



**Marijuana Control Board  
Meeting Minutes  
July 7, 2016  
Fourth Judicial District  
Fairbanks North Star Borough Assembly Chambers  
809 Pioneer Road  
Fairbanks, Alaska**

\*Meeting minutes are 37 minutes fast (actual start time is 9:16am)

**Board Members Present:**

Peter Mlynarik, Public Safety Member  
Mark Springer, Rural Member  
Brandon Emmett, Industry Member  
Loren Jones, Public Health Member (telephonic)  
Bruce Schulte, Industry Member

**Staff Members Present:**

Cynthia Franklin, Director  
Sarah Oates, Program Coordinator

**Legal Counsel Present:**

Harriet Milks, Assistant Attorney General

**Call to Order**

**9:53:52 AM**

**Approval of Agenda**

Mark Springer motions to approve the agenda.  
Brandon Emmett seconds the motion.  
None opposed.

**9:54:16 AM**

Mark Springer motions to strike C2 from the agenda, as he did not provide draft language.  
Brandon Emmett seconds the motion.  
None opposed.

Brandon Emmett motions to strike C4 from the agenda, as he did not provide draft language.  
Mark Springer seconds the motion.  
None opposed.

Bruce Schulte motions to strike C7 from the agenda, as he did not provide draft language.  
Brandon Emmett seconds the motion.  
None opposed.

Harriet Milks informs the Chair that when a member is on the phone, he will need to be asked directly if he has any opposition.

Peter Mlynarik requests that the motions be combined into one to strike C2, C4, and C7 from the agenda.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.

Bruce Schulte motions to move the remaining regulations projects to tomorrow after review of the license applications.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.  
Sarah Oates asks the Chair and Mr. Schulte if the motion to move the regulations projects was including the on-site consumption endorsement draft and the administration draft.  
Bruce Schulte clarifies that it was only supposed to be for the remaining subsections of section C of the Regulations bullet.

**April 27, 2016 Meeting Minutes**

[9:59:14 AM](#)

Bruce Schulte motions to approve the minutes.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.

**June 9-10, 2016 Meeting Minutes**

[9:59:33 AM](#)

Mark Springer motions to approve the minutes.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.

**Legal Considerations and Updates**

[9:59:55 AM](#)

Harriet Milks requests that board members update their ethics disclosures.

All board members state that they have nothing new to disclose.  
Bruce Schulte states that there are three applications on the agenda that he will not be discussing or voting on.

**Director's Report**

[10:02:06 AM](#)

Cynthia Franklin updates the board on staff and legislative news.

### **Enforcement Update**

[10:06:04 AM](#)

Cynthia Franklin updates the board on marijuana handler permits issued and inspections of the first cultivation facilities. She requests that the board discuss what an initial inspection will look like.

Peter Mlynarik requests that a member of the board make a motion to suspend the rules to add time to tomorrow's agenda for discussion regarding what an initial inspection will look like, for after discussions of the proposed regulations projects.

Brandon Emmett makes the motion.

Mark Springer seconds the motion.

Mark Springer requests that we add a period of time for public testimony regarding inspections. He additionally states that technically, the board will be considering Enforcement Updates to be unfinished and moving it to tomorrow after proposed regulations projects.

Motion carries unanimously.

### **Administrative Draft Regulation**

[10:16:34 AM](#)

Brandon Emmett motions to strike "*If necessary, the director shall cast a tie-breaking vote with the consent of the board executed at the beginning of the meeting.*" from 3 AAC 306.935(c).

Mark Springer seconds the motion.

Motion carries, 3-2 (Loren Jones and Peter Mlynarik vote No).

The board considers written public comments received.

Mark Springer motions to adopt 3 AAC 306.925 – 940 (Tab 4).

Brandon Emmett seconds the motion.

Mark Springer clarifies that the motion is to adopt as amended.

Motion carries unanimously.

### **On-Site Consumption Endorsement Draft Regulation**

[10:29:50 AM](#)

Brandon Emmett motions to adopt 3 AAC 306.365 and 3 AAC 306.990 (Tab 6).

