



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development
ALCOHOL and MARIJUANA CONTROL OFFICE
550 W 7TH AVENUE, STE 1600
Anchorage, AK 99501
Main: 907.269.0350

Marijuana Control Board
Special Meeting – AO360
Agenda
Date: **February 9, 2026**

Join Zoom Meeting
<https://amco-alaska-gov.zoom.us/j/81359259060?pwd=UVVg1sTqbCJ7hj01Re4I2S6jGlxFmC.1>
Meeting ID: **813 5925 9060**
Passcode: **109341**

Telephone No. & Passcode
+12532050468,,81359259060#

Administration

- Call to order

Time 10:00 AM

Chair Bailey Stuart calls the meeting to order at 10: 00 am

- Roll call
 - Bailey Stuart, Chair – Industry - *present via zoom*
 - Ely Cyrus, Vice Chair – Rural – *present via zoom*
 - Christopher Jaime – Public Safety – *absent*
 - Lacy Wilcox – Public Member – *present via zoom*
 - Dr. Bruck Clift – Public Health – *absent*

AMCO staff

- Kevin Richard, Director
- Andrew Bocanumenth, Agency Attorney
- Jane P. Sawyer, Program Coordinator
- Kristina Serezhenkov, Local Government Liaison
- Joe Bankowski, Enforcement Supervisor
- Regina Cruz, Licensing Supervisor

- Approval of agenda

Time 10:05 AM

Board members noted the agenda had not been distributed in advance or posted publicly.

Vice Chair Ely Cyrus inquired whether the agenda had been publicly noticed. Director Kevin Richard indicated the meeting was a continuation of the AO360 discussion from the prior meeting and that an agenda had not been posted.

Chair Bailey Stuart requested legal clarification regarding compliance with the Open Meetings Act.

Sara Chambers, Board and Regulations advisor, advised that statute does not specifically require posting an agenda. She noted the meeting had been publicly noticed as a single-topic continuation and advised that proceeding would be appropriate so long as no additional, unnoted topics were introduced. Vice Chair Ely Cyrus moved to approve the agenda, Lacy Wilcox seconded. Vice Chair Ely Cyrus – yes, Lacy Wilcox – yes, Chair Bailey Stuart- yes, Agenda approved. Absent: Lt. Jamie and Dr. Clift were both absent.

- AMCO meeting code of conduct & top 10 Zoom FAQ

TAB 1

*Chair Bailey Stuart reminded the public of AMCO’s code of conduct and Top 10 zoom facts including instructions to press * 9 to raise a hand and *6 to unmute.*

- Board governance

Time 10:10 AM

No conflicts of interest were declared.

- AO 360 Reform Plan and Decisional Document

- Review document is the AO 360 Reform Plan and Decisional Document from February 5th, 2026, Regular MCB Meeting

Chair Bailey Stuart introduced continued discussion of AO360 itemized proposals and noted the need to establish priorities for staff.

The board continued to propose the regulations changes below:

- 3AAC 306.035, 3 AAC 306.405 – simplify the renewals by allowing one designated licensee signing the renewal application: with a low priority 2027
- 3AAC 306.510- amend to remove “bright colors” while retaining the prohibition on packaging designed to resemble candy

- 3AAC 306.520 (1) (B) (i) –repeal in house testing for product manufacturing facilities on diagrams specifics (not prohibited)
- 3AAC 306.701 – remove the requirement for completion of a Marijuana Handler permit training course , while retaining the Marijuana Handler permit structure including background checks and issuance of permits
- 3 AAC 306.315 (2) (a) – simplify the application and eliminate redundant language

Break: 11:20 am

Reconvene: 11:30 am

Chair Bailey Stuart calls roll

- Bailey Stuart, Chair – Industry - *present via zoom*
- Ely Cyrus, Vice Chair – Rural – *present via zoom*
- Christopher Jaime – Public Safety – *absent*
- Lacy Wilcox – Public Member – *present via zoom*
- Dr. Bruck Clift – Public Health – *absent*

- 3 AAC 306.515 *clarified as correct applicable regulation. A discussion on the authority of concentrate manufacturing facilities to produce and sell infused pre rolls. While under prior board interpretation, regulatory language for consistency. The board supported pursuing regulatory change, with further review to include public comment. Lacy Wilcox proposed revising the definition of a marijuana product.*
- 3 AAC 306.520, 306.315, 306.420, 306.615 - *Restructure of applications to consolidate multiple license type forms into a single unified application.*
- 3 AAC 306.935 (c) *identified as redundant; covered in statute*

Director Kevin Richard requested delegation to staff to complete the reform plan, including assigning priority numbers, establishing a timeline, requesting assistance, and calculating proposed regulatory reductions. The board agreed with specific priority items to be incorporated.

