between limited and standard and converting a manufacturing license between product and concentrate facility.
- 3) 3 AAC 306.060 is amended to include license conversion to reasons for local government protest.
- 4) 3 AAC 306.065 is amended to include license conversion to reasons for public objection.
- 5) 3 AAC 306.075 is amended to include board action on applications.
- 6) 3 AAC 306.080 is amended to include license conversions and adds a new subsection to include reasons for denial of a license conversion
- 7) 3 AAC 306.085 is amended to include license conversions
- 8) 3 AAC 306.090 is amended to include license conversions
- 9) 3 AAC 306.095 is amended to include license conversions
- 10) 3 AAC 306.100 is amended to include license conversions

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If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or (907) 269-0350 not later than September 27, 2018, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting the Alcohol & Marijuana Control Office at (907) 269-0350 or [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov).

After the public comment period ends, the Marijuana Control Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 17.38.010, AS 17.38.070, AS 17.38.121, AS 17.38.150, AS 17.38.190, AS 17.38.200, AS 17.38.900

AFFIDAVIT OF MARIJUANA CONTROL BOARD ACTION

I, Erika McConnell, director of the Marijuana Control Board, being duly sworn, state the following:

The attached motion dealing with marijuana license conversion regulations was passed by the Marijuana Control Board during its October 17, 2018, meeting.

Date: 11/13/18

Erika McConnell

Erika McConnell, Director

Subscribed and sworn to before me at Anchorage, Alaska, on 11/13/18.

[Signature]

Notary Public in and for the State of Alaska







**Marijuana Control Board**  
**DRAFT EXCERPT Meeting Minutes**  
**October 17, 2018**  
**Third Judicial District**  
**145 Main Street Loop**  
**Kenai, Alaska**

● **REGULATIONS**

**1. License Conversion**

**3:49pm**

**TAB 20**

Status:

Public comment period closed October 7, 2018

Potential Board Actions:

Vote to adopt; OR

Substantially amend and put out for public comment

*No public comments received.*

*Loren Jones moves that the Board adopt the license conversation regulations.*

*Brandon Emmett seconds the motion.*

*Motion carries unanimously.*