Bruce Schulte seconds the motion.

The board considers written public comments received and discusses the draft.

Loren Jones states that he cannot support this draft, as he doesn't feel like it will hold up legally.

Harriet Milks reminds the board that their authority to regulate marijuana is very broad, and that they have the authority to define "public". She additionally states that she believes that the statute, specifically AS 17.38.121(c), contemplates some form of on-site consumption, and that this is a defensible regulation under the law.

Brandon Emmett's motion fails, 2-3 (Brandon Emmett and Bruce Schulte vote Yes).

Bruce Schulte asks Harriett Milks what the next step procedurally would be.

Harriett Milks informs the board that procedurally, the next step would be to submit new drafts or make changes to the existing draft, and that the one thing that is for certain is that a draft will have to go back out for public comment.

Peter Mlynarik entertains a motion to amend 3 AAC 306.365(f) to add a new subsection (1) that reads “*allow smoking, dabbing, or vaping of marijuana;*”.

No second.

## Break

[11:32:13 AM](#)

## Meeting Resumes

[11:52:46 AM](#)

Mark Springer motions to amend the on-site consumption endorsement regulation draft.

Bruce Schulte seconds the motion.

None opposed.

Mark Springer motions to amend the first sentence of 3 AAC 306.365(d) to read “*A retail marijuana store that is issued an onsite consumption endorsement under this section is authorized to sell marijuana and marijuana product to patrons for consumption on the licensed premises in an area separated from the remainder of the premises by a secure door and containing a separate ventilation system.*”.

Brandon Emmett seconds the motion.

Motion carries, 3-2 (Loren Jones and Peter Mlynarik vote No).

Mark Springer discusses amending 3 AAC 306.365(d) to add clarification that the amounts allowed under subsections (1) – (3) are inclusive of the amounts allowed under 3 AAC 306.355.

Brandon Emmett motions to amend 3 AAC 306.365(b)(2)(2) to read “*ventilation adequate to prevent second-hand smoke exposure*”.

Bruce Schulte seconds the motion.

Motion fails, 2-3 (Brandon Emmett and Bruce Schulte vote Yes).

Brandon Emmett motions to amend 3 AAC 306.365(b)(2)(4) to read “*disposal or child-resistant packaging of unconsumed marijuana;*”.

Bruce Schulte seconds the motion.

Motion carries, 4-1 (Peter Mlynarik votes No).

Brandon Emmett motions to amend 3 AAC 306.365(g) by striking the subsection in its entirety.

Bruce Schulte seconds the motion.

Mark Springer motions to amend Mr. Emmett’s amendment by striking the word “*not*” from 3 AAC 306.365(g).

Brandon Emmett seconds the motion.

Mark Springer motions to amend his amendment to the amendment by adding “*provided packaging is resealed for removal from the premises by the consumer*” at the end of 3 AAC 306.365(g).

Brandon Emmett seconds the motion.

The board decides to consolidate the multiple amendments into one for voting purposes so that the proposed language for 3 AAC 306.365(g) that’s being voted on reads “*A person may remove from the licensed premises marijuana or marijuana product that has been purchased on the licensed premises for consumption under this section, provided packaging is resealed for removal from the premises by the consumer.*”.

Motion carries, 4-1 (Peter Mlynarik votes No).

Mark Springer motions to approve the amended draft to go out for public comment.

Brandon Emmett seconds the motion.

Motion carries, 4-1 (Loren Jones votes No).

Mark Springer thanks the Fairbanks North Star Borough for their accommodations.

## **Lunch**

[12:50:01 PM](#)

## **Public Testimony**

[1:43:24 PM](#)

Jim Dyer submits a document entitled “Packaging & Labeling – Points for Clarification” and provides testimony.

Caleb Saunders provides testimony regarding a retail marijuana store and restricted access areas.

Karen Perdue provides testimony regarding indoor air and smoking.

Alison Kulas provides testimony regarding indoor air and smoking.

