



MEMORANDUM

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

DATE: December 20, 2018

FROM: Erika McConnell, Director
Marijuana Control Board

RE: Regulations Project – Fingerprints
from Applicants

The board opened this regulations project at the October 2018 meeting.

This change would allow AMCO to collect fingerprints and fees from an individual who is applying for a new license, a license transfer, or an ownership change, only once in a year, even if the individual is a part of multiple entities who are applicants.

AS 17.38.200(a) requires each applicant to submit fingerprints and fees. AMCO has interpreted applicant to be the entity that receives a license. When one entity applies for multiple licenses, only one set of fingerprints are required for each individual who is part of the entity. But when an individual is part of more than one entity, that individual has been required to submit more than one set of fingerprints, which is technically not necessary.

Options for the board:

- Put draft out for public comment as written
- Amend draft and put out for public comment
- Send back to staff for revisions
- Close the project without action

(Words in boldface and underlined indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

3 AAC 306.055(a) is amended to read:

(a) When filing an application for a new marijuana establishment license, [OR] transfer of a license, **or ownership change**, the applicant, including each individual listed in 3 AAC 306.020(b)(2), must submit the person's fingerprints and the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information. **An individual who has submitted fingerprints and fees under this section is not required to submit a new set of fingerprints and fees for a second or subsequent application for a new license, transfer, or ownership change, if the second or subsequent application is submitted within 12 calendar months of the date criminal justice information is received in response to the initial submission of fingerprints and fees.**

(Eff. 2/21/2016, Register 217; am ___/___/___, Register ___)

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		