

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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MEMORANDUM

TO: Marijuana Control Board DATE: June 24, 2022

FROM: Jane P. Sawyer, Regulations Specialist RE: Regulations Project – Renewal

Applications

At the April 2022 meeting, the board opened a regulations project to look into the requirement of a licensee submitting entity documents and proof of right to possession to the premises every renewal season, which, at the moment, is annually.

Attached is an initial draft for board discussion, it amends 3 AAC 306.035(b): it removes the requirement of a licensee to provide entity documents with a renewal application packet, and it changes the requirement of providing proof of right to possession of the premises with every renewal season to upon request from AMCO—there are times when, during renewal season, we do need to verify right to possession of the premises.

Potential board actions to be discussed at meeting

Register,	20	COMMERCE, COMMUNITY, AND EC. DEV.			
(Words in boldface and underlined indicate language being added; words [CAPITALIZED AND					
BRACKETED] indicate language being deleted.)					
3 AAC 306.035(b) is	s amended to read:	:			
(b) A marijuana establishment's renewal application must					
(1) id	entify the license s	sought to be renewed by license number, license type,			
establishment name, and premises address;					
(2) pr	ovide the informat	tion required for a new license application under 3 AAC			
306.020(b)(1) - (2) and (4) - (8) [3 AAC 306.020(b)(1) - (9)];					
(3) re	pealed 2/21/2019;				
(4) re	port, for each licer	nsee listed in 3 AAC 306.020(b)(2),			
	(A) any criminal	l charge on which that licensee has been convicted in the			

Commented [SJP(1]: This change basically removes 3 AAC 306.020(b)(3) and 306.020(b)(9) which are the provisions requiring entity documents (partnership agreements, operating agreements, bylaws, etc.)

(5) upon request, provide adequate proof of right to possession of the

(B) any civil violation of AS 04, AS 17.38, or this chapter in the previous

licensed premises, and

and

two calendar years; [AND]

previous two calendar years:[:] and

(6)[(5)] declare under penalty of unsworn falsification that

- (A) the application is true, correct and complete;
- (B) the applicant has read and is familiar with AS 17.38 and this chapter;
- (C) the applicant will provide all information the board requires in support of the renewal application.

Commented [SJP(2]: This would make the (lease, deed, etc.) a requirement of the licensee to provide upon AMCO's request)

Register	_,20	COMMERCI	E, COMMUNITY, AND EC. DEV.			
(F.CC 0/01/001	(D)	N/20/2017 P :	4 0/21/2010 P :			
(Eff. 2/21/2016, Register 217; am 12/28/2017, Register 224; am 2/21/2019, Register 229; am						
3/25/20, Register 233; am/, Register)						
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					