Lance Roberts provides testimony regarding marijuana establishments in residential areas, public objections to applications, and lighting requirements.

Jim Ostlind regarding commercialized marijuana, federal drug laws, Ballot Measure 2 financial contributions, and health and employment warnings.

Grant Anderson provides testimony regarding whether or not to allow mother plants to be introduced into Metrc during an initial inspection.

Dave Straub provides testimony regarding community councils and operating businesses.

Cheryl Bowie provides testimony regarding medical use of cannabis inhalation and testing of TB.

James Barrett provides testimony regarding commercial marijuana, consumption, and tourism in Juneau.

Linden Anson provides testimony regarding mother plants versus starting from seeds.

## **Licensing Update**

[2:32:35 PM](#)

Sarah Oates updates the board on application numbers, the licensing database, board meeting deadlines, food safety permits, application roll-backs, and forms. She informs the board that the deadline for applications to be deemed complete in order to be on the September 7, 2016 meeting agenda is August 24, 2016.

Cynthia Franklin informs the board that the requirements of 3 AAC 306.315 and 3 AAC 306.520 has created a catch 22 with DEC. The staff has met with DEC and agreed upon accepting a DEC-stamped permit application in lieu of the actual food safety permit in order to process the license application.

Sarah Oates requests that the board support the licensing unit’s proposed new policy regarding roll-backs of applications to add licensees or affiliates.

Mark Springer motions to support the staff’s proposed policy of doing one-time only roll-backs of applications in “Initiated”, “Under Review”, “Incomplete”, or “Complete” statuses, and only if it’s for the purpose of adding additional licensees or affiliates.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Sarah Oates requests that the board provide support and/or guidance on preventing the loophole that's been created regarding changes to operating plans, premises diagrams, business names, and ownership after the board has given approval with delegation but before the applicant has actually been issued the license.

The board confirms that any applicant or licensee who makes changes to an operating plan, premises diagram, business name, or ownership after receiving approval or approval with delegation from the board must fill out any required form and pay any corresponding fee.

**New Marijuana Handler Course Provider Applications**

Brandon Emmett and Bruce Schulte recuse themselves from discussion and voting of this section.

[2:55:55 PM](#)

**MHCP 015 "Alaska Marijuana Institute – Marijuana Handlers Course"**

[2:56:09 PM](#)

Mark Springer motions to approve MHCP 015 "Alaska Marijuana Institute – Marijuana Handlers Course". Loren Jones seconds the motion.

Mae Good identifies herself for the record and answers board questions regarding her application.

The board comments that the application needs to have more depth and follow an outline better.

Mark Springer's motion fails unanimously.

Brandon Emmett and Bruce Schulte rejoin the meeting.

[3:05:13 PM](#)

**Previously Delegated Applications Requiring Additional Board Action**

Johni Blankenship, Kenai Peninsula Borough Clerk, identifies herself and Holly Montague, Deputy Borough Attorney, Max Best, Planning Director, and Bruce Wall, Planning Department, for the record.

[3:06:05 PM](#)

Cynthia Franklin informs the board that after the board approved with delegation numerous license applications during June 9-10, 2016 meeting, the Kenai Peninsula Borough submitted "non-objection with conditions" letters to the applications. After inquiry, Ms. Montague confirmed that the Borough's letters were to be treated as requests to impose conditions to the licenses, per 3 AAC 306.060(b).

Holly Montague voices concerns about the board's delegation process.

Cynthia Franklin provides hard copies of a letter sent by Holly Montague on June 30, 2016 regarding this matter.

Holly Montague informs the board that the Kenai Peninsula Borough does not have a local process like a conditional use permit process.

**Break**

[3:50:48 PM](#)

**Meeting Resumes**

[4:05:14 PM](#)

**10011 Green Rush Gardens, LLC**[4:08:06 PM](#)

Mark Springer motions to approve the license application of Green Rush Gardens, LLC #10011 with the conditions requested by the Kenai Peninsula Borough assembly.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.

