



**Marijuana Control Board
Meeting Agenda
Fourth Judicial District
Hampton Inn, Conference Room 433
Harold Bentley Avenue
Fairbanks, Alaska**

March 8, 2023 at 9:00 am

Join Zoom Meeting

<https://amco-alaska-gov.zoom.us/j/81491298733?pwd=M3R3RmhhMHg3RXhGenBaTVQ5aHdiUT09>

Meeting ID: 814 9129 8733

Passcode: 876454

Dial by your location

+1 (719) 359 4580

+1 (669) 900-6833

March 9, 2023 at 9:00 am

Join Zoom Meeting

<https://amco-alaska-gov.zoom.us/j/83471071488?pwd=SHVuS2wyT0E0MjRsWlpDN2srNWwhKQT09>

Meeting ID: 834 7107 1488

Passcode: 301915

Dial by your location

+1 (719) 359 4580

+1 (669) 900-6833

All times are approximate. Lunch break from 12:00 noon to 1:00 pm.

**The Board may go into executive session at any time when appropriate
under AS 44.62.310(b) and (c).**

● ADMINISTRATION

9:00 am

A. Call to Order

9:03 am

B. Roll Call

*Nick Miller, Board Chair, in person
Bruce Schulte, Vice Chair, in person
Christopher Jaime, in person
Eliza Muse, in person
Ely Cyrus, on Zoom*

*Joan Wilson, Director, in person
Kevin Higgins, Assistant Attorney General, in person
Jane Sawyer, Program Coordinator, on Zoom
Carrie Craig, Records and Licensing Supervisor, in person
James Hoelscher, Enforcement Supervisor, on Zoom
Steven Johnson, Special Investigator, in person
Gabriel Gonzalez, Local Government Specialist, on Zoom*

C. Approval of Agenda

Bruce S. motions to approve with addition of seizure hearing at 1 pm tomorrow. Lieutenant Jaime seconds. None opposed, motion passed.

D. AMCO Meeting Code of Conduct

TAB 1

E. Top 10 Zoom FAQ

TAB 2

F. Selection of MCB Board Chair and Vice Chair

Bruce S. nominates Nick M. as Board Chair. Lieutenant Jaime seconds. None opposed, motion passes. Lieutenant Jaime motions Bruce S. as vice. Eliza M. seconds. None opposed, motion passes.

G. Approval of the December 13 - 14, 2022 MCB Meeting Minutes

TAB 3

Bruce S. motions to approve. Eliza M. seconds. None opposed, motion passes.

9:10 am

● **BOARD GOVERNANCE**

There are no changes to report from the members.

● **PUBLIC TESTIMONY**

9:20 am

The Board may decide to limit public testimony.

Public testimony is limited to issues not on this agenda and that are not proposed regulations
Written comments may also be submitted to the board for review during its next regular meeting via marijuana@alaska.gov.

Recordings and transcripts are available on AMCO's website here:
<https://www.commerce.alaska.gov/web/amco/MCBMeetingDocuments>

Lacy Wilcox: Licensee for Top Hat, is present in person – has products to show.

Lisa Coates: Licensee for Herban Extracts, is present on Zoom.

Tina Smith: Owner of a marijuana handler education course, is present on Zoom. Lieutenant Jaime states to contact legislator as he does not recall not giving direction to the director.

Jason Brandeis: Legal counsel for marijuana licensees with Birch Horton Bittner & Cherot, is present on Zoom.

Tasha Grossl: Licensee for Lady Gray, is present on Zoom.

Mike Emmers: Licensee for Rosie Creek Farm, is present in person.

Trevor Haynes: Licensee for Good LLC, is present in person. Bruce S. asks if it is registered hemp approved product. No. Director Wilson speaks about what can be an approved hemp product. Eliza M. appreciates the clarification.

Nick M. requests the director get ahold of Department of Agriculture for 9:00 am tomorrow to amend the agenda. **Bruce S. motions and asks for the Governor's staff to be available. Eliza M. seconds. None opposed, motion passes.**

10:00 Break

10:05 Reconvened

CCE: is present on Zoom.

Chelsea Foster: In the marijuana industry is present on Zoom.

Autumn: is present on Zoom.

10:16 Chris left the meeting

10:17 He's back

Nicholas Gelinas: Licensee for King Street Cannabis, is present on Zoom.

Dan Ferguson: Licensee for Primo, is present on Zoom. Bruce S. asks if licensee, yes. He has a hemp and cannabis license. Eliza M. asks if a market analysis has been done to prove 2 mg serving sizes. Eliza follows up regarding testing. Nick M. has follow up questions regarding testing. There is further discussion. The hemp is from out of state. Director Wilson reads the regulation about hemp retailer allowances. Nick M. asks for clarification regarding the oreo cookie. Mr. Ferguson states it is from out of state already infused from Texas.

Eliza M. and Director Wilson speak about the hemp pilot program.

Brian Simpson: Licensee for Tundra Brewing, is present in person.

Randy Wells: Licensee for Tufted Puffin in Seward, is present in person.