- *Chair Bailey Stuart identified top priorities:*
 - *Division of Agriculture language requiring all THC including delta 8 and delta 10 in licensed products to be derived solely from Alaskan grown marijuana*
 - *Sample language specifying enforcement may collect whole flower samples for testing purposes*
 - *Section 600 inclusion of delta 8 and delta 10 language*

- *Sales limits under section 3AAC 306.355*
- *Packaging limits under section 410*

Director Kevin Richard requested priority items be referenced by itemized number for clarity and ease of staff implementation.

Lacy Wilcox asked for clarification regarding THC/CBD conversions and closure of conversion loophole, Chair Bailey Stuart confirms the Division of Agriculture language has been added as a top priority. Director Kevin Richard noted that this language has been added and will be incorporated into relevant regulations.

The board reviewed the AO 360 Reform plan, confirms top priorities immediate action and delegated staff to proceed with secondary items at their discretion , focusing on administration efficiency and top priorities.

Chair Bailey Stuart further identifies the top priorities for the AO 360 Reform plan:

- *3 AAC 306.310, 3AAC 306.750*
- *3 AAC 306.005 (a)*
- *3 AAC 306.455 , 3 AAC 306.550*
- *3 AAC 306.005*
- *3 AAC 306.020 (b) (5) (B)*

Vice Chair Ely Cyrus expressed concern that too many items are being treated as top priorities and requested clarification on staff expectations.

Director Kevin Richard clarified that board members should identify only the most critical item while staff would assign the priority levels to remaining items.

Vice Chair Ely Cyrus suggests each board member designate one or two priorities.

Board members identified key priorities:

Vice Chair Ely Cyrus: Transportation

Lacy Wilcox: Minors on licensed premises, and prohibition of synthetic/converted cannabinoids

Chair Bailey Stuart: THC/ CBD conversion clarification, including incorporations on delta 8, delta 10, and total THC throughout regulations. Limits on amounts sold (section 3AAC 306.355, 3 AAC 306.380), Division of Agriculture submitted language requiring Alaska Grown sources for THC. Second priority : sampling requirements including submission of whole flower or final product for testing, enforcement authority to collect samples of marijuana flower at the cultivation level. Explicit clarification that product inversion is not allowed.

Vice Chair Ely Cyrus raised concerns about whether Enforcement taking product without compensation. Attorney Andrew Bocanumenth indicated that he would need to do further research and expresses legal concerns. Vice Chair Ely Cyrus suggested requiring an explicit “reasonable sample size” to prevent misinterpretation and justify excessive sampling.

Lacy Wilcox proposed consolidating multiple regulatory items and suggested combining Packaging and Labeling. Chair Bailey Stuart clarified that packaging and labeling priorities include transportation and consumer sales. Vice Chair Ely Cyrus supported consolidation for efficiency. Lacy Wilcox also proposed consolidating application related regulatory items and expressed confidence in staff’s ability to implement improvements. Director Kevin Richard noted that regulatory changes must remain organized by specific regulatory changes and cannot be combined broadly by topic

Lacy Wilcox motions to approve the decisional document as discussed, Vice Chair Ely Cyrus seconds. Director Kevin Richard clarified the document does not change regulations; it will be submitted to Department of Law and then would go to the regulatory change project. Sara Chambers reinforced that this document is a planning tool establishing workflow priorities and public accountability; formal rulemaking allows future revisions. Ely Cyrus noted the document could guide legislative engagement. Chair Bailey Stuart calls the question: Vice Chair Ely Cyrus- Yes, Lacy Wilcox – Yes, Chair Bailey Stuart- Yes, Dr. Clift and Lt. Jamie were both absent. Motion passes.

Lacy Wilcox motions to delegate staff authority to complete and submit the reform plan subject Chair Bailey Stuart approval, Vice Chair Ely Cyrus seconds. Vice Chair Ely Cyrus- Yes, Lacy Wilcox – Yes, Chair Bailey Stuart- Yes, Dr. Clift and Lt. Jamie were both absent. Motion passes.

- Board Comments
- Adjourned- Vice Chair Ely Cyrus motions to adjourn, unanimous consent on February 9th, 2026, at 12:44 pm.