**10015 Greatland Ganja, LLC**[4:09:01 PM](#)

Mark Springer motions to approve the license application of Greatland Ganja, LLC #10015 with the conditions requested by the Kenai Peninsula Borough Assembly.  
Brandon Emmett seconds the motion.  
Brandon Emmett and Bruce Schulte recuse themselves, and Brandon Emmett's second is withdrawn.  
Loren Jones seconds the motion.  
Motion carries unanimously (3-0).

**10032 Three Sisters Co-Op**[4:10:25 PM](#)

Loren Jones motions to table license application #10032 Three Sisters Co-Op to the February 2017 board meeting.  
Mark Springer seconds the motion.  
Peter Mlynarik motions to remove the delegation from the Director on this license.  
Mark Springer seconds the motion.  
Peter Mlynarik's motion carries unanimously.  
Bruce Schulte confirms for the record that the City of Kodiak has imposed a moratorium that expires in six months.  
Loren Jones's motion carries unanimously.

**10041 Peace Frog Botanicals, LLC**[4:13:08 PM](#)

Mark Springer motions to approve the license application of #10041 Peace Frog Botanicals, LLC with the conditions requested by the Kenai Peninsula Borough Assembly.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.

**10147 Permafrost Distributors**[4:13:35 PM](#)

Mark Springer motions to approve the license application of #10147 Permafrost Distributors with the conditions requested by the Kenai Peninsula Borough Assembly.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.

**10148 Talisman Farms**

Mark Springer motions to approve the license application of #10148 Talisman Farms with the conditions requested by the Kenai Peninsula Borough Assembly.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.

Cynthia Franklin requests that the board make clear whether the approval with delegation to the Director still stands on all five of the Kenai Peninsula Borough licenses, as the board did not vote to remove the delegation. The board confirms that the delegation continues.

## **Tabled Applications**

### **10025 Budding Alaska, LLC**

[4:15:55 PM](#)

Loren Jones motions to approve license #10025 Budding Alaska, LLC with the conditions requested by Kenai Peninsula Borough Assembly.

Brandon Emmett seconds the motion.

The board confirms that this is an approval with delegation.

Motion carries unanimously.

### **10122 Stoney Creek Growers, LLC**

[4:19:32 PM](#)

Elizabeth DeMoss identifies herself for the record.

Mark Springer motions to approve license #10122 Stoney Creek Growers, LLC with delegation and with the conditions requested by the Kenai Peninsula Borough Assembly.

Brandon Emmett seconds the motion.

Elizabeth DeMoss answers board questions.

Mark Springer's motion carries unanimously.

## **Operating Plan Changes**

### **10022 Sunrise Gardens**

[4:26:43 PM](#)

Mark Springer motions to approve license #10022 Sunrise Gardens with delegation.

Brandon Emmett seconds the motion.

Sarah Oates clarifies that the requested board action here is to approve changes to the operating plan, as the board approved the license with delegation at the June 9, 2016 meeting.

Mark Springer withdraws his motion.

Mark Springer motions to approve the changes to the operating plan of license #10022 Sunrise Gardens with continuing delegation.

Brandon Emmett seconds the motion.

Deborag Hutchens identifies herself for the record and answers board questions regarding the requested changes to her operating plan.

Mark Springer's motion to approve the changes carries unanimously.

### **10043 Alaskan Greenery**

[4:34:28 PM](#)

Mark Springer motions to approve license #10043 Alaskan Greenery's changes to the operating plan with continuing delegation.

Brandon Emmett seconds the motion.

Michael Liljedahl identifies himself for the record and answers board questions regarding the requested changes to his operating plan.

Mark Springer's motion carries unanimously.



**10186 AK Green Labs, LLC**

[4:38:43 PM](#)

Mark Springer motions to approve the license #10186 AK Green Labs, LLC with amended MJ-06 with continued delegation.

Brandon Emmett seconds the motion.

Cynthia Franklin informs the board that numerous people contacted the AMCO office with concerns about an out-of-state company taking ownership of the license.