Brandon Emmett: Licensee for Good Titrations, is present in person. Nick M. asks about cultivators struggling because of materials from out of state. Where are the taxes going? Bruce S. speaks that the industry has changed completely over the last 9 years.

Kyle Gordie: manager for Good Titrations, is present in person. Bruce S. appreciates the input.

Aaron Stiassny: Licensee for Uncle Herb's, is present in person.

11:30 pm: Lunch

12:00 pm: Reconvened, continued with public testimony

12:09 pm: Bruce S. is absent, Director Wilson is absent.

12:10 pm: Bruce S. is present.

12:15 pm: Director Wilson is present.

Sam Hatchy: Licensee for a cultivation and retail store in Fairbanks, is present in person.

James Thornton: Licensee for Secret Garden, is present in person.

Jana Weltzin: Legal counsel for marijuana licensees with JDW Law, is present in person.

Levi Miller: Licensee for multiple licenses, is present on Zoom. Eliza M. comments on data received from METRC. Bruce S. asks Eliza if Alaska has the highest retails per capita out of all other states. Yes. Ely C. has some comments.

Charles: Consumer and advocate, is present on Zoom.

Bailey Stuart: Licensee for Green Jar, is present in person and has products to show.

Leif Able: Licensee for Greatland Ganja, is present in person. Bruce S. comments and Leif says site and smell regulations are ridiculous.

1:03 pm: public comment is closed – will open tomorrow afternoon.

● **DIRECTOR'S REPORT**

TAB 4

1:20 pm: Director Wilson summarizes her report.

● **PROGRAM COORDINATOR'S REPORT**

TAB 5

1:04 pm: Jane Sawyer summarizes her report.

● **ENFORCEMENT SUPERVISOR'S REPORT**

TAB 6

1:05 pm: Chief Hoelscher summarizes his report. Bruce S. asks if he thinks that there are regulations that they spend more time on than others that may not be as important as public health and safety. The Chief says he needs to get something together before stating on the record. Signs, yes. Odor does take a lot of time but it is intrusive to others who want nothing to do with it.

1:16 pm: Nick M. stepped out; Bruce S. takes over.

1:20 Nick M. is back.

Lieutenant Jaime agrees with the Chief on odor – he can't stand it and says it is a public
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nuisance. He thanks Enforcement for their proactive work.

A. Notices of Violation Issued and Licensee Responses **TAB 7**

B. Notices of Violation for December & January Unpaid Taxes **TAB 8**

● **LICENSING REPORT** **TAB 9**

1:31: Carrie Craig summarizes her report.

● **MARIJUANA TASK FORCE BRIEFING** **TAB 10**

1:35 pm: Jana Weltzin and Brandon Emmett are present in person and summarize the 15 recommendations that was sent to the Governor's office. Bruce S. will work on the language for the motion in support of the recommendation overnight and they will come back to it tomorrow.

2:15 pm: Break

2:33 pm: Reconvened, Bruce S. is away and Ely C. is not on Zoom.

2:34 pm: Bruce S. is back.

● **METRC CATALOG**

Come back to tomorrow.

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS**

Tabs in this section may be approved as a block or may pull any specific application for separate discussion/consideration at the board's discretion.

3/8 2:34 pm: Bruce S. motions to approve Tabs 11 through 13 with delegation. Lieutenant Jaime seconds. None opposed, motion passes.

A. License #32350	Crooked Creek Cultivation	<u>TAB 11</u>
Licensee:	Joseph Daniel Utrup	
Premises Address:	21635 Renault St.	
Local Government:	Kenai Peninsula Borough	

B. License #33144:	Hidden Farms, LLC	<u>TAB 12</u>
Licensee:	Hidden Farms, LLC	
Premises Address:	10263 Nigh Road #6	

Local Government: Municipality of Anchorage

C. License #34926: **Northern Lights Cultivation** **TAB 13**
Licensee: Jesse Hoyt
Premises Address: 4705 North Tongass Hwy., Apt 1
Local Governments: Ketchikan Gateway Borough

● **NEW RETAIL MARIJUANA STORE APPLICATIONS**

Tabs in this section may be approved as a block or may pull any specific application for separate discussion/consideration at the board's discretion.

3/8 Bruce S. motions to approve Tabs 14 and 15 with delegation, Eliza M. seconds. None opposed, motion passes.

A. License #32759: **Northern Emerald** **TAB 14**
Licensee: Northern Emerald LLC
Premises Address: 2803 S. Old Glenn Hwy, Bldg #2
Local Governments: Matanuska – Susitna Borough
Consideration: **See memo**

B. License #32241: **Arctic Cannabis** **TAB 15**
Licensee: Arctic Cannabis, LLC
Premises Address: 476 Egasak Street, Unit A
Local Governments: City of Utqiagvik
Consideration: **See memo**

● **NEW MARIJUANA CONCENTRATES MANUFACTURING FACILITY**

Tabs in this section may be approved as a block or may pull any specific application for separate discussion/consideration at the board's discretion.

