

Douglas, Craig J (CED)

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Friday, April 28, 2017 4:37 PM
To: McConnell, Erika B (CED)
Cc: Dinegar, Harriet C (LAW); Marijuana, CED ABC (CED sponsored);
[REDACTED] Hoelscher, James C (CED); Oates, Sarah D (CED)
Subject: Correspondence from JDW re MJ Commercial Marketing, Restrictions, Promotional Activity
Attachments: Correspondence from JDW re MJ Commercial Marketing, Restrictions, Promotional Activity.pdf

Good Afternoon – please see attached correspondence regarding marijuana advertisement and promotional activities.

Thank you for your consideration,

Jana D. Weltzin, Esq.

JDW, LLC

Principal Owner

Of Counsel to Hoban Law Group

[3003 Minnesota Drive Suite 201](#)

[Anchorage, Alaska 99503](#)

janaweltzin@gmail.com

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*Licensed in Alaska and Arizona

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Think green, please don't print unnecessarily



Jana D. Weltzin
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Main Office 907-231-3750
JDW, LLC
jana@jdw counsel.com

April 28, 2017

*Director McConnell
Alaska Marijuana Control Board Members
Asst. Attorney General of Alaska Harriet Milks, Esq.*

RE: Marijuana Commercial Marketing, Restrictions, Promotional Activity

Dear Honorable Members of the Marijuana Control Board & Director McConnell:

The recent date of April 20, 2017 (i.e. 4/20 unofficial marijuana celebration day) highlighted some concerns from Enforcement Division of AMCO and highlighted some concerns regarding the interpretation of the investigators from Enforcement of the regulations and the ability of a licensed marijuana business to conduct marketing activities.

As we are all aware, the commercial marijuana establishment regulations are relatively new and as the market and industry grows and matures there will be many areas in the regulations that will illuminate unintended consequences, the need for further clarification, and less/more regulations. However, one area that must be addressed immediately is Enforcement's interpretation of the term "Promotional activities" as used in 3 AAC 306.360(d). Enforcement's interpretation and blanket restriction is a prior restraint and violates the constitution and a business's right to engage in commercial speech. These businesses need a reliable manner to promote their existence and generate public interest. A flat ban on any business promotional activity or event will handicap the industry and will only result in furtherance of the black market and its unregulated, untaxed, untested existence.

Attached as *Exhibit 1* to this correspondence you will find an "Advisory Notice" that was transmitted to "all licensed marijuana retail stores." The Notice stated that Enforcement had discovered:

alarming amount of social media advertisements for 4/20 celebrations that are in violation of 3 AAC 306.360(d). Games, competitions, raffles, etc. are strictly prohibited at marijuana retail stores.

Please be advised that if a 4/20 event held on your premises includes activities that violate any section of 3 AAC 306 further enforcement action may be taken against your license.

If you have any questions regarding what activities may or may not be permitted you are encouraged to contact AMCO Enforcement Unit at 269-0350.

Id. (Emphasis added). Many licensees took Enforcement up on its offer to give a yea or nay on whether an activity would be prohibited or allowed. Here are a couple of examples that Enforcement (not the Director or any other AMCO staff member) denied as being prohibited by the MCB regulations:

- Giving away to every 10th person who enter the store (not required to buy anything from the store) a t-shirt, lanyard or sticker. The store would have given these items to every person who walked into the store, but it had a limited supply of t-shirts, etc.
 - RESPONSE FROM ENFORCEMENT: “Can’t do, promotional activity.”
- Food trucks in parking lot of marijuana retail store that were going to sell food for purchase, not giving it away in any manner.
 - RESPONSE FROM ENFORCEMENT – Not allowed, it’s a promotional activity.
 - However, after communicating with Director McConnell regarding this activity the Director stated it was not a violation of the regulations for food trucks to be on the parking lot – as long as the trucks were not giving food away for free, or distributing anything related to the marijuana facility. She identified that the food truck could not distribute any items such as t-shirts, flyers, coupons, etc., related to the marijuana facility.
- Live band playing in the parking lot of the marijuana retail facility.
 - RESPONSE FROM ENFORCEMENT – Prohibited – and the Director agreed with enforcement stating that a “live band is clearly promotional activity designed to attract people to the facility for no other reason than to go into the facility.”
 - *As a side note, wouldn’t this logic apply to signage, or an open sign? A retail business only exists if people go into the facility – is it the intention that any activity or action intended to attract patronage is prohibited?*
- A retail store placed its logo on a poster for a 4/20 event that raised money for a local food bank; no marijuana was to be provided or consumed at the event; only live music and food; and only 21 ages and up allowed; and the licensee was not a host, did not provide the venue (the event did not take place at the licensed premises or within its parking lot), or any promotional materials from its retail establishment - it only lent its logo to help promote the event, as the event raised money for the local food bank.
 - RESPONSE FROM ENFORCEMENT – the licensee was told to take down flyers with the store’s logo on it and the rationale for requesting the store remove the flyer was that the event “could possibly be or have illegal activity at the event which could reflect upon your licensure.”

The examples above are only a snapshot of what licensees have been faced with over the past few months. The industry has serious concerns regarding businesses ability to market and promote their business. If a business cannot do anything to let the public know it is actually in

business and the type of business it is, then the business will not have customers, it will not generate revenue, and it will fail.

The interpretation of 3 AAC 306.360(d) has been a blanket prohibition on any form of commercial speech for these newly licensed marijuana businesses, and that is a violation of the constitution. Granted, it is well established law that commercial speech is afforded substantially less protection than non-commercial speech – but it is equally well established that commercial speech is afforded constitutional protection by the 1st Amendment of the U.S. Constitution. *Cent. Hudson Gas & Elec. Corp. v. Pub. Serv. Comm'n of N.Y.*, 447 U.S. 557, 100 S. Ct. 2343, 65 L. Ed. 2d 341 (1980). Complete blanket speech bans, unlike content-neutral restrictions on time, place, or manner of expression, foreclose alternative means of disseminating an entire subject of information and, thus, are particularly dangerous and warrant more careful constitutional review. *44 Liquormart, Inc. v. Rhode Island*, 517 U.S. 484, 116 S. Ct. 1495, 134 L. Ed. 2d 711 (1996).

The extent of the constitution's protection to a particular commercial speech is examined by courts on a two prong analysis – (1) the expression of commercial speech; and (2) the government interests served by its regulation. *Cent. Hudson Gas & Elec. Corp.*, 447 U.S. 557, 100 S. Ct. 2343, 65 L. Ed. 2d 341. If the commercial speech that is sought to be expressed is neither illegal nor misleading, and the government seeks to suppress, the government's power to restricted the speech is circumscribed, narrowly tailored, and must be supported by a substantial interest. *Id.*

The question for this Board to consider and defend (if it agrees with Enforcement's interpretation) – are the examples of the suppression of commercial speech above supported by a substantial interest? Is there a real chance of harm to the public by having a logo on a flyer for an event that supports a local food bank? Would handing lanyards to persons as they walk into the store negatively and adversely affect the health and wellbeing of the public?

To paraphrase the U.S. Supreme Court on this issue, the Board must consider whether the imposed restrictions on commercial speech, that is neither misleading nor related to unlawful activity, directly advance the governmental interest involved. *Id.*, at 100 S. Ct. 2343. That is the legal standard the prohibitions on commercial speech must satisfy. Keep in mind, the Supreme Court also requires that a regulation on commercial speech may not be sustained if it provides only ineffective or remote support for the government's purpose; additionally, if the governmental interest could be served as well by a more limited restriction on the commercial speech, excessive restrictions cannot survive. *Id.*

Is there a more limited restriction that could serve the government interest then banning all or any type of promotional activity for these establishments? The answer is likely yes.

When state regulates commercial messages to protect consumers from misleading, deceptive, or aggressive sales practices, or requires disclosure of beneficial consumer information, then the purpose of regulation is consistent with the level of protection the constitution provides for commercial speech. *44 Liquormart, Inc. v. Rhode Island*, 517 U.S. 484. However, when state entirely prohibits dissemination of truthful, nonmisleading commercial messages, there is far less reason to depart from rigorous review that First Amendment generally demands. *Id.* Moreover,

prohibiting all promotional activities just because marijuana use may be considered a “vice” use is not permissible, a “vice” exception simply does not exist to the protections afforded to commercial speech by the 1st amendment¹.

In sum, in order for Enforcement’s interpretation of the regulations to be upheld it must meet the following requirements:

(1) restriction on otherwise protected commercial speech is valid only if it (2) seeks to implement a substantial governmental interest, (3) directly advances that interest, and (4) reaches no further than necessary to accomplish the given objective. *Barber v. Municipality of Anchorage*, 776 P.2d 1035, 1037 (Alaska 1989).