Brian Coyle identifies himself for the record and answers board questions regarding the requested changes to his operating plan. He tells the board that there has not been an ownership change and that Steep Hill Labs has no financial interest in the license. He says that he is buying licensing rights for software and equipment from Steep Hill Labs, but they do not have any ownership in the license or business.

Mark Springer's motion carries unanimously.

**10207 Tanana Herb Company, LLC**

[4:46:25 PM](#)

Mark Springer motions to approve the change to the location of the bathroom for license #10207 Tanana Herb Company, LLC with continued delegation.

Brandon Emmett seconds the motion.

Leslea Nunley identifies herself for the record and answers board questions regarding the requested changes to her operating plan.

Mark Springer's motion carries unanimously.

**New Standard Marijuana Cultivation Facility Applications**

**10027 Black Rapids, LLC**

[4:48:55 PM](#)

Mark Springer motions to approve the application of license #10027 Black Rapids, LLC with delegation.

Brandon Emmett seconds the motion.

Cynthia Franklin briefs the board of the application.

Grant Anderson identifies himself for the record and answers board questions regarding his application.

Mark Springer's motion carries unanimously.

**Adjourn**

[4:59:18 PM](#)

Brandon Emmett motions to adjourn.

Mark Springer seconds the motion.

None opposed.

**Marijuana Control Board**  
**Meeting Minutes**  
**July 8, 2016**  
**Fourth Judicial District**  
**Fairbanks North Star Borough Assembly Chambers**  
**809 Pioneer Road**  
**Fairbanks, Alaska**

\*Meeting minutes are 37 minutes fast (actual start time is 9:24am)

**Board Members Present:**

Peter Mlynarik, Public Safety Member  
Mark Springer, Rural Member  
Brandon Emmett, Industry Member  
Loren Jones, Public Health Member (telephonic)  
Bruce Schulte, Industry Member

**Staff Members Present:**

Cynthia Franklin, Director  
Sarah Oates, Program Coordinator

**Legal Counsel Present:**

Harriet Milks, Assistant Attorney General

**Call to Order**

[10:01:22 AM](#)

Peter Mlynarik requests that the Enforcement Update get moved to before the Proposed Regulations Projects on the agenda.

None opposed.

**New Standard Marijuana Cultivation Facility Applications**

**10066 Green Leaf**

[10:02:57 AM](#)

Mark Springer motions to approve license #10066 Green Leaf with delegation.  
Brandon Emmett seconds the motion.

Aaron Bean and Jana Weltzin (legal counsel) identify themselves for the record and answer board questions regarding his application.

Mark Springer's motion carries unanimously.

**10073 Alaskan Blooms, LLC**

[10:08:34 AM](#)

Mark Springer motions to approve license #10073 Alaskan Blooms, LLC with delegation.

Bruce Schulte seconds the motion.  
Motion carries unanimously.

**10074 88 Double Happiness, LLC**

Mark Springer motions to approve license #10074 88 Double Happiness, LLC with delegation.  
Brandon Emmett seconds the motion.

Bernard Souphanavong identifies himself for the record and answers board questions regarding his application.

Mark Springer's motion carries unanimously.

**10098 Raspberry Roots**

[10:31:22 AM](#)

Mark Springer motions to approve license #10098 Raspberry Roots with delegation.  
Bruce Schulte and Brandon Emmett recuse themselves from discussion and voting.  
Kim Kole and Jana Weltzin (legal counsel) identify themselves for the record.  
Loren Jones seconds the motion.

Kim Kole answers board questions regarding her application.

Mark Springer's motion carries unanimously (3-0).

Brandon Emmett and Bruce Schulte rejoin the meeting.

**10112 Great Alaskan Bud Company**

[10:39:10 AM](#)

Mark Springer motions to approve license #10112 Great Alaskan Bud Company with delegation.  
Bruce Schulte seconds the motion.

Shawn Coyle identifies himself for the record and answers board questions regarding the location of his proposed premises being Alaska Railroad land, and other questions about his application.

Mark Springer's motion carries unanimously.