3/8 Bruce S. motions to approve both licenses with delegation. Jana Weltzin is representing #32497, product is only for edible infusion. Eliza M. seconds. None opposed, motion passes. Bruce S. motions to approve all the products for #32497. Eliza M. seconds. None opposed, motion passes. Bruce S. motions to approve all products for #32606. Eliza M. seconds. None opposed, motion passes.

A. License #32497 **Sweet Matanuska Gold** **TAB 16**
Licensee: Sweet Matanuska Gold Extractions LLC
Premises Address: 972 N Satisfied Drive, Suite B
Local Government: Matanuska – Susitna Borough
Consideration: **See memo**

B. License #32606: **Greatland Ganja, LLC** **TAB 17**
Licensee: Greatland Ganja, LLC
Premises Address: 56475 Sterling Highway
Local Governments: Kenai Peninsula Borough

● **LICENSE TRANSFER APPLICATIONS**

Tabs in this section may be approved as a block or may pull any specific application for separate discussion/consideration at the board's discretion.

3/8 Jana Weltzin represents Pipe & Leaf and summarizes the transfers. Haley Essig is present on Zoom. **Bruce S. motions to approve all transfers with delegation. Eliza M. seconds. None opposed, motion passes.**

A. Pipe and Leaf: Premium Alaskan Cannabis

Current Licensee **(from)**: Pipe and Leaf LLC – Haley Essig 100%
New Licensee **(to)**: Pipe and Leaf LLC – John Paul Hoff 100%
License Type: **Retail Marijuana Stores**
Local Government: City of Fairbanks, Fairbanks North Star Borough

1. **License:** **#17250** **TAB 18**

Premises Address: 3546 Airport Way

2. **License** **#30593** **TAB 19**

Premises Address: 899 Old Steese Highway

B. License #16028 **Alaska Beasty Buds** **TAB 20**

Current Licensee **(from)**: Amber Eickholt, Joseph Eickholt, Lee Drotzur
New Licensee **(to)**: Alaska Beasty Buds LLC (Tammy Holland)
License Type: Limited Marijuana Cultivation Facility
Premises Address: 1665 Richardson Highway, Unit B
Local Governments: Fairbanks North Star Borough

C. License #16474 **Grateful Bud, LLC** **TAB 21**

Current Licensee **(from)**: Grateful Bud, LLC (Jennifer Huffman)
New Licensee **(to)**: Grateful Bud, LLC (Richard Huffman)
License Type: Limited Marijuana Cultivation Facility
Premises Address: 1817 Sunset Boulevard, Kenai, AK
Local Governments: City of Kenai; Kenai Peninsula Borough

D. License #26609 **Eagle Street Plant** **TAB 22**

Current Licensee **(from)**: **5031 Eagle Street LLC – Christopher Hayes, Daniel Clift, Robert Clift**
New Licensee **(to)**: **5031 Eagle Street LLC – John Youse 70% and Tyler Russel 30%**
License Type: Standard Marijuana Cultivation Facility
Premises Address: 5031 Eagle Street, Unit C
Local Government: Municipality of Anchorage

● **LICENSE RENEWAL APPLICATIONS**

A. 1 OR 2 NOTICES OF VIOLATIONS RECEIVED FROM JULY 1, 2021 TO JUNE 30, 2022 **TAB 23**

3/8 2:55 pm: Ely Cyrus is back.

- 1. License #10514: Boreal, Inc.**
Licensee: Boreal, Inc.
License Type: Standard Marijuana Cultivation Facility
Local Government: Fairbanks North Star Borough
For Consideration: 1 NOV for tax delinquency, currently on the 2/24/23 DOR delinquency list

Bruce S. motions to deny with 90-day abeyance to pay taxes or on payment plan. Lieutenant Jaime seconds. Kris, licensee, is on Zoom. He was denied getting on payment plan. He had to shut down due to structure. He does ask for 90 days to sell the business and pay the taxes. Ely C. is having tech issues and off Zoom. None opposed, motion passes 4-0.

- 2. License #10657: Stoney Moose Farms**
Licensee: E & M Holdings, LLC
License Type: Standard Marijuana Cultivation Facility
Local Government: Ketchikan Gateway Borough
For Consideration: 1 NOV for tax delinquency

Bruce S. motions to approve with delegation. Eliza M. seconds. None opposed, motion passes.

- 3. License #11319: Frontier Grow Labs, LLC**
Licensee: Frontier Grow Labs, LLC
License Type: Standard Marijuana Cultivation Facility
Local Government: Fairbanks North Star Borough
For Consideration: 1 NOV for tax delinquency, currently on the 2/24/23 DOR delinquency list

Bruce S. motions to deny #11319 with 90-day abeyance and delegation to the director of renewal authority to verify to bring taxes current or on payment plan. Lieutenant Jaime seconds. Ely C. is having tech difficulties. Licensee is on Zoom. None opposed, motion passes 4-0.

- 4. License #11350: Hardworking Hippies**
Licensee: Hardworking Hippies
License Type: Limited Marijuana Cultivation Facility
Local Government: Kenai Peninsula Borough
For Consideration: 2 NOVs for tax delinquency, currently on the 2/24/23 DOR delinquency list

Bruce motions to deny #11350 with 90-day abeyance and delegation to the director of renewal authority to verify to bring taxes current or on payment plan. Lieutenant Jaime seconds. None opposed, motion passes. 5-0. Ely C. is back.