Enforcement’s interpretation of the regulations to prohibit “promotional” activity goes too far. It is a violation of protected constitutional speech and does not meet the constitutional requirements to allow Enforcement to take actions that are chilling the industry and its ability to grow (many of my clients canceled all 4/20 promotional events as a result of the blanket “advisory notice” sent to retailer licensees).

Request for the Board to consider the following activities as not prohibited by the regulations:

I have compiled some ideas from licensees that we do not deem to violate the regulations and respectfully request the Board consider and discuss the below list and give Enforcement direction to act in a manner that does not violate these businesses right to commercial speech:

- (1) A banner with a company logo displayed during softball games for a team sponsored by a marijuana retailer;
- (2) Offering free coffee or doughnuts/hotdogs to persons who visit the store;

¹ When considering a government prohibition on advertising liquor sales and prices the U.S. Supreme Court held,

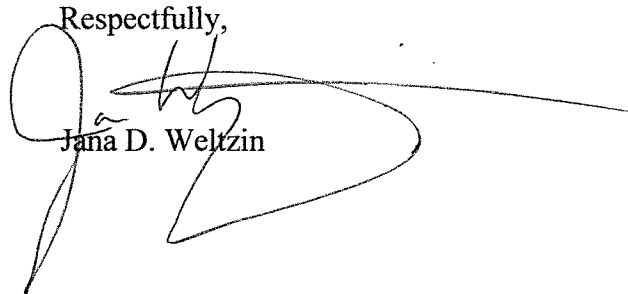
Finally, we find unpersuasive the State's contention that, under *Posadas* and *Edge*, the price advertising ban should be upheld because it targets commercial speech that pertains to a “vice” activity. Respondents premise their request for a so-called “vice” exception to our commercial speech doctrine on language in *Edge* which characterized gambling as a “vice.” *Edge*, 509 U.S., at 426, 113 S.Ct., at 2703; see also *Posadas*, 478 U.S., at 346–347, 106 S.Ct., at 2979–2980. Respondents misread our precedent. Our decision last Term striking down an alcohol-related advertising restriction effectively rejected the very contention respondents now make. See *Rubin v. Coors Brewing Co.*, 514 U.S., at 478, 482, n. 2, 115 S.Ct., at 1587, 1589–1590, n. 2.

Moreover, the scope of any “vice” exception to the protection afforded by the First Amendment would be difficult, if not impossible, to define. Almost any product that poses some threat to public health or public morals might reasonably be characterized by a state legislature as relating to “vice activity.” Such characterization, however, is anomalous when applied to products such as alcoholic beverages, lottery tickets, or playing cards, that may be lawfully purchased on the open market. The recognition of such an exception would also have the unfortunate consequence of either allowing state legislatures to justify censorship by the simple expedient of placing the “vice” label on selected lawful activities, or requiring the federal courts to establish a federal common law of vice. See *Kurland*, 1986 S.Ct. Rev., at 15. For these reasons, a “vice” label that is unaccompanied by a corresponding prohibition against the commercial behavior at issue fails to provide a principled justification for the regulation of commercial speech about that activity.

44 Liquormart, Inc. v. Rhode Island, 517 U.S. 484, 513–14, 116 S. Ct. 1495, 1513–14, 134 L. Ed. 2d 711 (1996)

- (3) Live music in or outside the store;
- (4) Booths at fairs or tradeshow (not selling or giving product away just information);
- (5) Donating money to charities;
- (6) Hosting art shows at the retail store;
- (7) Loyalty cards for customers;
- (8) Signage and logos on flyers supporting community events;
- (9) Private informational (non-consumption) tours;
- (10) Senior discounts/Vet discounts;
- (11) Sponsoring other events, such as Pot Luck Celebration of 420, Cannabis Classic, THC Fair, etc;
- (12) Radio/TV/newspaper/social media ads (if advertising marijuana or marijuana products then disclaimers would be included – but if its just saying the name of the store, location, hours, and letting the public know they are open, no disclaimers.)
- (13) A clarification to Enforcement and direction that promotional activities which incentivizes consumption are the only prohibited activities under 3 AAC 306. Promotion of the business in general is not a violation of the regulations and is not prohibited.

Thank you for your dedication and service to our state and the commercial marijuana industry.

Respectfully,

Jana D. Weltzin

Copy transmitted to:
Alaska Marijuana Industry Association (with the exclusion of Mr. Emmett)
Anchorage Business Association (with the exclusion of Mr. Miller)
Marijuana Policy Project
Alaska State Legislature
AMCO Enforcement

EXHIBIT 1

Advisory Notice

(3AAC 306.805)

Date: 4/17/17

Licensee: All Licensed Marijuana Retail Stores

DBA: N/A

License #/Type: N/A

Address: N/A

This is a notice to you as licensee that an incident has occurred or a defect is noted that could result in a violation of a statute, regulation or municipal ordinance.

Note: This is not an accusation or a criminal complaint.

RE: 4/20 Celebrations

Over the past week the AMCO Enforcement Unit has discovered an alarming amount of social media advertisements for 4/20 celebrations at marijuana retail stores that are in violation of 3 AAC 306.360 (d). Games, competitions, raffles, etc. are strictly prohibited at marijuana retail stores.

Please be advised that if a 4/20 event held on your premises includes activities that violate any section of 3 AAC 306 further enforcement action may be taken against your license.

If you have any questions regarding what activities may or may not be permitted you are encouraged to contact the AMCO Enforcement Unit at 269-0350.

Issuing Investigator: Enforcement Unit

Received by

SIGNATURE

SIGNATURE

Delivered VIA: Email

Date :

Douglas, Craig J (CED)

From: dollynda Phelps <jeffndol@yahoo.com>
Sent: Friday, April 28, 2017 3:45 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Fw: Public comment, regulations

[Sent from Yahoo Mail on Android](#)

On Fri, Apr 28, 2017 at 2:45 PM, dollynda Phelps
<jeffndol@yahoo.com> wrote:

The task of the MCB and AMCO is to implement AS 17.38 and regulate the cannabis industry. This has been no small feat and has turned out to be a great deal of effort statewide. However, even taking this into consideration, the effort to create a safe regulated industry has taken a path of prohibition and unnecessary restrictions.

First, the on-site consumption endorsement was carelessly dealt with and tabled several times. Now it may take an even further turn and not allow "smoking" of cannabis. This is not a reasonable request as most people who partake are smokers. It would equate to prohibiting smoking at a cigar club. If patrons make a conscious and deliberate choice to enter an establishment with the express purpose of smoking cannabis, it seems ridiculous to prohibit them to do so. In fact, if this is eventually the case, regulations will force any person who buys legal cannabis to smoke to do it in public spaces, like parks next to our children's playground. This is thoughtless and irresponsible. The MCB should carefully consider the purpose of an on-site consumption establishment. The power to regulate time place and manner was given to the local municipalities and should remain that way.

The other issue that brings concern is the actions of enforcement on 4/20, prohibiting virtually any type of celebratory sale or give aways of non marijuana products. Really? I'm hearing all over the radio about the sports and rec center in Soldotna having their "Beer, Brats and Guns" event this weekend, but licensed marijuana facilities cannot give away shirts, stickers, or hold any type of game or contest that "promotes the sale of marijuana" 306.360(d). The celebration of a day and the giving away of stickers or shirts is not a game or contest. So many retailers were scolded on 4/20 about this very issue. It seems so wrong to discriminate against this industry, and these types of discriminatory regulations must be changed.

The purpose of a regulatory board is to create reasonable and functional regulations that not only provide safety to the public but a practical approach to regulating the industry. The industry must be able to function in a practical and reasonable manner. This is not what we have seen, as some actions from the MCB clearly demonstrate a prohibitionist perspective. This must change if we are to truly see this industry meet it's potential.

Thank you for your commitment and hard work.

Dollynda Phelps

[Sent from Yahoo Mail on Android](#)

Douglas, Craig J (CED)

From: Taylor G Aka 200kTay <taylorgathman@gmail.com>
Sent: Friday, April 28, 2017 3:01 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Cannabis delivery company questions

Hello,

My name is Taylor and I'm looking to start a cannabis delivery company here in Fairbanks Alaska, and I just wanted to ask some questions so that I know a 100 percent what I must do to start it and as well as make sure everything is a 100 percent legal. I'm looking to do something like speed weed in California, it has been very successful out there and I believe that Alaska would benefit from this service as well.

My question is,
Would I need just a handler licence or a major marijuana license like a dispensary? I was planning on just working with the dispensaries and delivering for them but I wanted to ask what if I was to have a establishment that had products and delivered them, would a handler licence survice?

I have other questions but this is really my biggest one, I just want to make sure I take the right channels to establish everything, if anyone would like to talk by phone my number is 907 347 5993. Thank you for your time!

Douglas, Craig J (CED)

From: dollynda Phelps <jeffndol@yahoo.com>
Sent: Friday, April 28, 2017 2:45 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Public comment, regulations

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The purpose of a regulatory board is to create reasonable and functional regulations that not only provide safety to the public but a practical approach to regulating the industry. The industry must be able to function in a practical and reasonable manner. This is not what we have seen, as some actions from the MCB clearly demonstrate a prohibitionist perspective. This must change if we are to truly see this industry meet it's potential.