**10142 Farmer Jack's, LLC**

[10:50:22 AM](#)

Mark Springer motions to approve license #10142 Farmer Jack's, LLC with delegation.  
Brandon Emmett seconds the motion.

Josh Tobin identifies himself for the record and answers board questions regarding his application.

Loren Jones requests that the delegation include the requirement that the applicant provide a site plan that includes a depiction of where any surrounding residencies are.

Mark Springer, Bruce Schulte, and Peter Mlynarik agree with Mr. Jones, and Mr. Tobin states that he can provide a copy of the as-built to AMCO staff to satisfy this request.

Peter Mlynarik clarifies for the record that the delegation is pending lifting of the protest by the Municipality and submission of a site plan diagram to AMCO staff.

Mark Springer's motion carries unanimously.

**10161 The Frost Frontier**

[11:07:21 AM](#)

Mark Springer motions to approve license #10161 The Frost Frontier with delegation.  
Brandon Emmett seconds the motion.

Beth Brewington and Evan Schlosberg identify themselves for the record and answer board questions regarding their application.

The board members agree to add to the delegation the requirement that the applicant submit a site plan diagram that shows the entire building and surrounding streets and depicts the proposed premises in relation to the surrounding tenants.

Mark Springer's motion carries unanimously.

**10166 Good, LLC**

[11:20:00 AM](#)

Mark Springer motions to approve license #10166 Good, LLC with delegation.  
Brandon Emmett seconds the motion.

Trevor Haynes identifies himself for the record and answers board questions regarding the application. He clarifies that he is a project manager and is not the actual applicant.

Mark Springer's motion carries unanimously.

**10180 AK Shadows**

[11:24:56 AM](#)

Loren Jones and Peter Mlynarik ask for clarification about the local government and license type. Cynthia Franklin and Sarah Oates clarify that this application is for a standard marijuana cultivation license within the Fairbanks North Star Borough.

Mark Springer motions to approve the license application #10180 AK Shadows with delegation.  
Brandon Emmett seconds the motion.

Jesse Holzschuh identifies himself for the record and answers board questions regarding his application.

Mark Springer's motion carries unanimously.

**Break**

[11:36:18 AM](#)

**10248 Isidore**

[11:46:24 AM](#)

Mark Springer motions to approve license #10248 Isidore with delegation.  
Brandon Emmett seconds the motion.

Dave McConnell and Kyle Denton identify themselves for the record and answer board questions regarding their application.

Mark Springer's motion carries unanimously.

**10266 The Fireweed Factory, LLC**

[11:51:51 AM](#)

Loren Jones declares a conflict and recuses himself from discussion and voting of this application.  
Mark Springer motions to approve license #10266 The Fireweed Factory, LLC.  
Brandon Emmett seconds the motion.  
Mark Springer and Peter Mlynarik clarify that the motion is for approval with delegation.

Paul V. Disdier and Paul F. Disdier identify themselves for the record.

Mark Springer's motion carries unanimously (4-0).

**10279 GoodSinse, LLC**

[11:55:53 AM](#)

Mark Springer motions to approve license #10279 GoodSinse, LLC.

Brandon Emmett seconds the motion.

Peter Mlynarik and Mark Springer clarify that the motion is for approval with delegation.

Daniel Peters identifies himself for the record and answers board questions regarding his application and the public objections that were submitted.

The board members agree to add to the delegation the requirement that the applicant submit a site plan diagram that shows the entire building and surrounding streets and buildings.

Loren Jones requests that a more detailed premises diagram be submitted and a written explanation regarding prevention of loitering around the consumption area of a proposed retail marijuana store.

Mark Springer's motion carries unanimously.

**10284 Catalyst Cannabis Company**

[12:15:13 PM](#)

Mark Springer motions to approve license #10284 Catalyst Cannabis Company with delegation.

Brandon Emmett seconds the motion.

Will Schneider and Jason Brandeis (attorney) identify themselves for the record and answer board questions regarding the application.

Peter Mlynarik informs the applicant that added to the delegation is the requirement that the applicant submit a new answer for the second question on Page 7 of MJ-01.