- 5. License #11424:** **Blue Bear Cannafarm**
 Licensee: Blue Bear Farm, LLC
 License Type: Standard Marijuana Cultivation Facility
 Local Government: Kenai Peninsula Borough
For Consideration: 1 NOV for tax delinquency
- 6. License #12616:** **Frisson Farms, LLC**
 Licensee: Frisson Farms, LLC
 License Type: Standard Marijuana Cultivation Facility
 Local Government: Fairbanks North Star Borough
For Consideration: 1 NOV for tax delinquency
- 7. License #13803:** **Peak Season, LLC**
 Licensee: Peak Season, LLC
 License Type: Limited Marijuana Cultivation Facility
 Local Government: Fairbanks North Star Borough
For Consideration: 1 NOV for tax delinquency
- 8. License #14511:** **Sea* Weed Farms**
 Licensee: Sea* Weed Farms
 License Type: Standard Marijuana Cultivation Facility
 Local Government: Petersburg Borough
For Consideration: 1 NOV for tax delinquency
- 9. License #14919:** **Rasta Farms, LLC**
 Licensee: Rasta Farms, LLC
 License Type: Limited Marijuana Cultivation Facility
 Local Government: Matanuska – Susitna Borough
For Consideration: 1 NOV for tax delinquency
- 10. License #16225:** **Green Ghost Farms, LLC**
 Licensee: Green Ghost Farms, LLC
 License Type: Limited Marijuana Cultivation Facility
 Local Government: Houston, Matanuska – Susitna Borough
For Consideration: 1 NOV for administrative procedure
- 11. License #17594:** **Nome Grown, LLC**
 Licensee: Nome Grown, LLC
 License Type: Limited Marijuana Cultivation Facility
 Local Government: Nome
For Consideration: 1 NOV for administrative procedure

- 12. License #22369:** **Bubba Greens, LLC**
 Licensee: Bubba Greens, LLC
 License Type: Standard Marijuana Cultivation Facility
 Local Government: Matanuska – Susitna Borough
For Consideration: **1 NOV for tax delinquency**

Bruce S. motions to approve the rest in this section with delegation. Lieutenant Jaime seconds. None opposed, motion passes 5-0.

B. 3 OR MORE NOTICES OF VIOLATIONS RECEIVED FROM JULY 1, 2021 TO JUNE 30, 2022 TAB 24

- 1. License #10080:** **Dream Green Farms**
 Licensee: DGF Enterprises, Inc
 License Type: Standard Marijuana Cultivation Facility
 Local Government: Municipality of Anchorage
For Consideration: **9 NOVs for tax delinquency, currently on the 2/24/2023 DOR delinquency list**

Jana Weltzin asks the board to skip this one because the licensee is traveling.

*3/9 10:15 am: Jane Sawyer summarizes the renewal. Jana and licensee are present in person. There was a data entry weight issue in METRC – wet weight vs. dry weight. All his amendments were denied by Department of Revenue. There are two DOR representatives Kelly Mazzei and Ben Roundy are on Zoom and do not comment on the situation. Chief Hoelscher is on Zoom and states that they will not authorize a METRC change for anyone if there is a lack of proof. **Bruce S. motions to deny with a 120-day abeyance and delegate director authority to renew and verify taxes are paid or on payment plan. Lieutenant Jaime seconds. None opposed, motion passes.***

- 2. License #10201:** **Happy Cannabis**
 Licensee: Happy Cannabis
 License Type: Standard Marijuana Cultivation Facility
 Local Government: Wrangell
For Consideration: **4 NOVs for tax delinquency**

*Licensee is on zoom. **Bruce S. motions to approve with delegation. Eliza M. seconds.** The reason he was late is because he lives over 600 miles away from Anchorage drop box. Lacey Wilcox is on zoom and says the drop box was going to be built, but hasn't heard an update. **None opposed, motion passes.***

- 3. License #10286:** **Arctic Greenery, LLC**
 Licensee: Arctic Greenery, LLC
 License Type: Standard Marijuana Cultivation Facility
 Local Government: Fairbanks North Star Borough
For Consideration: **3 NOVs for tax delinquency, currently on the 2/24/2023 DOR delinquency list**

Bruce S. motions to deny #10286 with 90-day abeyance and delegation to the director of renewal authority to verify to bring taxes current or on payment plan. Lieutenant

Jaime seconds. Licensee is not present. None opposed, motion passes.

- 4. License #10481: Goldhill Gardens**
Licensee: Goldhill Gardens
License Type: Standard Marijuana Cultivation Facility
Local Government: Fairbanks North Star Borough
For Consideration: 4 NOVs for tax delinquency

Bruce S. motions to approve with delegation. Lieutenant Jaime seconds. None opposed, motion passes.

