



MEMORANDUM

TO: Marijuana Control Board

DATE: April 9, 2024

FROM: Kristina Serezhenkov, Regulations
Specialist

RE: Special Investigator Hiring
Standards

The board approved the draft regulations for initial Law review at the November 2023 meeting. Upon the Department of Law's approval, the draft was sent out for official public comment with the comment period closing 3.8.2024. A comment was received and is attached.

Options for the board:

- Move to adopt and send to Law for final review.
- Move to amend and adopt and then send to Law for final review.
- Move to send back to staff for more work.
- Table the regulations project.
- Close the regulations project.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

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

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

(ii) 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 ____/____/_____, Register _____)

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

From: [Alaska Online Public Notices](#)
To: [CED AMCO REGS \(CED sponsored\)](#)
Subject: New Comment on NOTICE OF PROPOSED CHANGES TO SPECIAL INVESTIGATOR HIRING STANDARDS IN THE REGULATIONS OF THE MARIJUANA CONTROL BOARD
Date: Tuesday, February 6, 2024 4:33:01 PM

A new comment has been submitted on the public notice [NOTICE OF PROPOSED CHANGES TO SPECIAL INVESTIGATOR HIRING STANDARDS IN THE REGULATIONS OF THE MARIJUANA CONTROL BOARD](#).

Submitted:

2/6/2024 4:32:57 PM

Anchorage, AK, US
Anonymous User

Comment:

I Disagree with these standards all together. I think it is poor judgment to only have investigators that are ex police. I say this because of the experience I have had with one of this type of investigator and on talking to others I found they have been treated the same.

When my cultivation was "inspected" and after scanning the plant tags the inspector looked at me and said " there are a bunch of plants missing, where are they?" I was speechless as I had no idea there were any missing plants. I was treated there on out as if I was pulling a fast one and had been caught. I kept saying that they had to be here as I had no idea where else they could be. The inspector made no effort to resolve the situation. If I could not produce the plants I was lying.

What was the end result? After taking down all the missing plant tag numbers I searched through the room and found all the plants there! the fancy machine that is suppose to read the tags was not doing its job. It was missing a lot of tags. Why didn't the inspector say that perhaps the machine is missing tags and perhaps a quick count of plants in the room might help resolve the situation. I know for a fact that this has happened to other cultivators so the inspectors should be aware of this issue. I think the answer is a policeman is out to catch criminals and when something is off they first suspect a perpetrator is the cause.

We should have investigators who are working with the industry not ones who accuse before the facts are known. That would require a totally different set of requirements for the job, not the ones you are proposing.

You can review all comments on this notice by [clicking here](#).

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