Thank you for your commitment and hard work.

Dollynda Phelps

[Sent from Yahoo Mail on Android](#)

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Friday, April 28, 2017 2:23 PM
To: Lorraine Dudzik; Marijuana Licensing (CED sponsored)
Cc: Marijuana, CED ABC (CED sponsored)
Subject: RE: Glacier Bay Farms

Please provide license number(s) or premises location.

Thanks
AMCO Staff
State of Alaska-DCCED
Alcohol and Marijuana Control Office (AMCO)
550 W 7th Avenue Ste. 1600
Anchorage, AK 99501
907-269-0350

From: Lorraine Dudzik [mailto:kayakcove@att.net]
Sent: Friday, April 28, 2017 2:04 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Glacier Bay Farms

To whom It may concern,

I support Glacier Bay Farms and Carol J. Waldo's application for a Retail Marijuana Store License. We live near the proposed site. We feel it will bring additional jobs and tax revenue to the Haines Borough.

Michael Marks & Lorraine Dudzik P.O. Box 1101 Haines, Alaska 99827

Douglas, Craig J (CED)

From: Tina Smith <tmscaptures@me.com>
Sent: Friday, April 28, 2017 2:21 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Testimony for May 15 MCB

To who it may concern.

My name is Tina Smith, please add me to the list for public testimony for the May 15th MCB meeting. Thank you very much.

Tina Smith
CEO Midnight Greenery
(907)727-2000
T.smith@midnightgreenery.com

Douglas, Craig J (CED)

From: Whitney branshaw <whitneybranshaw@hotmail.com>
Sent: Friday, April 28, 2017 1:44 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Testimony for May 15th

I'd like to be added to the list for testimony on May 15th, 2017.

Whitney Branshaw

Please let me know if you have any questions!

Thanks.

Whitney Branshaw

Sent from my iPhone

Douglas, Craig J (CED)

From: Good LLC <akgoodcannabis@gmail.com>
Sent: Friday, April 28, 2017 1:41 PM
To: Marijuana Licensing (CED sponsored)
Cc: Marijuana, CED ABC (CED sponsored)
Subject: Address map for license number 12325
Attachments: NorthGateSquareMallAddresses.pdf; Coverletter5.pdf

Categories: Forwarded to MJ Licensing

Dear Jane Sawyer,

Attached is the address map that Trevor Haynes (our General Manager) discussed with you on the phone. It was sent to us by Bill Witte (BWitte@fnsb.us) at the Emergency Operations Department with the Fairbanks North Star Borough. Please let us know if that changes any items on our incomplete letter for application #12325.

Thank you,
Christian Hood
Owner, GOOD
907-888-3367

--

Follow GOOD on [Twitter](#) and [Facebook](#)

Douglas, Craig J (CED)

From: Jonathan Schumacher <jonschumacher@hotmail.com>
Sent: Friday, April 28, 2017 1:19 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Testimony

Hello! My name is Jonathan Schumacher and I would like to register to give testimony on May 15th regarding public consumption. Thank you!

Sent from my iPad

Douglas, Craig J (CED)

From: Bryant Thorp <bryant@gci.net>
Sent: Friday, April 28, 2017 12:58 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Public Comments

I would like to be heard at the upcoming board meeting during public testimony please.

Thanks,
Bryant

Douglas, Craig J (CED)

From: Sabrina Hunt <sabrina.m.hunt@gmail.com>
Sent: Friday, April 28, 2017 12:04 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Public and Private Consumption testimony

I would like to testify regarding consumption of Cannabis both private and public.
Thank you,
Sabrina M. Hunt
907-355-4992

Douglas, Craig J (CED)

From: Leif Abel <leifabel@yahoo.com>
Sent: Friday, April 28, 2017 11:15 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: May 15 MCB meeting

I would like to speak to the board at their May 15th meeting.

Leif Abel

907 252-5172

Thank You!

Douglas, Craig J (CED)

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Friday, April 28, 2017 11:09 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: Pls register Jana Weltzin for public testifying on May 15th meeting

Thanks so much!

Jana D. Weltzin, Esq.

JDW, LLC

Principal Owner

Of Counsel to Hoban Law Group

[3003 Minnesota Drive Suite 201](#)

[Anchorage, Alaska 99503](#)

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jana@jdwcounsel.com

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*Licensed in Alaska and Arizona

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Thank you.



Think green, please don't print unnecessarily

Douglas, Craig J (CED)

From: Rebecca Lynch <bexinak@gmail.com>
Sent: Friday, April 28, 2017 10:57 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: Testimony on public consumption

I would like to testify on public consumption and cannabis clubs.

Rebecca Lynch

Douglas, Craig J (CED)

From: Connie Twigg <connietwigg266@gmail.com>
Sent: Thursday, April 27, 2017 10:58 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Marijuana

I disapprove of another place of business close to our place of Talkeetna, Ak, we have a person growing this weed on the way in to out town and would make three Marijuana places and that's way to many. What are you doing to our little Talkeetna Town? A Manufacturing Facility by the same people who you approved a pot house on our little main St. Joe McAneney and Dan Nelson. License number 12172 Royal Mountain Business. We have tried to keep our little place like it has been known. Our River Park was taken away by the Mat Sue Borough Assemblyman Kowalke. Ordinance 16-003 because it was 66 feet from the pot house and where every one goes to the River. Also the Mat Sue Borough gave Joe McAneney a License 10901 Grandfather rights without a state License! Is this how our Mat Sue Borough works?

I have been here since the 1970s and we don't have a say about our place of Talkeetna? Joe McAneney had a Lawyer for Professional Marijuana at his State Licensing from Ariz. and she claimed we didn't tell the truth about the friends of Joe McAneney and Dan Nelson who harass us, I have already wrote you about this And I was there! They yelled at us, took pictures of us. We were down by the so called pot house measuring. So you took her word over ours. I have friends who have got nasty phone calls a lot. That is harassment! I am not a liar! Please do not give out any more License to these people, we do not need this weed around us. You know there's people that don't believe in this marijuana, why don't you listen to us?

Thank you for reading this. Constance Twigg POBox 266 Talkeetna, AK
99676 907 982 0806

Sent from my iPad

Douglas, Craig J (CED)

From: zack bell <zackbell@yahoo.com>
Sent: Thursday, April 27, 2017 6:09 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Harvest questions

Categories: Enforcement

This is Zack with the cultivation facility Odin's Wagon LLC.

We are a few weeks away from our first harvest.
Are we supposed to notify you before we harvest?

We will harvest at the end of May. When are we responsible for taxes on packages sold in May?

I called METRC for clarification on testing and the 5lb package / harvest batch rule. They didn't seem 100% confident in their answer so I'd like to double check with you. They say that a harvest batch (term from METRC's system) can be any weight as long as it is all the same strain. A harvest batch will be associated with one lab sample with test results. From this harvest batch, I can make many packages, but the maximum weight of a package is 5lbs. For example; we can harvest 20 diesel plants that will be in one harvest batch with a weight of 17lbs. One sample will be sent out for testing for this batch. Then I can package this batch into 3 packages of 5lbs and one package of 2lbs to use up all 17lbs. Each package will carry the harvest batch's lab results.

Thanks

Douglas, Craig J (CED)

From: Mike Stoltz <mtmike@live.com>
Sent: Thursday, April 27, 2017 5:36 PM
To: pamelaness; alexstrawn
Cc: Marijuana Licensing (CED sponsored); Marijuana, CED ABC (CED sponsored); Criminal.Division@usdoj.gov; anchoragefbi; General, Attorney (LAW sponsored)
Subject: DEA/DOJ

Mat Su Borough, High Expeditions, AMCO, zither MCB, are now on Federal Radar!

If Alaska and Federal Laws were followed properly, this marijuana issue in Talkeetna or Alaska, would never have happened to the children of Alaska!

Alaska has a opioid problem, a alcohol problem and now a marijuana problem!

Mat Su Borough where teens kill teens!

Mike Stoltz

Sent from my iPhone

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, April 27, 2017 4:25 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: FW: FYI at AMCO/MCB/Enforcement

From: Mike Stoltz [mailto:mtmike@live.com]
Sent: Thursday, April 27, 2017 3:07 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Marijuana, CED ABC (CED sponsored) <marijuana@alaska.gov>
Cc: Holly Sheldon <Holly@sheldonairservice.com>; Criminal.Division@usdoj.gov; General, Attorney (LAW sponsored) <attorney.general@alaska.gov>; anchoragefbi <anchoragefbi@ak.net>; Margaret Sharpe <Margaret_Sharpe@sullivan.senate.gov>; Dunleavy, Mike (LEG) <senator.mike.dunleavy@akleg.gov>; Eastman, David C (LEG) <representative.david.eastman@akleg.gov>
Subject: FYI at AMCO/MCB/Enforcement

Mr Bankowski

I am curious if AMCO or the MCB is inventing their own Alaska State laws?

