



MEMORANDUM

TO: Chair and Members of the Board DATE: August 29, 2016
FROM: Cynthia Franklin RE: Regulations Projects-
Director, Marijuana Control Board Discussed by Board and New

The Marijuana Control Board has asked for a placeholder on each agenda for new regulations projects. In this memo, I review previously discussed projects and new projects suggested by AMCO staff.

1. PREVIOUSLY DISCUSSED PROJECTS

At its June and July meetings, the Marijuana Control Board discussed the following regulations projects without voting to open the projects. Whether or not language was provided and if so, where the language can be found is indicated next to each project.

- a. Advertising Requirements – language provided July 7-8 (Tab 8)
- b. Disposal of Marijuana and Marijuana Waste – no language provided
- c. Labeling and Packaging – language provided July 7-8 (Tab 10)
- d. Nonresident Ownership – no language provided
- e. Space Planning and Layout – language provided July 7-8 (Tab 12)
- f. Video Surveillance – no language provided

2. NEW PROJECTS- Staff Identified

AMCO staff has identified regulations that need wording changes due to challenges in application. The staff requests that the board consider opening projects to make regulatory fixes. If the board votes to open any project, staff will provide a draft at the next MCB meeting.

- a. 3 AAC 306.040- Ownership change. If a new owner is added, fingerprints should be required to ascertain the new owner does not have a disqualifying conviction.
- b. 3 AAC 306.250- Language concerning what happens to existing licenses if a local government opts out by ordinance needs to be added. The current language only contemplates an opt-out by election, but statute allows opt out by election or by ordinance.
- c. 3 AAC 306.315(1) and 306.520(1)- DEC approval before acceptance of license application by AMCO. The current regulation puts applicants in a Catch -22 since they cannot get DEC approval before applying with AMCO and cannot apply with AMCO without DEC approval. Suggested fix is requiring applicant to have initiated an application with DEC.

3. NEW PROJECTS- Board identified