Mark Springer's motion carries unanimously.

**10288 Foxy Enterprises**

[12:25:11 PM](#)

Mark Springer motions to approve license #10288 Foxy Enterprises with delegation.

Brandon Emmett seconds the motion.

Glen Kroshus and Glenda Kroshus identify themselves for the record and answer questions regarding the application.

Mark Springer's motion carries unanimously.

**10293 AK Fuzzy Budz**

[12:34:05 PM](#)

Mark Springer motions to approve license #10293 AK Fuzzy Budz with delegation.

Brandon Emmett seconds the motion.

Rich Beasley and James Millhouse identify themselves for the record and answer board questions regarding their application.

Mark Springer's motion carries unanimously.

**10310 Danish Gardens, LLC**

[12:43:30 PM](#)

Mark Springer motions to approve license #10310 Danish Gardens, LLC with delegation.  
Brandon Emmett seconds the motion.

Dane Wyrick identifies himself for the record and answers board questions regarding his application.

Mark Springer's motion carries unanimously.

### **New Limited Marijuana Cultivation Facility Applications**

#### **10189 Subsistence Products**

[12:51:03 PM](#)

Mark Springer motions to approve license #10189 Subsistence Products with delegation.  
Brandon Emmett seconds the motion.

Karl Hough and Morgan Hough identify themselves for the record and answer board questions regarding the application.

The board informs the applicant that the approval with delegation will include the stipulation that carbon filters are used for odor control.

Mark Springer's motion carries unanimously.

#### **10210 Cannaboyd**

[1:07:05 PM](#)

Mark Springer motions to approve license #10210 Cannaboyd with delegation.  
Cynthia Franklin reminds the board that the Kenai Peninsula Borough specifically requested that the board not approve any license applications in the Borough before the 60-day protest period is over or the Borough has given a written response.  
Mark Springer revises his motion to be to table license #10210 until the next board meeting.  
Brandon Emmett seconds the motion.

The board discusses deadlines and whether or not to act on the application or table it at this meeting.  
Cynthia Franklin informs the board that the Alcoholic Beverage Control Board has delegated granting temporary approval of applications to the Director, and that the Marijuana Control Board has that option if they desire. A temporary approval would be used when an applicant has received all necessarily approvals besides that of the board. The difference between commercial marijuana and alcohol is that there is no operating plan in alcohol, and the AMCO staff is not doing any merit-based

Mark Springer's motion to table until the September 7, 2016 meeting carries unanimously.

#### **Lunch**

[1:15:59 PM](#)

#### **Enforcement Update (continued)**

[2:11:30 PM](#)

James Hoelscher and Joe Bankowski speak to the board about some thoughts regarding allowing licensees to introduce mother plants initially.

The board discusses the possibility of allowing licensees to introduce mother plants for the initial inspection. They additionally discuss the idea of having licensees start with no more than six plants, either mothers or babies, which would provide a legal way of introducing into a commercial operation from personal grows up to the six-plant-

maximum limit allowed of personal grows. This would be a one-time-only initial introduction; all other marijuana would need to be propagated from seeds or clones that come from existing marijuana that has been grown in licensed marijuana cultivation facilities and in the Metrc system.

Mark Springer motions to pass the following resolution:

*"In an effort to facility commerce and allow equal opportunity for cultivation licensees, the Marijuana Control Board directs AMCO's Executive Director to instruct enforcement staff that an initial inspection and Metrc activation of a new cultivation license may have up to six mother plants (non-flowering) on premises for entry into Metrc, provided that established cuttings may be replaced by mothers, and such cuttings to be entered into Metrc and disposed of in the manner prescribed by regulation. Mother plants must be documented as gifts to the licensee."*

No second.

The board discusses the proposed language.

Mark Springer amends his motion to remove the following language:

*"and such cuttings to be entered into Metrc and disposed of in the manner prescribed by regulation".*

No second.

The board further discusses the number of plants that should be allowed at the time of initial introduction.