Who is correct?

"or other facility providing services to children"

AAC 306.010. License restrictions. (a) The board will not issue a marijuana establishment license if the licensed premises will be located within 200 feet of a child-centered facility including a school, daycare, or other facility providing services to children; 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 child-centered facility, or to the main public entrance of the building in which religious services are regularly conducted, or 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 child-centered facility, the building in which religious services are regularly conducted, or the correctional facility began use of a site within 200 feet. If an existing marijuana establishment license for premises located within 200 feet of a child-centered facility, 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 grounds, the building in which religious services are regularly conducted or the correctional facility no longer occupies the site within 200 feet.

https://www.commerce.alaska.gov/web/Portals/9/pub/MCB/StatutesAndRegulations/Set_2_All_Articles_PCR1.pdf

Mike Stoltz

Douglas, Craig J (CED)

From: Mike Stoltz <mtmike@live.com>
Sent: Thursday, April 27, 2017 3:07 PM
To: Marijuana Licensing (CED sponsored); Marijuana, CED ABC (CED sponsored)
Cc: Holly Sheldon; Criminal.Division@usdoj.gov; General, Attorney (LAW sponsored); anchoragefbi; Margaret Sharpe; Dunleavy, Mike (LEG); Eastman, David C (LEG)
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https://www.commerce.alaska.gov/web/Portals/9/pub/MCB/StatutesAndRegulations/Set_2_All_Articles_PCR1.pdf

Mike Stoltz

Douglas, Craig J (CED)

From: Mike Stoltz <mtmike@live.com>
Sent: Thursday, April 27, 2017 3:00 PM
To: pamelaness; alexstrawn
Cc: Holly Sheldon; Marijuana Licensing (CED sponsored); Marijuana, CED ABC (CED sponsored); Margaret Sharpe; Criminal.Division@usdoj.gov; General, Attorney (LAW sponsored); anchoragefb; Matthew Beck; Jim Sykes; Barbara Doty; Dan Mayfield; George McKee; Steve Colligan; vern.halter@matsugov.us; Randall Kowalke; Shuey, Troy E (DPS); Brinke, Hans J (DPS); French, Robert I (DPS); John Moosey
Subject: Boroughs Responsibility

Pam and Alex

I just talked with AMCO enforcement, Mr Bankowski, he said it is Mat Su Boroughs responsibility for measurements to meet State Laws regarding marijuana and supply those to AMCO and MCB

Me Bankowski stated Mat Su Borough Staff has failed to supply the distances mentioned below to AMCO and the MCB for High Expeditions in Talkeetna.

The next question for Mat Su Borough Staff becomes, how far is the Talkeetna Ranger Station from High Expeditions, the Borough Campground, the Public Restrooms across the street from High Expeditions and the Beach area from High Expeditions according to Mat Su Borough measurements.

According to Mr Bankowski, he does not think these areas cater to children needs?

Here is a quote from AAC 306.010 (included below)
"or other facility providing services to children"

The 500 foot buffer zone blocks off the location I want to use for a marijuana licensed premises. Can my local government seek a variance from the Marijuana Control Board to allow it?

No. The 500 foot buffer zone is the inside limit for the proximity of a marijuana licensed establishment to a school, youth or recreation center, building where religious services are held, or correctional facility. Please read 3 AAC 306.010(a) to determine how to measure the distance. The 500 foot distance represents the State of Alaska's Drug Free School Zone.

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the board will not issue another marijuana establishment license for the same premises unless the school grounds, the building in which religious services are regularly conducted or the correctional facility no longer occupies the site within 200 feet.

Mike Stoltz

Douglas, Craig J (CED)

From: Mike Stoltz <mtmike@live.com>
Sent: Thursday, April 27, 2017 2:18 PM
To: CED AMCO Enforcement (CED sponsored); Marijuana, CED ABC (CED sponsored)
Cc: Criminal.Division@usdoj.gov; General, Attorney (LAW sponsored); anchoragefbi; Holly Sheldon; Beth Valentine; pamelaness; alexstrawn; Shuey, Troy E (DPS); Brinke, Hans J (DPS); French, Robert I (DPS); Dunleavy, Mike (LEG); Eastman, David C (LEG)
Subject: AMCO which is it? 200 ft - 500 ft

Mr Bankowski

You at AMCO enforcement do not respond to complaints! Why? Understaffed? Underfunded?

AMCO appears to be functioning in chaos with no consistent master plan for marijuana!
Approve all licenses and glue the laws together as you go, changing laws and rules as the Director and MCB members change!

One would think the Federal Talkeetna Ranger Station in Talkeetna - 128 ft from the MCB approved Retail Marijuana Store - High Expeditions - where Federal Rangers include children on tours of the Ranger Station, would meet the definition below! "Or other facility providing children services"

Is the "proper distance" 200 ft or 500 ft for marijuana business's to meet License restrictions?

What happens when these Schedule 1, Federally Illegal Drug Dealers lie at their license hearings?
Such as Joe McAneney did at his recent hearing in April for High Expeditions Retail Marijuana Store in Talkeetna?
Proof has been sent!

Here is some of the chaos AMCO creates, all taken from AMCO web page. You at AMCO are aware the Alaska cruise lines have banned marijuana from their customers and on their property!

AAC 306.010. License restrictions. (a) The board will not issue a marijuana establishment license if the licensed premises will be located within 200 feet of a child-centered facility including a school, daycare, or other facility providing services to children; 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 child-centered facility, or to the main public entrance of the building in which religious services are regularly conducted, or 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 child-centered facility, the building in which religious services are regularly conducted, or the correctional facility began use of a site within 200 feet. If an existing marijuana establishment license for premises located within 200 feet of a child-centered facility, 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 grounds, the building in which religious services are regularly conducted or the correctional facility no longer occupies the site within 200 feet.

Or this? Both taken from AMCO web 200 ft or 500 ft

No. The 500 foot buffer zone is the inside limit for the proximity of a marijuana licensed establishment to a school, youth or recreation center, building where religious services are held, or correctional facility. Please read 3 AAC 306.010(a) to determine how to measure the distance. The 500 foot distance represents the State of Alaska's Drug Free School Zone.

Can a property owner ban someone from possessing, growing or consuming marijuana on his/her private property?

Yes. AS 17.38.120(d) states that a person, employer, school, hospital, recreation or youth center, correction facility, corporation or any other entity who occupies, owns or controls private property may prohibit or otherwise regulate the possession, consumption, use, display, transfer, distribution, sale, transportation or growing of marijuana on or in that property.

Answers from you Mr Bankowski and updates on Web Page would be appreciated to complaints!

Mike Stoltz, Owner
Meandering Moose Lodging
Talkeetna, AK 99676
907-354-8442

Douglas, Craig J (CED)

From: Jessica Alexander <jalexander.thenewfrontier@gmail.com>
Sent: Thursday, April 27, 2017 12:32 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Board meeting agenda

Good afternoon! We were trying to get guidance on an issue related to a testing facility. After emailing back and forth with AMCO, it was determined that we needed to address the board to get the guidance we need. Can we get on the next board meeting agenda?

The agenda items is outlined below:

We would like to have an office in Fairbanks (not be a testing facility or marijuana establishment) as a location to meet clients for the acquisition of samples for us to drive to the lab. It would be much like Valkyrie picking up samples and delivering them to labs. We could save a tremendous amount of time driving to each cultivator if we hold drop off hours from 9-1 at a set location twice a week, not to mention that it would be safer. We would make sure that the location has cameras, as any other location where there is a change in custody, and that any of the other requirements for a marijuana establishment are honored as well (even though it isn't an actual marijuana establishment). We would have to include this in the manifest, of course, but it seems that this would be addressed in the same manner as it is for Valkyrie or other courier services in other states.

--

Jessica Alexander, MPAS, MSCRM
Co-Owner and Laboratory Director

The New Frontier Research
Committed to Public Safety Through Testing and Research

contact.thenewfrontier@gmail.com
2301 S. Knik-Goose Bay Rd. Unit #3
Wasilla, Alaska 99654
(817) 253-7130

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, April 27, 2017 11:51 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: FW: Update Web Page

From: Mike Stoltz [mailto:mtmike@live.com]
Sent: Thursday, April 27, 2017 11:34 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Holly Sheldon <Holly@sheldonairservice.com>
Subject: Update Web Page

Maybe the understaffed AMCO should update their web page so information given is correct? Or is information correct?

Do you have a copy of 2013 Deputy Federal AG Cole Memo under Obama Administration? Google it!

No. No marijuana establishment licenses have been issued at this time. The marijuana retail store regulations state that stores may only sell marijuana and marijuana products that have been grown in a licensed marijuana cultivation facility or produced in a licensed marijuana product manufacturing facility. The Marijuana Control Board anticipates beginning to issue cultivation and testing licenses in June 2016, and retail store and product manufacturing licenses in September, 2016.

