



MEMORANDUM

TO: Marijuana Control Board

DATE: February 20, 2019

FROM: Erika McConnell, Director

RE: Director's Report

OPERATIONS

Craig Douglas, AMCO's Administrative Officer for over two years, accepted a new position in the Department of Transportation and left AMCO in mid-January. AMCO has hired a new Administrative Officer who will begin soon.

AMCO was not granted hiring permission to fill the Regulations Specialist position in December. The position is included in Governor Dunleavy's FY20 budget so I will request hiring approval again. If granted, AMCO will re-initiate the recruitment process.

ISSUES

APSIN/ARMS

On December 1, after 30 days' notice, the Department of Public Safety (DPS) terminated AMCO's access to the Alaska Public Safety Information Network (APSIN) and to the Alaska Records Management System (ARMS). They are databases used by law enforcement agencies for case management, crime reporting, and processing of citations and criminal cases (ARMS) and for access to criminal justice information needed to conduct thorough and safe investigations, flagging of licensees and license locations for other law enforcement knowledge, collaboration with other law enforcement on investigations, and processing of citations and criminal cases (APSIN). These tools have been used by AMCO investigators for many years, for APSIN, going back to when the ABC Board was housed in the Department of Revenue.

The removal of our ability to use APSIN and ARMS is preventing the investigators from fully performing their statutory duties which include enforcement of criminally punishable provisions of Title 4, Chapter 17.38, and elements of Title 11. Their safety and the safety of other law enforcement personnel is compromised—the investigators are not able to identify individuals who have been flagged as a risk to officer safety, they are not able to share information with other law enforcement agents, and they are not able to use radio talk groups to call for assistance if they are in a remote area and need help or answer calls for assistance from other law enforcement. AMCO investigators make scheduled and unscheduled inspections of licensed facilities to respond to complaints or tips about unlicensed activity, bootlegging, over service, under-age drinking, and other activities that threaten public health and safety. With no access to these databases, the investigators may go to interview someone who is subject to a warrant or possibly armed and dangerous, without having any warning or information. In the worst case scenario, AMCO investigators could interview

a wanted individual without ever knowing there was a warrant for that person, and the person could go on to commit new crimes.

In addition, AMCO is now without an enforcement case management system, which means we will either need to purchase new software (an unneeded duplicative expense) or find time-consuming work-arounds with unsecured Excel spreadsheets, hindering our efficiency, accuracy, and reporting ability.

The threshold for access to APSIN and ARMS, according to the attached letter from Major Greenstreet, is either being a criminal justice agency or being peace officers. While it is debatable whether or not AMCO is a criminal justice agency, the investigators have been considered to be peace officers for many years. DPS testified to this effect before the House Labor and Commerce in 2003 when the ABC Board was in the Department of Revenue So what changed?

While you won't read this in Major Greenstreet's letter, what DPS has told us in meetings is that the factor of change is the addition of marijuana to AMCO's regulatory responsibilities. Because marijuana remains illegal at the federal level, DPS fears that the FBI will remove the entire state's ability to access criminal justice information if the marijuana regulators are given access to criminal justice information. This information was relayed to me in meetings at DPS headquarters, and also to Commissioner Anderson at a meeting held with DPS Commissioner Price on December 27, 2018. This is concerning to me because as your director, I am bound by statute -- as you are -- to enforce Title 4 and AS 17.38, and the legislature has made no changes whatsoever to the enforcement provisions of those statutes. You should also know that I, and you, have no information to support the suggestion that the regulation of marijuana has changed the landscape of your enforcement obligations. On the contrary, you should know that:

- The FBI has not contacted DPS to indicate that the FBI has a problem with marijuana regulators having access to criminal justice information.
- DPS has not contacted the FBI to ask if the FBI has a problem with marijuana regulators having access to criminal justice information.
- In every other state where recreational marijuana has been legalized, the marijuana regulators have access to criminal justice information.
- The FBI audited AMCO in 2017 regarding how we handle criminal justice information, and no issues were raised regarding there being a problem with our access to criminal justice information.

After two meetings and various correspondence, DPS agreed to provide specific information contained in APSIN to AMCO investigators when requested for specific investigations. When requested, information may be provided within a couple of days. While I certainly appreciate the effort on behalf of DPS, you should know that the protocol that was offered severely constrains your enforcement staff and does not provide anywhere near the authority that is given to the ABC and MC boards in AS 04.21.070 and AS 17.38.131 respectively. Essentially, it requires AMCO's commissioned officers to seek DPS permission every time the officers deem it appropriate to initiate or pursue an investigation. On a purely practical level, this is unworkable. AMCO officers must be able to follow up on reports of illegal activity at a moment's notice. It is unreasonable and creates a risk to the public welfare to expect them to wait for what is essentially permission before initiating

an investigation, which at times involves limited and difficult travel to remote places. Then, while your officers are on location performing an investigation, access to additional information that may be needed is not immediately available and won't be so for several days, if it is provided at all. This stop-gap plan serves no one, least of all the people whose safety the legislature has entrusted to you. It is undermining the morale and efficiency of AMCO's enforcement officers and staff.

James Hoelscher, AMCO's Chief of Enforcement is on the phone today. If you have specific questions about how DPS's substitute plan differs from the authority that had been recognized by DPS for many years and how the change will affect Enforcement's work, I am sure he would be willing to provide a fuller picture for you.