Bruce Schulte and Brandon Emmett request that the number be increased to twelve, and that it not include any seeds that have been planted.

Harriet Milks informs the board that if they intend to adopt a policy and have a certain number of initial licensees be exempt from the policy, the board would have to have good justification on the record for doing so.

Mark Springer amends his motion to the following:

*"Upon initial inspection and Metrc activation, a new cultivation licensee may have up to 12 non-flowering plants introduced for propagation."*

No second.

Mark Springer amends his motion to the following:

*"Upon initial inspection and Metrc activation, a new cultivation licensee may have up to six non-flowering plants introduced for propagation on the premises."*

No second.

Bruce Schulte states that the phrase "introduced for propagation" seems kind of redundant and superfluous.

Mark Springer amends his motion to the following:

*"Upon initial inspection and Metrc activation, a new cultivation licensee may have up to six non-flowering plants on the premises."*

Bruce Schulte seconds the motion.

Motion carries, 3-2 (Brandon Emmett and Peter Mlynarik vote No).

The board clarifies for the record that there is no limit to the size of those plants.

Cynthia Franklin and James Hoelscher discuss enforcement powers over non-licensees under the original AS 17.38.085 (renumbered to AS 17.38.131). James Hoelscher requests that the board grant enforcement powers over non-licensees to AMCO's investigators.

Mark Springer motions that the Alaska Marijuana Control Board grants enforcement powers to include non-licenseses in accordance with AS 17.38.131 to investigators of the Alcohol & Marijuana Control Office.  
Peter Mlynarik seconds the motion.  
Motion carries, 3-2 (Bruce Schulte and Brandon Emmett vote No).

### **Proposed Regulations Projects**

[3:38:47 PM](#)

Loren Jones states for the record that a deadline for the proposed regulations drafts was set for June 23, 2016, and because they were not submitted by then, and because applicants are required to meet deadlines in order to have their applications considered at a board meeting, that the board should not consider them today.

Bruce Schulte motions to review the regulation.

[3:48:02 PM](#)

Brandon Emmett seconds the motion.

Sarah Oates asks Bruce Schulte to clarify his motion.

Bruce Schulte clarifies that his motion was to send the proposed draft out for public comment.

Sarah Oates asks Bruce Schulte to clarify if the proposed drafts that he's presenting are the paper copies that he has handed out to the board members.

Bruce Schulte confirms that the proposed drafts are the ones that he emailed on Wednesday night and has handed out to the board members.

Cynthia Franklin informs the board that the documents for Tabs 8, 10, 12, and 13 were posted onto the website for public view this morning.

Motion carries, 4-1 (Loren Jones votes No).

Bruce Schulte introduces a letter from the Alaska Air Carries Association and provides draft

[3:54:08 PM](#)

language, and he motions to open a new regulations project that would add a new section requiring notices for retail stores.

Mark Springer seconds the motion.

Bruce Schulte amends his motion to open a new regulations project and put the provided text out for public comment.

Brandon Emmett seconds the motion.

Motion carries, 4-1 (Loren Jones votes No).

Bruce Schulte states that the other projects can be punted to the next meeting.

### **Marijuana Mailbox**

[3:58:47 PM](#)

Cynthia Franklin informs the board that this tab is the mail that has been received and all emails from the marijuana email.

### **Board Comments**

[3:59:17 PM](#)

Loren Jones states that he wanted to make clear that his previous two No votes were not necessary because of the proposed language but because there wasn't adequate time and notice and that he didn't think they should have acted on them. He additionally thanked the staff.

The board members thank the staff and the Fairbanks North Star Borough, and they congratulate the new licenseses.



Peter Mlynarik states that the board expects the public and the board to stick to the deadlines that are set for agendas. He additionally states that future applicants should be taking into consideration the board comments and questions at these first few meetings

**Adjourn**

4:03:16 PM

Mark Springer motions to adjourn.  
None opposed.

Minutes reviewed and approved by:



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Cynthia A. Franklin  
Director



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Sarah D. Oates  
Program Coordinator