- 5. License #11092: Fairbanks Fireweed**
Licensee: Fairbanks Fireweed, LLC
License Type: Standard Marijuana Cultivation Facility
Local Government: Fairbanks North Star Borough
For Consideration: 5 NOVs for tax delinquency

- 6. License #11605: Stoned Salmon Farms**
Licensee: Always Redeye, LLC
License Type: Standard Marijuana Cultivation Facility
Local Government: Juneau
For Consideration: 4 NOVs for tax delinquency

- 7. License #14956: 50 Shades of Green**
Licensee: 50 Shades of Green, LLC
License Type: Standard Marijuana Cultivation Facility
Local Government: Houston, Matanuska – Susitna Borough
For Consideration: 9 NOVs for tax delinquency, currently on the 2/24/2023 DOR delinquency list

Bruce motions to deny #14956 with 90-day abeyance and delegation to the director of renewal authority to verify to bring taxes current or on payment plan. Lieutenant Jaime seconds. Licensee is not present. Lieutenant Jaime asks why an accusation has not been brought to the board. Jane S. summarizes the background.

The board directs the director to write an accusation when a licensee has been on the list for three months and bring to the board.

None opposed, motion passes.

- 8. License #17409: Kine, Co.**
Licensee: Kine Co., LLC
License Type: Standard Marijuana Cultivation Facility
Local Government: Houston, Matanuska – Susitna Borough
For Consideration: 8 NOVs for tax delinquency, currently on the 2/24/2023 DOR delinquency list

*Jana Weltzin, counsel, is present in person and summarizes the licensee’s situation. **Bruce S. motions to deny #17409 with 90-day abeyance and delegation to the director of renewal authority to verify to bring taxes current or on payment plan. Lieutenant Jaime seconds.** Jana asks what happens when DOR will not assist the licensee to amend the tax return when mistakes are made entering product into METRC? This is an issue for Dream Green Farms as well. Director Wilson says she will work with METRC and Ms. Mazzei on this issue. Investigator Johnson states that Enforcement can’t change it in METRC, DOR tax structure, put in work ticket to allow METRC authority to go in and fix it. **Bruce S. motions to approve with delegation 90 days to demonstrate to the director that the situation is fixed. Eliza M. seconds. None opposed, motion passes.***

- 9. License #18516: Bro Bro Budz, LLC**
Licensee: Bro Bro Budz, LLC
License Type: Standard Marijuana Cultivation Facility
Local Government: Houston, Matanuska – Susitna Borough
For Consideration: 8 NOVs for tax delinquency

Bruce S. motions to approve with delegation. Eliza M. seconds.** Licensee is not present. **None opposed, motion passes.

- 10. License #20642: Snow Lotus Gardens, LLC**
Licensee: Snow Lotus Gardens, LLC
License Type: Limited Marijuana Cultivation Facility
Local Government: Matanuska Susitna Borough
For Consideration: 5 NOVs for tax delinquency, currently on the 2/24/2023 DOR delinquency list

Bruce S. motions to deny #20642 with 90-day abeyance and delegation to the director of renewal authority to verify to bring taxes current or on payment plan. Eliza M. seconds.** Licensee is not present. **None opposed, motion passes.

4:07 pm: Lieutenant Jaime stepped away

4:08 pm: Break

4:22 pm: Reconvened, all members are present either in person or on Zoom.

C. RENEWED LICENSES ON THE JANUARY 23, 2023 & FEBRUARY 24, 2023 TAX DELINQUENCY LIST TAB 25

Bruce S. motions to deny all applications in Tab 25 with 90-day abeyance and delegation to the director of renewal authority to verify to bring taxes current or on payment plan. Lieutenant Jaime seconds. None opposed, motion passes.

- 1. License #11051: Northlink, LLC**
Licensee: Northlink, LLC
License Type: Standard Marijuana Cultivation Facility
Local Government: Fairbanks, Fairbanks North Star Borough
For Consideration: 1/23/2023 & 2/24/2023 Tax Delinquency

- 2. License #14736: The Happy Harvest Company, LLC**
Licensee: The Happy Harvest Company, LLC

License Type: Limited Marijuana Cultivation Facility
Local Government: Matanuska – Susitna Borough
For Consideration: 1/23/2023 Tax Delinquency

- 3. License #16916: Dutch Buds Cannabis Co.**
Licensee: DBCC, LLC
License Type: Limited Marijuana Cultivation Facility
Local Government: Matanuska – Susitna Borough
For Consideration: 1/23/2023 & 2/24/2023 Tax Delinquency
- 4. License #22960: J & M Investments, LLC**
Licensee: J & M Investments, LLC
License Type: Limited Marijuana Cultivation Facility
Local Government: Matanuska – Susitna Borough
For Consideration: 1/23/2023 & 2/24/2023 Tax Delinquency

D. Board Consideration - Residency Exemption

- 1. Fireweed Factory** **TAB 26**
Licensee: Fireweed Factory, LLC
Local Government: Juneau City and Borough
For Consideration: Callahan Dillion, MJ – 20a Residency Exemption
 - a. License #10266**
License Type: Retail Marijuana
 - b. License #10800**
License Type: Standard Marijuana Cultivation Facility

Bruce S. motions to renew #10266 and #10800 with delegation. Eliza M. seconds. Licensee is not present. Ely C. is opposed, motion passes 4-1.

