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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sara Chambers, Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: April 26, 2024

RE: Filed Permanent Regulations: Marijuana Control Board

Marijuana Control Board regulations re: Special Investigator Hiring Standards (3 AAC 306.930(b))

Attorney General File:	2023200570
Regulation Filed:	4/26/2024
Effective Date:	5/26/2024
Print:	250, July 2024

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Jane P. Sawyer, Regulations Specialist
Kristina Serezhenkov, Regulations Specialist



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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April 26, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *3 AAC 306.930(b): Marijuana Control Board - Special Investigator Hiring Standards*
Our file: 2023200570

Dear Lieutenant Governor Dahlstrom:

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. This letter 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 amend 3 AAC 306.930 to set minimum requirements for the hiring of a special investigator.

The February 7, 2024 public notice and the April 23, 2024 order certifying changes to the regulations both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: Rebecca C. Polizzotto
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2024.04.26
09:56:44 -08'00'

RCP/bhp

CC w/enclosure: Kristina Serezhenkov, Regulations Specialist
Department of Commerce, Community and Economic Development

Kevin Higgins, Assistant Attorney General
Department of Law

Brad Sharp, Assistant Attorney General
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE MARIJUANA CONTROL BOARD

The attached one page of regulations, dealing with special investigator hiring standards, is certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its April 17, 2024, 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.

On the record, in considering public comments, 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: 4/23/2024



Joan M. Wilson, Director



FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

April 26, 2024 at 3:00 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


for Lieutenant Governor Nancy Dahlstrom

Effective: May 26, 2024.

Register: 250, July 2024.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 250, July 2024 COMMERCE, COMMUNITY, AND EC. DEV.

3 AAC 306.930(b) is amended to read:

(b) The director shall employ and supervise necessary clerical and investigative personnel and shall prescribe their duties and authority. **The director may employ a person to a position with the special investigator job classification only if the person**

(1) possesses a certificate issued by the Alaska Police Standards Council demonstrating that the person meets the standards for appointment as a police officer under AS 18.65.240;

(2) provides evidence satisfactory to the director that the person

(A) meets the standards of another state or a federal jurisdiction for appointment as a police officer; and

(B) the standards of the state or federal jurisdiction are equivalent to the standards required for issuance of a certificate by the Alaska Police Standards Council under AS 18.65.240; or

(3) is eligible for appointment as a police officer through reciprocity in accordance with 13 AAC 85.060.

(Eff. 12/28/2016, Register 220; am 1/22/2023, Register 245; am 5 / 26 / 2024, Register 250)

Authority: **AS 17.38.121** AS 17.38.140 AS 17.38.190
AS 17.38.131 AS 17.38.150