Only after retail marijuana stores are licensed and have legal products on their shelves will you be able to legally buy marijuana or marijuana products. Only licensed marijuana establishments will be able to sell marijuana or marijuana products. Buying or selling marijuana without a license is illegal and could be prosecuted as a crime. .

There are no inspections done by the underfunded/understaffed AMCO and the underfunded/understaffed MCB takes the word of Federally Illegal Drug Dealers by phone at the licensing hearing as to what their places of business will look like by drawings the MCB does not understand and how these places will function: hardly "robust" enforcement by AMCO as stated is required in the 2013 Cole memo:

As long as the transportation is in compliance with 3 AAC 306 and the rules therein, the transportation should be permitted by the federal government. AMCO is constantly asked how marijuana can be transported since flying with marijuana is illegal at the federal level. All activities relating to marijuana are illegal at the federal level. It is illegal federally to cultivate, to make marijuana products, to sell marijuana, to test marijuana, and to distribute or transport marijuana using any means. The federal government is allowing states with marijuana initiatives to engage in those illegal federal activities under a memorandum of prosecution priority called the

Cole memo. The Cole memo essentially says that if a licensed, regulated marijuana business is strictly complying with robust state regulations, it can conduct activities relating to marijuana that are otherwise illegal at the federal level. We believe this includes transportation. Therefore, if a licensed, regulated establishment transports marijuana or has it transported to another licensed, regulated establishment, that transportation should not be prosecuted at the federal level. As state regulators, we cannot control the federal government, but federal courts have reiterated that we are entitled to rely on the Cole memo.

The 500 foot buffer zone blocks off the location I want to use for a marijuana licensed premises. Can my local government seek a variance from the Marijuana Control Board to allow it?

No. The 500 foot buffer zone is the inside limit for the proximity of a marijuana licensed establishment to a school, youth or recreation center, building where religious services are held, or correctional facility. Please read 3 AAC 306.010(a) to determine how to measure the distance. The 500 foot distance represents the State of Alaska's Drug Free School Zone.

One would think the Talkeetna Ranger Station with their children programs (128 ft from Talkeetna's Retail Marijuana Store High Expeditions) would meet this State Requirement?

Mike Stoltz

Sent from my iPhone

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, April 27, 2017 11:50 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: FW: Alaska Enforcement at AMCO

-----Original Message-----

From: Mike Stoltz [mailto:mtmike@live.com]
Sent: Thursday, April 27, 2017 11:20 AM
To: Zaz Hollander <zhollander@alaskadispatch.com>; Phillip Manning <phillip@ktna.org>; Ellen Lockyer - Alaska Public Media <elockyer@alaskapublic.org>; Holly Sheldon <Holly@sheldonairservice.com>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Criminal.Division@usdoj.gov; General, Attorney (LAW sponsored) <attorney.general@alaska.gov>; anchoragefbi <anchoragefbi@ak.net>
Subject: Alaska Enforcement at AMCO

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Sent from my iPhone

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, April 27, 2017 8:42 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: FW: Cannabusiness's in the gray area

-----Original Message-----

From: Ben Luedtke [mailto:benluedtke@icloud.com]
Sent: Wednesday, April 26, 2017 8:58 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Cannabusiness's in the gray area

Hello,

My question is concerning the businesses currently operating without a license..discreet delivery and AC/DC for example. These businesses are really messing up the legal legitimate industry up here...these businesses have 15-20 types of cannabis at a time, offer delivery, and charge about the same as the legal stores. Yet the legal stores only have a couple types of cannabis and no growers supplying them because of the gray/black market businesses filling their needs. This is a ton of tax revenue and business not entering our industry, and I believe Alaska is too small to let these places operate. We've seen very little supply and tax revenue coming in...encouraging small Alaska city's and towns to not allow the industry, they see it struggling and arnt impressed.

Best regards,
Ben luedtke

Sent from my iPhone

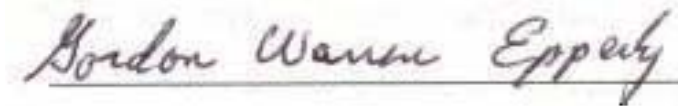
Douglas, Craig J (CED)

From: Gordon Epperly <enter7740@14th-amendment.com>
Sent: Wednesday, April 26, 2017 7:52 PM
Subject: Payment of Marijuana State Taxes (Corrected Version)
Attachments: Juneau Empire - (04-26-17) - Feds block Rainforest Farms pot shop from paying state taxes.pdf

Hello Everyone

When I make mistakes, they are whoppers.

In my comment section of the Juneau Empire Article on Rain Forest Farms, I made a statement that President Donald J. Trump mocks our nation laws when that reference was intended for former President Barack Hussein Obama Jr.. The correct version of my comments within the Article of the Juneau Empire is attached to this message as a PDF document. My apologies.



Gordon Warren Epperly

REMEMBER
*If you forward this, please remove email
addresses before you send it on, and use the
BCC area when sending to several people at once.
Be Kind to Your Email Friends*



An Open Letter

Honorable Members of the Alaska State Legislature.

Today (04-26-14) the Juneau Empire of Juneau Alaska published a story regarding "Rainforest Farms" inability to pay its State Marijuana Taxes. The story is attached to this message as a PDF document with my comments inserted throughout the story.

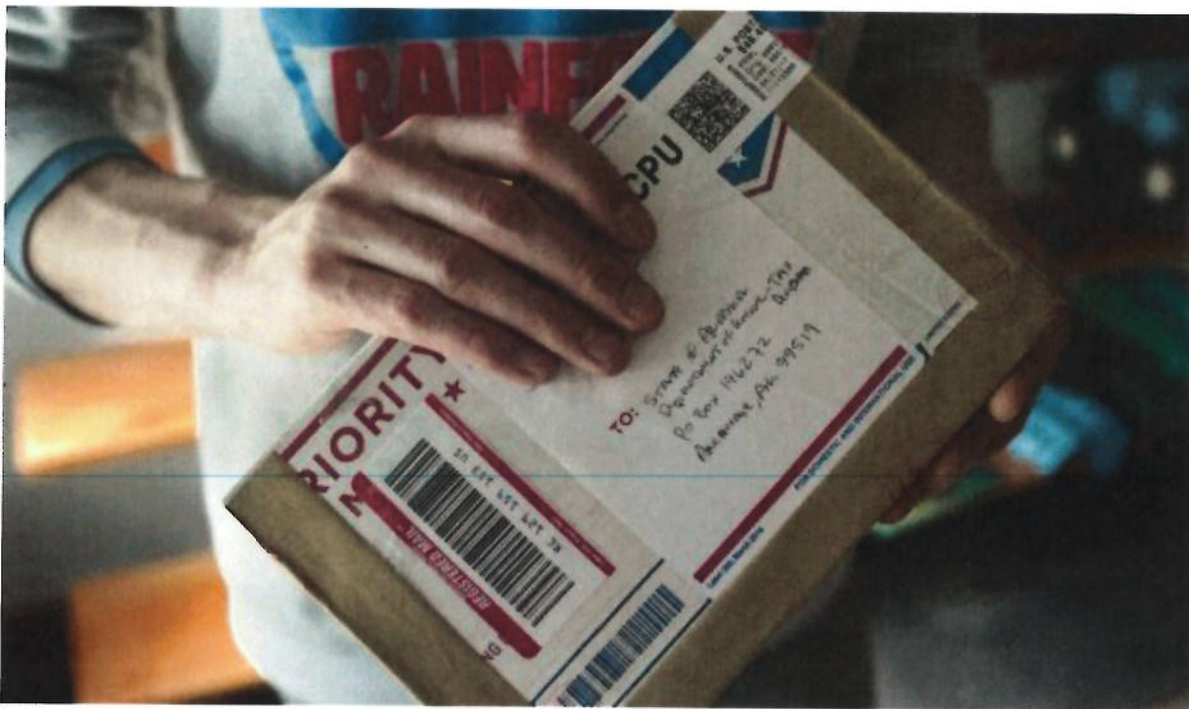
Posted April 26, 2017 05:19 am - Updated April 26, 2017 10:13 am

By [JAMES BROOKS](#)

Juneau Empire

Feds block Rainforest Farms pot shop from paying state taxes

The U.S. Postal Service refused to transport the cash to Anchorage, saying it was drug money



A box full of cash to pay a local marijuana business's state tax was returned after the US Postal Service refused to transport it to Anchorage saying that it was drug money. (Michael Penn | Juneau Empire)

The federal government will not let Rainforest Farms pay its taxes.

Late last week, Juneau's first legal marijuana retailer was turned away by the U.S. Postal Service when one of its owners attempted to mail his regularly scheduled state tax payment to Anchorage. That city is the only place equipped to take cash deposits, and all of Alaska's other marijuana taxpayers are on the road system.