E. 60 DAYS TO HAVE TAXES PAID IN FULL OR PROOF OF PAYMENT PLAN, APPROVED WITH DELEGATION AT THE DECEMBER 13 – 14, 2022 MCB MEETING

- 1. License #12872: Greenstar, INC**
Licensee: Greenstar, Inc
License Type: Standard Marijuana Cultivation Facility
Premise Address: 54843 Kenai Spur Hwy
Local Government: Kenai Peninsula Borough
For Consideration: 14 NOVs for tax delinquency

Licensee was on the January 23, 2023 and the February 24, 2023 DOR delinquency list.

Bruce S. motions to deny #12872. Lieutenant Jaime seconds. Jason Bott is present on Zoom. He will be in person the next day and wishes to address the board. **Bruce S. withdraws the motion and the matter is tabled to tomorrow morning.**

3/9 10:43 am: Jason Bott is present in person. Director Wilson recalls speaking to him and she was sick the day of the scheduled meeting. Jane and the director summarize the background. Mr. Bott speaks about his issues with taxes, water weight and manifests. Lieutenant Jaime mentions this situation was created strictly by the licensee's business decisions. Discussion on how to find a path forward. **Bruce S. motions to deny the renewal. Lieutenant Jaime seconds. Ely C. is opposed, motion passes 4-1.**

3/9 11:26 am: Lunch

12:19 pm: Reconvened, all members are present either in person or on Zoom.

● **TABLED FROM PREVIOUS MEETING(S)**

A. License #29087:	Alice's	<u>TAB 27</u>
Licensee:	CDLW, Inc.	
License Type:	Retail Marijuana Store	
Premises Address:	12111 Horseshoe Drive, Suite 1	
Local Government:	Municipality of Anchorage	

For Consideration: **At the September 21 – 22, 2022 meeting the board tabled the consideration of the Municipality of Anchorage's protest and objections from the Eagle River Community Council as well as other public objections and comments.**

JDW Law, counsel for the applicant, is requesting for the consideration to be tabled once again to the August 23 – 24, 2023 meeting due to the work that continues with residents, the community council and surrounding areas.

*3/8 Jana Weltzin, counsel, is requesting to table consideration to August. **Bruce S. motions to indefinitely table until the request is brought to the director. Lieutenant Jaime seconds. None opposed, motion passes.***

*Taking up the death of the licensee regarding extension. Jane S. and the licensee, Jason, Cotton Mouth Cannabis is on Zoom, summarize the situation. Extension of another 90 days beyond 3/28 to complete a transfer application. **Bruce S. motions to approve a 90-day extension #15015 to file a transfer. Lieutenant Jaime seconds. None opposed, motion passes.***

3/8 4:49 pm: Recessed

3/9 9:02 am: Reconvened, all board members are present in person or on Zoom.

3/9: Intoxicating hemp products discussion with Jana Weltzin. Deputy Commissioner of Department of Natural Resources, Brent Goodrum, is present on Zoom. There is a discussion about a memorandum of understanding (MOU) with AMCO.

There are multiple technical issues, the statewide network crashed.

9:55 am: Break

10:14 am: Reconvened

● **NEW MARIJUANA HANDLER PERMIT EDUCATION COURSE**

A. MHCP 037:	Alaska Marijuana Handler Permit Training	<u>TAB 28</u>
Applicant:	360training.com, Inc.	
Contact Person:	Samantha Montalbano or Muhammad Zulnoorain Arfeen	

*3/9 12:20 pm: Jennifer Evans senior course writer and Arfeen are present on Zoom. This course has been brought to the board beforehand and was denied. Carrie C. confirms this is a resubmission. Jennifer discusses the changes made to the course. Lieutenant Jaime points out an incorrect answer that is not factual in Alaska, riding a bike under the influence, gets a DUI. Kevin H. provides the correct statute she will need to obtain the correct information. There is a random knowledge question – how much does the board members get paid? Lieutenant Jaime and Bruce S. explain that when there is wrong answer, the correct answer with statute/regulation reference should pop up. **Bruce S. motions to approve with delegation that before going live, they provide that when there is wrong answer, the correct answer with statute/regulation reference should pop up. Lieutenant Jaime seconds. None opposed, motion passes.***

● **Notice of Hearing: March 9, 2023 at 1pm
JJH Holdings d/b/a Will's World Extracts**

*3/9 12:43 pm: the licensee does not object to having this heard in public. Jana Weltzin is counsel. Investigator Bankowski is on Zoom and states there is still an active investigation and requests closed session. **Bruce S. motions to deliberative session. Lieutenant Jaime seconds. None opposed, motion passes.***

12:55 pm: In session

2:31 pm: At ease

2:40 pm: Back in session

3:40 pm: Ely Cyrus left the meeting

4:00 pm: Back in session.

