



MEMORANDUM

TO: Marijuana Control Board DATE: October 14, 2021
FROM: Carrie Craig, RLS RE: Licenses in “Delegated” Status

Licenses issued by the board are expected to be operated. The board, the staff, and the industry recognize that there are steps that licensees need to take between board approval and becoming operational, and that these steps can take some time. However, an approval that does not lead to an operating establishment within a reasonable period of time should not stand indefinitely for the following reasons:

- A license approval from the board indicates that the board has determined the application to be compliant with the regulations that exist at the time of review, and particularly that the location of the proposed facility is compliant with regards to appropriate separation from protected land uses (3 AAC 306.010) at that time.
- There could be changes to the surrounding land uses over time leading to a possible conflict with protected land uses, and there can be changes to regulations.
- Licensees who are approved but are not operational for an extended period of time may not be staying familiar with the regulations and keeping up to date on regulatory changes.

What is “a reasonable period of time” can definitely vary depending on each licensee’s situation.

The licenses listed in this section of the agenda have remained in “delegated” status for over 12 months, meaning that in a full year after coming before the board, the applicant has not resolved issues related to local government approval, DEC approval, Fire Marshal approval, and/or specific changes required by the board.

Per the board's instruction, I have requested that the licensees be present at this meeting (in person or on Zoom) to discuss the status of their facility with the board. **These licensees were notified by certified mail that they will be required to attend the October 26-28, 2021 meeting either in person or on Zoom to update the board members.**

The board should determine on a case-by-case basis whether any board action is necessary or appropriate.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
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September 1, 2021

Dear Marijuana License Applicant:

You are receiving this notice because you have a marijuana license application that has been in “delegated status” for approximately twelve months or longer. This means that in a year or more after your matter came before the Marijuana Control Board (MCB) you have not resolved one or more issues. These issues may be related to local government approval, DEC approval, Fire Marshal approval, and/or specific changes required by the MCB. Licenses issued by the MCB are expected to be operated within a reasonable period of time.

Reconsideration of your application has been scheduled for the **October 26 – 28, 2021 meeting of the MCB in Anchorage**. You are required to be available in person or via Zoom to provide the board with information and documentation relating to your delegated license status.

You must either *R.s.v.p.* that you will be attending or provide a written valid reason why you are unable to attend by emailing marijuana.licensing@alaska.gov. If you do not respond to this notice or provide a valid reason why you cannot attend the meeting, the MCB may act against your license.

We look forward to hearing from you soon.

Respectfully,

ALCOHOL & MARIJUANA CONTROL OFFICE

A stylized signature of Carrie Craig in blue ink.

By: Carrie Craig,
Records and Licensing Supervisor