It's a system the state itself created, and one that worked last month.

It doesn't any more.

"Any proceeds from the selling of (marijuana) is considered drug proceeds under federal law, so you can't mail that," Postal inspector Aaron Behnen told the Empire from Anchorage.

That applies even to a business the state of Alaska has legalized.

Alaska's tax director, when asked about the matter, said the state needs to find a way for "these legitimate business people to pay their taxes." /**

****/ Be careful Tax Director, Ken Alper, or you may find yourself on the wrong side of the laws of the government of the United States. How do you define "legitimate"?**

"We thought we had done that, and this throws a tremendous wrinkle into our processes," Ken Alper, Alaska Department of Revenue Tax Division Director, said in an interview.

Rainforest Farms' experience is a symptom of a larger issue. Even though eight states (Alaska, California, Colorado, Massachusetts, Maine, Nevada, Oregon and Washington) and Washington, D.C. have legalized recreational marijuana, cannabis businesses remain mostly locked out of the banking system.

Marijuana is still federally illegal, and any business that deals with it — or its proceeds — violates federal law. While the U.S. Department of Justice stated in a 2013 memo that it would not interfere with states that have legalized marijuana, that policy could change at any time.

"Until there is an act through Congress, I understand why the banks are very concerned. Just because the law is not being enforced today does not mean it won't be enforced tomorrow," said Kevin Anselm, Alaska's banking regulator.

To date, none of Alaska's four state-chartered banks or its one state-chartered credit union (others are nationally chartered and regulated) have said they are willing to accept that risk and accept marijuana businesses.

That leaves Alaska's marijuana businesses with an old standby: cash. When they pay bills, purchase goods or distribute salaries, they have to do it in hard currency.

"It's difficult. People like cash, but it does take a lot to move it, especially when you have to account for it properly," said James Barrett, one of the owners of Rainforest Farms.

He estimates that he has to devote the equivalent of one workday a week to dealing with the problems associated with cash: counting it, distributing it around town, and entering receipts into his accounting software.

"It's just a hassle; it's just time-consuming," he said.

It also poses security risks.

Marijuana businesses are required by state law to be secure — regulations define security systems, electronic locks, safes and other equipment. Businesses frequently go beyond those, installing strongrooms, knock-proof doors and shatterproof windows.

Erika McConnell, director of the Alaska Alcohol and Marijuana Control Office, said no marijuana worker has been harmed in Alaska, but criminals have targeted businesses.

"We are aware that there have been some break-ins, and yeah, that is a concern. I'm not aware of anyone at this point being injured," she said.

Cary Carrigan, executive director of the Alaska Marijuana Industry Association, is worried that it's only a matter of time before someone is hurt.

"Does somebody need to get shot or robbed or killed for somebody to pay attention to this issue?" he asked.

In February 2017, Rep. Don Young, R-Alaska, created a Congressional Cannabis Caucus with fellow Representatives from Colorado and California. This week, Young spokesman Matt Shuckerow said Tuesday, Young "will join a bipartisan group in Congress to introduce the Secure and Fair Enforcement Banking Act (SAFE Banking Act), which ensures institutions can service marijuana-related businesses without the fear of reprisal from the federal government." /**

****/ What a waste of time. President Donald Trump has made it clear that he and his U.S. Attorney General, Jeff Sessions, will enforce all provisions of the "Federal Control Substance Act" which has made "*Marijuana*" unlawful for any purpose. You can be assured that President Donald Trump will "**VETO**" this "SAFE Banking Act" of U.S. Rep. Don Young and his Cannabis Caucus. Don Young needs to stop playing games and have the U.S. Congress rewrite the "Federal Control Substance Law" so that the use of "*Marijuana*" may be lawful.**

If the bill passes Congress, banks dealing with marijuana businesses will be granted "safe harbor" from a federal crackdown.

"For example, federal banking regulators would not be able to threaten or limit a bank or credit union's Deposit Insurance, take any action or downgrade a loan made to a covered business, or force a depository institution to halt providing any kind of banking services to a marijuana-related legitimate business," Shuckerow wrote in an email.

By phone, he added, "Banking is certainly one of his big issues. As we move forward, he wants to see these businesses operating legally ... to be treated like any other business."

In the meantime, some Alaska cannabis businesses are operating by subterfuge. Several contacted by the Empire said they use services provided by personal savings and checking accounts to access bank services for their business. Others said they have accounts under the name of their business or a parent company in order to conceal that the account is being used for a marijuana purpose. /**

****/ This is a statement that "Federal Crimes" are being committed in that "Marijuana Businesses" of the State of Alaska is promoting and financing the transportation and concealment of contraband (drug money) which is a Federal Crime.**

Lacy Wilcox is the Southeast chapter president of the AMIA and said by phone that for some Alaska businesses, "it feels a lot like hiding, and we don't want to hide."

Rainforest Farms is the first business to remit marijuana taxes to the state from off the road system, and the problems it encounters will soon be seen by other growers. (Under Alaska's system, growers, not retailers, pay state taxes.) /**

****/ The use of federal funded highways within the State of Alaska to transport contraband (drug money) brings "Marijuana Businesses" of the State into federal jurisdiction. The use of freight companies that are registered under the "Federal Interstate Commerce Commission" (ICC) to transport contraband (drug money) also brings the "Marijuana Businesses" into federal jurisdiction.**

"There's a lot more coming online, so this is something that's important to think about," Barrett said.

Wilcox said she and other marijuana businesses off the road system are confident that things will get better.

"We're all rooting for each other, and I think collectively we'll get there," she said. "The only question is, how long is it going to take?"

***Correction:** The original version of this story said nine states have legalized recreational marijuana. It is eight states and Washington, D.C.*

Comment: Anyone who willfully causes anyone commit criminal acts against the government of the United States may be arrested and convicted of being a "Principal" under 18 U.S. Code § 2(b):

"(b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal."

Any official of the State of Alaska and its municipal corporations that have knowledge of and is giving comfort to assist the sale and transportation of contraband (*drug money*) from the sales of a "Federal Class I Drug" ("*Marijuana*") is committing a "*criminal act*" against the government of the United States and as such, those officials of the State may be (*and most likely will be*) arrested and prosecuted in a Federal Court as an "*Accessory after the fact*" 18 U.S. Code § 3:

"Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact."

Any official of the State of Alaska or its municipal corporations that have knowledge of any sales or growing of contraband ("*Marijuana*") and does not report the same to law enforcement agencies of the government of the United States commits the crime of "*Misprision of felony*" under 18 U.S. Code § 4:

"Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both."

We have a new "*Commander-In-Chief*" in town and unlike former President Barack Hussein Obama Jr. (*who mocked the laws of our nation*), President Donald J. Trump made it very clear that he will do his duty of Office to "*shall take care that the laws (of the United States) be faithfully executed ...*" (U.S. Const., Art. II, Sec. 3, Cl. 1) which includes all provisions of the "Federal Control Substance Act" (21 USC 801- 971). Anyone who is involved in the transportation and sales of federal contraband being that of "*Marijuana*" (*or the drug money of "Marijuana"*) should be closing-up shop while they are free to do so.

Gordon Warren Epperly

-
- Contact reporter James Brooks at james.k.brooks@juneauempire.com or call 419-7732.

* * * * *

There is a lawful means by which a marijuana businesses may mail payments of taxes to the State of Alaska Department of Revenue. That means is the use of "U.S. Postal Money Orders."

Unlike "Checks," "U.S. Postal Money Orders" are not banking negotiable instruments and as such, they are not regulated by the "Uniform Commercial Code" (UCC). The distinguishing difference is that "Checks" and other banking negotiable instruments will have the statement "Pay to the bearer" on the face of the instrument whereas, "U.S. Postal Money Orders" states "Pay to" on its face.

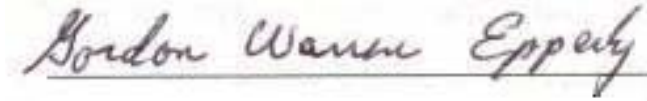
Unlike "Checks" and other banking negotiable instruments, "U.S. Postal Money Orders" may only be issued upon presentation of "legal tender" (cash) of the government of the United States to the "U.S. Postal Service." They may not be purchased with "Checks" or "Credit Cards." The only information that you need to provide on the face of a "U.S. Postal Money Order" is to whom the receiver of the "U.S. Postal Money Order" is for. No further information needs to be provided including to whom the "U.S. Postal Money Order" is from. The "From" information is left blank. Nor do you provide any information as to what the "U.S. Postal Money Order" is to be used for.

Remember "U.S. Postal Money Orders" are not "Checks" nor are they other banking negotiable instruments. They are the same as the presentment of "legal tender" (cash) to be used for payment of taxes or for payment of services. The U.S. Postal Service has no authority to make an inquiry into the source of the "legal tender" (cash) that is presented for the issuance of "U.S. Postal Money Orders."