Bruce S. motions with regards to the seizure at Wills World and in accordance with 3 AAC 306.830(j) there are reasonable grounds to upload the admin seizure by the director as justified. Lieutenant Jaime seconds. None opposed, motion passes. 4-0.

Nick M. suggests a half day meeting next week for regulations. Jane S. will poll the members for available times.

4:03 pm: Break

4:17 pm: Reconvened

● **REGULATIONS**

A. Regulations Tracking Sheet **TAB 29**

B. Opened Regulations Projects

1. Board Discussion

Infants on Licensed Premises – Breastfeeding **TAB 30**

Status: initial draft for board discussion

Potential Board Actions: TBD at meeting

Business Signs. Promotional Ads. **TAB 31**

Status: initial draft for board discussion

Potential Board Actions: TBD at meeting

Revocation of Acceptance. Transportation. **TAB 32**

Status: draft for board discussion

Potential Board Actions: TBD at meeting

2. Public Comment Period Closed. Public oral comments may not be received at this meeting for this section.

Video Surveillance – power backup **TAB 33**

Status: second round of public comment closed February 22, 2023. Comments were received.

Potential Board Actions: TBD at meeting

Exterior Window **TAB 34**

Status: second round of public comment closed February 22, 2023. Comments were received.

Potential Board Actions: TBD at meeting

C. Rekeyed Project: Enforcement Action

Director Wilson to explain the Board

E. Board Requests (if any)

3/9 4:18 pm: Bruce S. reads his letter regarding intoxicating hemp into the record. Add an amendment to include the MOU between DNR, Division of Agriculture and AMCO to be executed. Eliza M. mentions in the first sentence “to be determined by final testing” and in packages that are consistent with AMCO’s child resistant packaging requirements” – discussion on the second

request. The 3 board members agree to the amendments and bring a final draft back to the board next week.

1. Reminder to discuss: Package and Package Tags

3/9 4:34 pm: Nick M. begins the discussion regarding re-METRC package tags and the recent guidance. He says the regulations specify the batch. Increases their expenses, this is not a public safety/health issue. Director Wilson summarizes what she had heard from Enforcement. Investigator Bankowski is on Zoom and he says approximately 50% are retagging. Inventory tracking regulation. Chief Hoelscher is present on Zoom. He found the regs 3 AAC 306.020, 310, 330, 345, 470, 475, 730. Wishes to let the director review the advisory before the board makes any decision. Nick M. would like the board to review advisories that would possibly affect 50% of industry. Bruce S. agrees. Chief Hoelscher disputes the 50/50, estimates 70/30. Director Wilson reads 805c – enforcement/director has the authority to issue an advisory. She understands the board’s position and would like to have more information, breakdown of cost, number of licensees, possible public safety issues.

Eliza M.: wet weight vs dry weight – can AMCO work with METRC to create a different field to account for that and a deduction? Director Wilson will get an answer – has a meeting scheduled with DOR to discuss this tax issue. Investigator Bankowski discussed how to do it in METRC. Alaska is the only state that taxes by weight. Eliza M. is also interested in being a part of an audit of all handler courses.

5:11 pm: Tundra Brewing, Brian Simpson, William Carter are present regarding the administrative hold on products from Wills World. They ask to have the board release their products that have Wills World ingredients, were put on hold back to November. Discussion on procedures. Eliza M. mentions ingested vs smokables – smokables would be a different discussion. The board is leaning towards releasing Tundra Brewing’s products. **Bruce S. motions to direct AMCO to remove the hold on their products that was affected by Wills World. Eliza M. seconds. Delegated the director to the authority to make similar accommodations for other manufacturers that are affected.**

5:20 pm: Ely C. is back in the meeting.

5:25 pm: Nick steps out and passes the gavel to Bruce S.

None opposed, motion passes. 3-0

5:27 pm: Nick is back, gavel passed back to the Board Chair. The meeting is recessed and public comment will be at the end of next week’s meeting.

● MARIJUANA MAILBOX

TAB 35

All correspondence received in the marijuana@alaska.gov inbox from November 25, 2022 To February 17, 2023.

● ADDITIONAL PUBLIC TESTIMONY

The Board may decide to limit public testimony.

Public testimony is limited to issues not on this agenda and that are not proposed regulations
Written comments may also be submitted to the board for review during its next regular meeting
via marijuana@alaska.gov.

● **BOARD COMMENTS**

● **NEXT MARIJUANA CONTROL BOARD MEETING**

The next meeting is scheduled for **June 1 - 2, 2023 in Anchorage**. All applications must be deemed complete and all other information for inclusion in the board's packets must be received by **May 12, 2023**.

● **ADJOURN**

3/13/23 1:03 pm

Roll Call

*Nick Miller, Board Chair, in person
Bruce Schulte, Vice Chair, absent
Christopher Jaime, on Zoom
Eliza Muse, on Zoom
Ely Cyrus, on Zoom*

*Joan Wilson, Director, in person
Kevin Higgins, Assistant Attorney General, on Zoom
Jane Sawyer, Program Coordinator, in person
Carrie Craig, Records and Licensing Supervisor, in person
Kristina Serezhenkov, Regulations Specialist, in person
Gabriel Gonzalez, Local Government Specialist, in person*

Taskforce letter of support.

