From:	Mike Stoltz
To:	Marijuana Licensing (CED sponsored)
Cc:	joe@thehighexpedition.com
Subject:	High Expeditions in Talkeetna
Date:	Tuesday, March 07, 2017 2:13:35 PM
Attachments:	ATT00001.txt ATT00002.txt ATT00003.txt ATT00004.txt

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All growers in lawless Mat Su Borough, where teens kill teens!

Lonnie McKechnie

From:	RANDALL KOWALKE <randallk_2@msn.com>
Sent:	Friday, January 06, 2017 9:52 AM
To:	Lonnie McKechnie; Nicholas Spiropoulos; John Moosey
Cc:	'Vern Halter'
Subject:	Ordinance 16-136
Attachments:	Kowalke amendment pre-exist-leg-nonconf for MJ.DOCX
Importance:	High

Lonnie,

Please share this email with the Assembly and Borough senior staff.

I plan to offer the attached amendment to Ordinance 16-136. As you know 136 is our effort to correct an omission in Ordinance 16-003 SUB regarding applicability of the regulations within Special User Districts.

My motivation for offering this amendment is to right what I perceive to be a wrong that resulted from multiple errors /omissions that I believe the Borough is responsible for. Additionally, I believe that this amendment, if passed, my also help us avoid future difficulties related to the aforementioned errors / omissions.

Finally, I understand that there may be additional amendments offered related to 16-136 and I IMPLORE those considering doing so to WAIT several months until we have a chance to see what changes (if any) we need to make to 16-003. My concern is that if we address this Ordinance on a bimonthly basis (every call we get results in a new amendment) that in is going to seriously impact our ability to address other important issues. I am proposing that we collect ALL our issues and address them in a comprehensive way in June or August or ??

Thank you all for your consideration!

Randall Kowalke
Matsu Borough District 7

Sent via the Samsung Galaxy S® 5 ACTIVE™, an AT&T 4G LTE smartphone

Assemblymember Kowalke ORDINANCE 16-003

I MOVE to amend Ordinance Serial No. 16-003, MSB 17.60.150(B) (page 5 of the ordinance – page 25 of the packet) as follows:

- (B)(6), by striking the words "public park;" and
- Inserting a paragraph (7) to read: "500-feet of any public park in excess of 45,000 square feet in size."

Assemblymember Kowalke Ordinance 16-136

I move to amend ordinance serial No. 16-136 on page 2 of the ordinance (page 99 of the packet) to add a new non-code Section 4 to the ordinance and renumber the existing Section 4 as Section 5.

The new section 4 will read:

Section 4. Preexisting applications unaffected (non-code). Any application to operate a Marijuana Establishment filed with the State of Alaska Alcohol & Marijuana Control Office before the enactment of this ordinance, where such a location falls within a special land use district or residential land use district, shall not be affected by this ordinance. Any such applications are to be deemed preexisting and only subject to rules applicable as of the day the application was initially submitted to the State of Alaska Alcohol & Marijuana Control Office even if the filing was deemed incomplete.

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200
AS 17.38.070 AS 17.38.190 AS 17.38.900
AS 17.38.121

3 AAC 306.010. License restrictions. (a) The board will not issue a marijuana establishment license if the licensed premises will be located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility. The distance specified in this subsection must be measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school ground, the outer boundaries of the recreation or youth center, the main public entrance of the building in which religious services are regularly conducted, or the main public entrance of the correctional facility. This section does not prohibit the renewal of an existing marijuana establishment license or the transfer of an existing marijuana establishment license to another person if the licensed premises were in use before the school ground, recreation or youth center, the building in which religious services are regularly conducted, or a correctional facility began use of a site within 500 feet. If an existing marijuana establishment license for premises located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility is revoked or expires, the board will not issue another marijuana establishment license for the same premises unless the school ground, the recreation or youth center, the building in which religious services are regularly conducted, or the correctional facility no longer occupies the site within 500 feet.

(b) The board will not issue a marijuana establishment license if the licensed premises will be located in a liquor license premises.

(c) The board will not issue a marijuana establishment license when a local government protests an application under 3 AAC 306.060 on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

(d) The board will not issue a marijuana establishment license to a person that

(1) is prohibited under AS 17.38.200(i) from receiving a marijuana establishment license because of a conviction of a felony; if the applicant is a partnership, limited liability company, or corporation, the board will not issue a license if any person named in 3 AAC 306.020(b)(2) is prohibited under AS 17.38.200(i) from obtaining a license; in this paragraph, "conviction of a felony" includes a suspended imposition of sentence;

(2) has been found guilty of

(A) selling alcohol without a license in violation of AS 04.11.010;

(B) selling alcohol to an individual under 21 years of age in violation of AS 04.16.051 or 04.16.052; or