You make all your communication to the receiver of "U.S. Postal Money Orders" by inserting a letter into an envelope with the "U.S. Postal Money Order." There is no need to identify on the face of the envelope that the letter was being mailed by a marijuana business.

Use this information at your own risk. There is no advocacy for anyone to violate the laws of any State or of the United States.

What is presented in the story is the beginning of problems that will have to be addressed by the Alaska State Legislature.

A handwritten signature in cursive script, reading "Gordon Warren Epperly", written in dark ink on a light-colored background. The signature is fluid and connected, with a horizontal line drawn underneath the entire name.

Gordon Warren Epperly

Douglas, Craig J (CED)

From: Gordon Epperly <enter7740@14th-amendment.com>
Sent: Wednesday, April 26, 2017 7:12 PM
Subject: Payment of Marijuana State Taxes
Attachments: Juneau Empire - (04-26-17) - Feds block Rainforest Farms pot shop from paying state taxes.pdf

REMEMBER
*If you forward this, please remove email
addresses before you send it on, and use the
BCC area when sending to several people at once.
Be Kind to Your Email Friends*



An Open Letter

Honorable Members of the Alaska State Legislature.

Today (04-26-14) the Juneau Empire of Juneau Alaska published a story regarding "Rainforest Farms" inability to pay its State Marijuana Taxes. The story is attached to this message as a PDF document with my comments inserted throughout the story.

What is presented in the story is the beginning of problems that will have to be addressed by the Alaska State Legislature.

A handwritten signature in cursive script that reads "Gordon Warren Epperly". The signature is written in dark ink on a light background.

Gordon Warren Epperly

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Wednesday, April 26, 2017 8:51 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: Comment regarding marijuana establishments
Attachments: comment.pdf

From: CEDP-TUNDRASHREW [mailto:CEDP-TUNDRASHREW@alaska.gov]
Sent: Wednesday, April 26, 2017 8:50 AM
To: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Subject: comment

Douglas, Craig J (CED)

From: Pushpendra <pushpendra@mycampusapp.biz>
Sent: Tuesday, April 25, 2017 9:28 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Digital Notice Board solution

Hi,

Greetings for the day

I-Display – “Digital Notice Board” is our in-house product. This helps you to display your information, messages and communications to your target audience anytime anywhere.

I-Display helps to improve internal communications, increase workforce awareness of key initiatives, policies and goals, enhance way findings and visitor communications and develop emergency alert systems.

Our product is best fitted to Government, PSU’s, Schools, offices, Corporate etc. This is best fitted at Reception, Lobby, Cabin, Meeting room and other areas.

Benefits;

- **Display Notices, News, Achievements, Images, Videos, Weather updates etc.**
- **Convey any message quickly** to visitors/Employees/customers.
- Get a **common platform** to **Inspire & motivate** the Workforce & Visitors.
- **Managed from single location** and can be **updated remotely**.
- **(ROI) Return On Investment** by Advertisements.

To provide better information about our product Digital Notice Board, our executive is ready to serve you Free Demo anywhere any time.

Reach us to get the Cost-Effective Digital Platform easily with No Compromise on Quality.

Waiting for Positive Response!

Thanking You,

Pushpendra
Marketing Executive

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Tuesday, April 25, 2017 2:38 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: FW: Marijuana Control Board

-----Original Message-----

From: Mike Stoltz [mailto:mtmike@live.com]
Sent: Tuesday, April 25, 2017 1:51 PM
To: pamelaness <pamela.ness@matsugov.us>; alexstrawn <alex.strawn@matsugov.us>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Criminal.Division@usdoj.gov; anchoragefbi <anchoragefbi@ak.net>
Subject: Marijuana Control Board

It appears the bar keeps moving on what is and is not allowed in Alaska by the MCB every time the MCB meets!?

One might think the Talkeetna Ranger Station (Federal) with its kids programs would count

AAC 306.010. License restrictions. (a) The board will not issue a marijuana establishment license if the licensed premises will be located within 200 feet of a child-centered facility including a school, daycare, or other facility providing services to children; 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 child-centered facility, or to the main public entrance of the building in which religious services are regularly conducted, or 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 child-centered facility, the building in which religious services are regularly conducted, or the correctional facility began use of a site within 200 feet. If an existing marijuana establishment license for premises located within 200 feet of a child-centered facility, 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 grounds, the building in which religious services are regularly conducted or the correctional facility no longer occupies the site within 200 feet.

Sent from my iPhone

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Tuesday, April 25, 2017 2:34 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: FW: Measurement Please

-----Original Message-----

From: Mike Stoltz [mailto:mtmike@live.com]
Sent: Tuesday, April 25, 2017 12:27 PM
To: pamelaness <pamela.ness@matsugov.us>; alexstrawn <alex.strawn@matsugov.us>
Cc: Holly Sheldon <Holly@sheldonairservice.com>; Beth Valentine <bnvalentine@yahoo.com>; TCC Council <tccsecretary@yahoo.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Measurement Please

Pam

It appears according to State of Alaska Marijuana Licensing, Mat Su Borough is the Authority Having Jurisdiction in how far High Expeditions Retail Marijuana Store in Talkeetna is from the Church!

When you come to Talkeetna, can you please bring a measuring wheel and measure the most direct route (which is State Law) between High Expeditions and the Church and put this distance controversy to bed for once and for all? There are different distances being claimed.

Mike Stoltz

Sent from my iPhone

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Tuesday, April 25, 2017 7:26 AM
To: Good LLC; Marijuana Licensing (CED sponsored)
Cc: Marijuana, CED ABC (CED sponsored)
Subject: RE: Advertising affidavit for GOOD (License #12325)

Uploaded. Thanks
Jane

From: Good LLC [mailto:akgoodcannabis@gmail.com]
Sent: Monday, April 24, 2017 11:33 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Marijuana, CED ABC (CED sponsored) <marijuana@alaska.gov>
Subject: Advertising affidavit for GOOD (License #12325)

Dear Jane Sawyer,
Attached is our newspaper affidavit for our #12325 retail application to substitute for the placeholder from #10164. Thank you for your consideration of our situation and allowing us to promptly move our #12325 application forward.

Sincerely,
Christian Hood
Owner, GOOD

--

Follow GOOD on [Twitter](#) and [Facebook](#)

Douglas, Craig J (CED)

From: Good LLC <akgoodcannabis@gmail.com>
Sent: Monday, April 24, 2017 11:33 PM
To: Marijuana Licensing (CED sponsored)
Cc: Marijuana, CED ABC (CED sponsored)
Subject: Advertising affidavit for GOOD (License #12325)
Attachments: Affidavit of Publication RETAIL.pdf; Coverletter4.pdf

Dear Jane Sawyer,

Attached is our newspaper affidavit for our #12325 retail application to substitute for the placeholder from #10164. Thank you for your consideration of our situation and allowing us to promptly move our #12325 application forward.

Sincerely,
Christian Hood
Owner, GOOD

--

Follow GOOD on [Twitter](#) and [Facebook](#)

Douglas, Craig J (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Monday, April 24, 2017 8:19 AM
To: Marijuana, CED ABC (CED sponsored)
Subject: FW: Cottonwood loop

-----Original Message-----

From: Allyssa Cooley [mailto:cooley.allyssa@icloud.com]
Sent: Saturday, April 22, 2017 7:33 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Cottonwood loop

In regards to the shop being open in the cottonwood area.

I Allyssa S. Cooley am commenting to inform the person/s reading this that I will be in full support of marijuana legalization and welcome the new shops being built.

Sent from my iPhone

Douglas, Craig J (CED)

From: Hoelscher, James C (CED)
Sent: Monday, April 24, 2017 7:43 AM
To: Marijuana, CED ABC (CED sponsored)
Cc: McConnell, Erika B (CED)
Subject: RE: Speaker for Volunteer Training

I will ask, I'm sure he will be happy to present.

From: Marijuana, CED ABC (CED sponsored)
Sent: Monday, April 24, 2017 7:38 AM
To: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Cc: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>
Subject: FW: Speaker for Volunteer Training

James-

Since it is in Juneau, do you think Steve would be interested?



Craig J. Douglas

Administrative Officer
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501
<https://www.commerce.alaska.gov/web/amco/>

From: Anna Edgerly-Moore [<mailto:anna.edgerly-moore@traveljuneau.com>]
Sent: Friday, April 21, 2017 5:03 PM
To: Marijuana, CED ABC (CED sponsored) <marijuana@alaska.gov>
Subject: Speaker for Volunteer Training

Hello!

We are putting together a presentation for our volunteers next thursday and while there are some great resources on your website, it would be incredibly helpful if there was someone who would be available to present some information and answer questions who really knows it. Our event is from 5:30-7:30 at Elizabeth Peratrovich hall on the 27th. We would plan on a 10-15 minute slot for you at about 6pm if someone is available then. Please let me know if there is anything we can do to make this happen.