Eliza M.: #1 tax changes – increase from 3 to 9 – 10%. Need projections from DOR. Agrees with potency taxes. Agree with #8, preserve local control. #12 doesn't agree with the limits – its adequate prevents overconsumption. #13 age dating is effective tool. Restrictions are necessary – poor labeling problems. Not enough consumer education. Lack of federal regulations. Lab testing, agrees, heavy metals and pesticides. Not sure about funding private labs, look into state labs. #15 a state lab would be something the university could oversee.

Ely C.: Doesn't have strong opinions. Tax structure is not the greatest, restructuring is needed. Agrees with redefining hemp/marijuana. ABC shouldn't be combined. Doesn't agree with #7 it would further dilute the current voices on the board. Same for license limits – conflicted. Biennial licenses is good. Agrees with testing for heavy metals and pesticides, he had brought this up more than once.

Lieutenant Jaime: taxes need to be reworked. #3 has an issue – same concerns as Ely. #6 initiation of the director. #8 disagrees – apprehensive believes in free market. #12 that is a lot of marijuana – 6 ounces, shouldn't be changed. Age gating of CBD hemp – if no intoxicating elements, no need to have an age limit.

Nick M.: was part of the taskforce. Overall supports the recommendations. Disappointed with some tax comments he has heard previously – he doesn't believe that will be the answer.

Jana Weltzin: taskforce update: met today. Heard from legal – hemp and marijuana combined would make the hemp program illegal. Needs tax reform. #4 is priority number 2. #10 product transfers between license types, changing renewals to biennial.

Nick M. asks about limiting the support letter to the top 5 priorities Jana W. spoke on. Send final draft to Nick M. and Lieutenant Jaime so they do not violate the special meetings act.

Letter to Department of Agriculture: Bruce S. was the drafter and he is absent.

Question of reviewing regulation with Bruce absent? Lieutenant Jaime prefers not to. Ely S. says there is a quorum but he fine waiting. Eliza M. says she will agree with the will of the board. Possible another meeting in 2/3 weeks? Discussion of considering the regulations that could go out for public comment. Nick M. suggests to go through those and do the approvals in 2/3 weeks.

Infants – Jane Sawyer summarizes the changes made to the regulation. **Ely C. motions to put out for public comment. Eliza M. seconds. None opposed, motion passes 4 – 0.**

Business signs - Jane summarizes the changes made to the regulation. **Ely C. motions to put out for public comment. Eliza M. seconds.** There is a visual contrast discussion. 770g. Jane S. reads the google definition of visual contrast. Kevin asks if it's in the regulation. Not currently but could be. Kevin suggests to the board to add the definition. Eliza M. has concerns with advertising on post-secondary school grounds. Board members are interested in what the public has to say. Director Wilson asks to remove "in areas where there is no local government..." or leave it and set the standard. Nick M. says to remove that sentence in red. **None opposed, motion passes 4 – 0.**

Revocation – Director Wilson suggests waiting for Bruce S. on this one. **Ely C. motions to table this project, the video project, and the exterior window project until the next special meeting of the board. Eliza M. seconds. None opposed, motion passes 4 – 0.**

Rekeyed projects – need all 5 board members. **Ely C. motions to table the rekeyed projects. Eliza M. seconds. None opposed, motion passes 4 – 0.**

Board Requests

Eliza M.: Has none

Ely C.: Has none

Lieutenant Jaime: Has none

Nick M.: He will wait for the special meeting. Application process, how hard to review the applications and remove unnecessary narratives. Director Wilson says the new licensing system will help with this issue. Perhaps a working group? There may be wording in the regulations about assessing, Jane S. to look into.

Mailbox

Eliza M.: speaks to the email with the issue with the queue, considered the application in Fairbanks. Appreciates the staff and the letter from the applicant.

Ely C.: no comments

Lieutenant Jaime: no comments

Nick M. public comments are very important, regulations come from these comments.

2:19 pm: public testimony opened

Lacy Wilcox: Licensee for Top Hat, is present on Zoom. Speaks to Bruce's letter. Nick M. would like it out in the next day or so. Director Wilson will get both letters to him and post them on the website.

Dan Ferguson: Licensee for Primo, is present on Zoom and speaks about hemp products.

Ryan Tunseth: Licensee for East Rip in Kenai and with AMIA, is present on Zoom.

Barret Goodale: Licensee for Good Cannabis, is present on Zoom

Director Wilson comments.

Board Comments

Eliza M.: Thanks for all staff does.

Ely C.: He asks has the state approached the feds to allow an exemption for marijuana transportation on airplanes especially to rural areas? Nick M. doesn't recall the board asking for an exemption during his time. Director Wilson can look into that, not necessarily the product, but not having a commercial license and was receiving payment for transporting multiple businesses products. Ely C. suggests adding Bruce S. to the conversation.

Lieutenant Jaime: thanks staff, board members, everybody does a great job.

Nick M.: appreciates the members, staff. He doesn't mean to be overly critical.

2:41 pm Adjourned