



## MEMORANDUM

TO: Mark Springer, Chair, and  
Members of the Board

DATE: October 16, 2018

FROM: Erika McConnell, Director  
Marijuana Control Board

RE: Staff Recommendations for  
Regulations Projects

**1. University as Potential Licensee**—At the last meeting, Chair Springer added as a legislative request for a provision that the University of Alaska be able to be a licensee. Upon review, no statutory change is necessary, but a regulatory change would be required.

**2. Denial of License Application**—staff recommends opening a regulations project to amend 3 AAC 306.080. Specifically language should be added to (a)(2) to include denial for violations of restrictions in 3 AAC 306.015 (conditions of residency) and violations relating to the restrictions on being a testing facility licensee and a licensee of another type of marijuana establishment. In addition, (b)(2) implies that a license that has been revoked still needs to renew—this subsection should be deleted. Now with two years of experience in approving applications, the board should revisit this section.

**3. Fingerprints**—AS 17.38.200(a) requires each applicant to submit fingerprints when submitting an application. Because many individuals submit multiple applications for multiple licenses, this provision has been interpreted to require fingerprints for each licensee, as each licensee is the applicant. For example, if Jane Doe is sole owner of Anchorage Grows, LLC, which is applying for a cultivation and manufacturing license, and also the sole owner of Anchorage Buds, LLC, which is applying for a retail license, then we have two applicants: Anchorage Grows, LLC, and Anchorage Buds, LLC, and Jane Doe has been required to submit two sets of fingerprints. Obviously only one background check, and thus one set of fingerprints, for Jane Doe is necessary. Staff recommends opening a regulations project to define “applicant” for the purposes of interpreting AS 17.38.200(a) so that only one set of fingerprints per individual is necessary to be submitted. (Unfortunately we did not think to include a change to this in the statutory change requested during the last legislative session.)

**4. Handler Courses**—staff recommends opening a regulations project to clarify handler course requirements. Suggested changes include requiring course providers to update their courses with each regulations change (if applicable), requiring course providers to give course access to the board/staff at any time, and establishing a course fee.

Should the board wish to pursue any of these changes, the board should open a regulations project and staff will provide a draft at the next meeting.