Thanks!

--

Anna Edgerly-Moore
Visitor Services Manager

Travel Juneau
800 Glacier Avenue, Ste 201

Juneau, AK 99801
Office: 907-586-1740
Cell: 917-620-1721

Douglas, Craig J (CED)

From: Anna Edgerly-Moore <anna.edgerly-moore@traveljuneau.com>
Sent: Friday, April 21, 2017 5:03 PM
To: Marijuana, CED ABC (CED sponsored)
Subject: Speaker for Volunteer Training

Hello!

We are putting together a presentation for our volunteers next thursday and while there are some great resources on your website, it would be incredibly helpful if there was someone who would be available to present some information and answer questions who really knows it. Our event is from 5:30-7:30 at Elizabeth Peratrovich hall on the 27th. We would plan on a 10-15 minute slot for you at about 6pm if someone is available then. Please let me know if there is anything we can do to make this happen.

Thanks!

--

Anna Edgerly-Moore
Visitor Services Manager

Travel Juneau
800 Glacier Avenue, Ste 201
Juneau, AK 99801
Office: 907-586-1740
Cell: 917-620-1721

From: Renee Schofield
To: [CED AMCO REGS \(CED sponsored\)](#)
Subject: No on site consumption
Date: Wednesday, April 05, 2017 9:49:19 AM

My apologies for the late arrival in this communication. I do realize that you are meeting today. Please accept my comments below:

We do not have to rush into regulation regarding marijuana at all. When your leading physician, Dr. Jay Butler, and the DHSS folks are recommending against opening the door for on site consumption, we should heed their advice. What does it harm for us to wait for one year? SLOW DOWN. The effect on our state are yet to be seen. Please, for the residents of Alaska that do not want any of this, take a step back and place a one year moratorium on the on site consumption piece.

Renee Schofield, CEO
TSS, Inc
Ketchikan, Juneau, Craig, Alaska
Keokuk, Iowa
Quincy, Illinois
Hannibal, Missouri

TOLL FREE 877-225-1431

907.247.1431 V

907.247.1432 F

renee@tss-safety.com
www.tss-safety.com

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From: Mark Woodward
To: [CED AMCO REGS \(CED sponsored\)](#)
Subject: Onsite consumption endorsements
Date: Wednesday, April 19, 2017 9:25:59 AM
Attachments: [The Stoney Moose would like the AMCO board to consider the following regarding finalizing on.pdf](#)

The Stoney Moose would like the AMCO board to consider the following regarding finalizing onsite consumption rules. Although this topic has been controversial, we believe that several “Alaskan specific” issues continually come to the forefront:

1. Southeast Alaska is in a completely different situation than the rest of the United States. All indications point to over 1 million cruise ship visitors sailing to our great state this summer alone. Let’s say that only 5% of that entire million decide to purchase legal cannabis, and the season is 150 days...that averages out to 333 people a day looking for legal cannabis. When those passengers purchase our legal cannabis, and they follow their ships’ rule about not bringing cannabis back on board, where does AMCO suggest they go to consume? The state and everyone else knows that tourism is the “new oil”, and Panamax (5000+ capacity) ships are on the way; is AMCO really telling the cruise ship towns that delaying two years to see what other states are going to is the answer? Furthermore, it was suggested at an AMCO meeting by a board member that the federal government would look down upon cruise ship passengers consuming cannabis at a state-certified establishment. But, if the state does NOT create these onsite establishments, what will the image of over 300 tourists each day openly consuming cannabis on the streets/sidewalks/trails give our state? I say that image would create a lawlessness appearance that would invite federal law enforcement to intervene. Before you say that local law enforcement should step up and start writing public consumption tickets, think about two things:

- a. The resources alone to even write 100 tickets a day.
- b. How the cruise ship industry would react to hundreds of their passengers being ticketed each day, and conversely how that policy would impact the main cruise ship cities/towns relationship with the cruise industry.

2. Instead of looking at Colorado, AMCO-Alaska should look at what Las Vegas is planning. Why? Las Vegas is similar to Alaska (in particular Southeast) in that they have a large amount of tourists in chunks, and they now have to deal with how tourists consume legally purchased cannabis. Here is where they are at:

- a. The biggest issue is local control. In essence, Nevada lawmakers want local governments having the discretion to allow areas for onsite consumption. I believe this would be aligned with Alaska because each year local government still could control the effectiveness of the onsite establishment. If things don’t work, and the city does not like the image onsite creates, they can say “NO” to the application.
- b. If there is no controlled, approved location for onsite, we would allow the tourists to decide whether or not to follow local and state law regarding cannabis consumption on sidewalks and trails. As Nevada Sen. Tick Segerblom stated, “We don’t want tourists just walking up and down the strip smoking

marijuana. Let's provide them a venue."

c. Even though we are saying consider Las Vegas and their onsite consumption dilemma, there is one crucial difference between Las Vegas and the Southeast Alaska cruise stops: hotel rooms. Most tourists going to Las Vegas will stay in hotel rooms, giving them a private place to consume cannabis. The over 1 million cruise ship visitors planning to visit Alaska this summer will not have that option.

3. Set onsite consumption policies on what The Stoney Moose is planning on:

a. Provide an air-handling system capable of "scrubbing" inside air in a way to minimize second hand cannabis smoke; the system must contain a filtration system capable of that specific area, and be installed by a certified mechanical engineer;

b. Not allow any tobacco type products to be consumed, including:

i. Cigarettes/cigars

ii. Blunts

iii. "European cigarettes" or blends

c. Provide an employee shift policy for anyone working within the onsite area: every 30 minutes of work = 5 min break outside of onsite area, with a max of four hours per shift within the onsite area;

d. Install a table-tracking software system that tracks the amount of time a customer spends within the onsite area;

e. Not have drinks/snacks/TVs in the onsite area, so that customers "try cannabis and then leave shortly thereafter";

f. Maximum transaction amounts as follows:

i. 1 gram bud/flower

ii. 1 gram pre-roll joints

iii. 10 mg. edibles

iv. Concentrates (I have no idea here)

g. All customers in the onsite consumption area will be supervised at all times by state-certified employees.

The Stoney Moose has already received emails and phone calls from cruise ship passengers wanting to know state policy. Here is one of them:

“Aloha from Hawaii. My family and I will be on a cruise ship and our first stop in Alaska is Ketchikan. I'm just beginning my retirement and want some place to relax and enjoy some weed legally. Don't want to get into any problems on cruise ships. Mahalo.”

As you can see, and as we've seen after opening our retail store, people want to follow the law. By not allowing onsite consumption areas, we are inviting our customers and fellow Alaskans to break the law. AMCO needs to change that, give the control to local governments, and allow for onsite consumption endorsements. Things will be much worse for our state if we don't.

From: dollynda Phelps
To: [CED AMCO REGS \(CED sponsored\)](#)
Subject: public comment/regulations
Date: Friday, April 28, 2017 4:33:21 PM

The task of the MCB and AMCO is to implement AS 17.38 and regulate the cannabis industry. This has been no small feat and has turned out to be a great deal of effort statewide. However, even taking this into consideration, the effort to create a safe regulated industry has taken a path of prohibition and unnecessary restrictions.

First, the on-site consumption endorsement was carelessly dealt with and tabled several times. Now it may take an even further turn and not allow "smoking" of cannabis. This is not a reasonable request as most people who partake are smokers. It would equate to prohibiting smoking at a cigar club. If patrons make a conscious and deliberate choice to enter an establishment with the express purpose of smoking cannabis, it seems ridiculous to prohibit them to do so. In fact, if this is eventually the case, regulations will force any person who buys legal cannabis to smoke to do it in public spaces, like parks next to our children's playground. This is thoughtless and irresponsible. The MCB should carefully consider the purpose of an on-site consumption establishment. The power to regulate time place and manner was given to the local municipalities and should remain that way.

The other issue that brings concern is the actions of enforcement on 4/20, prohibiting virtually any type of celebratory sale or give aways of non marijuana products. Really? I'm hearing all over the radio about the sports and rec center in Soldotna having their "Beer, Brats and Guns" event this weekend, but licensed marijuana facilities cannot give away shirts, stickers, or hold any type of game or contest that "promotes the sale of marijuana" 306.360(d). The celebration of a day and the giving away of stickers or shirts is not a game or contest. So many retailers were scolded on 4/20 about this very issue. It seems so wrong to discriminate against this industry, and these types of discriminatory regulations must be changed.

The purpose of a regulatory board is to create reasonable and functional regulations that not only provide safety to the public but a practical approach to regulating the industry. The industry must be able to function in a practical and reasonable manner. This is not what we have seen, as some actions from the MCB clearly demonstrate a prohibitionist perspective. This must change if we are to truly see this industry meet it's potential.

Thank you for your commitment and hard work.

Dollynda Phelps

[Sent from Yahoo Mail on Android](#)