ABC Board Chair Klein and MC Board Chair Springer jointly sent a letter to DCCED Commissioner Anderson asking her to request a legal opinion from the Attorney General regarding whether or not AMCO investigators are peace officers. The Commissioner put the issue on hold until after the Governor's budget was released. As you have seen, the Governor proposes to consolidate the majority of state investigators into one unit in the Department of Law. It is likely that should your enforcement officers be moved to this unit, they would have access to APSIN and ARMS, although I cannot say for sure.

Governor's Budget and Proposals

On February 13, 2019, Governor Dunleavy released his new budget along with information regarding changes to be proposed through legislation and executive orders. There are two major changes proposed relating to the ABC and MC Boards and AMCO.

1. By executive order, the Governor established a Statewide Investigator Unit within the Department of Law (order attached). The intent is to consolidate most of the investigators from the Departments of Commerce, Environmental Conservation, Health and Social Services, Labor and Workforce Development, and Revenue, which would include your investigators. The order creates a taskforce comprised of the Attorney General, the Director of the Division of Personnel and Labor Relations, and the OMB Director, to develop an implementation plan, with implementation to begin in FY20.

2. In addition, the Governor has indicated his intention to introduce legislation to repeal the Alcoholic Beverage Control Board and the Marijuana Control Board. The following supporting information was provided:

- The intent is to transfer the authority and responsibilities of the two boards to the commissioner and remove the marijuana control board and the alcoholic beverage control board.
- Reducing the regulatory burden in efforts to expand entrepreneurialism.
- Commissioner may adopt regulations and processes to allow alcohol and marijuana licenses to be processed more akin to that of professional licenses.
- This removes the limitations on the selection and appointment process of the director by the Governor.

As of February 14, 2019, no legislation has yet been introduced.

The Governor's FY20 budget reduces AMCO's budget by \$48,700 from the FY19 Management Plan. The cut is entirely from Travel, leaving a travel budget of \$135,000.

Introduction of New Strains

At the October 2018, meeting, the board approved a form to allow a cultivation licensee to bring in a limited number of clones or seeds from an unlicensed source, to implement the regulatory change that became effective on October 20, 2018. Between that meeting and February 14, 2019, I have received 256 requests from 45 different licensees.

- Most requests submitted by a single licensee: 25
- Most requests with same provider: 22
- Request for seeds: 169
- Request for clones/cuttings: 87
- Requests denied: 11 (duplicate of request approved earlier; ineligible license type; inconsistent information on form)

LEGISLATION

As of February 14, no legislation has been introduced that directly affects Chapter 17.38 and the regulation of the commercial marijuana program.

REGULATIONS

Attached to this report is a regulations projects status spreadsheet.

NEXT MEETING

The next MC Board meeting is scheduled for May 1-3 in Anchorage. Applications must be complete and any other documents for the board must be submitted to our office by April 12 to be on the agenda.

STATISTICS

Retail Sales

| | | | |
|----------|--------------|------------------|---------------|
| November | \$12,856,957 | 2016 Total Sales | \$1,689,329 |
| December | \$13,420,548 | 2017 Total Sales | \$57,562,728 |
| January | \$11,416,081 | 2018 Total Sales | \$130,475,707 |

Total retail sales from program inception to 1/31/19: \$201,143,845

Taxes Assessed

| <i>Month</i> | <i># of taxpayers</i> | <i>Taxes Assessed</i> | | |
|---------------------|------------------------------|------------------------------|------------|--------------|
| October | 122 | \$1,841,705 | 2016 Taxes | \$232,695 |
| November | 115 | \$1,439,812 | 2017 Taxes | \$6,082,078 |
| December | 121 | \$1,493,903 | 2018 Taxes | \$15,695,517 |

Total taxes assessed from program inception to 12/31/18: \$22,010,290

Marijuana-specific local sales and excise taxes generated a combined \$2,036,132 in FY18 in eight communities.



THE STATE
of ALASKA
GOVERNOR BILL WALKER

Department of Public Safety

DIVISION OF ALASKA STATE TROOPERS
Office of the Director

5700 East Tudor Road
Anchorage, Alaska 99507-1225
Main: 907.269.5511
Fax: 907.337.2059

November 1, 2018

Erika McConnell, Director
Alaska Marijuana Control Office
550 W 7th AVE, STE 1600
Anchorage, AK 99501

Re: AMCO Access to ARMS and APSIN

Dear Director McConnell:

In the past, the Department of Public Safety (DPS) has granted employees of your office direct access to Criminal Justice Information (CJI) via the Alaska Records Management System (ARMS) and the Alaska Public Safety Information Network (APSIN) for the purposes of enforcing statutes and regulations governing the production, sale, and distribution of marijuana. DPS granted this access by presuming that the Alaska Marijuana Control Office (AMCO) functioned as a "criminal justice agency" under relevant federal and state statutes.

However, after further consultation and analysis with the Department's General Counsel and Records Bureau Chief and based on the reasons outlined below, DPS has determined that AMCO does not meet the statutory definition of a "criminal justice agency". As a result, and pursuant to the APSIN User Agreement, this letter serves as notice that we will terminate your agency's direct access to both ARMS and APSIN effective December 1, 2018.

Title 28 Part 20 of the Code of Federal Regulations delineates the proper dissemination of CJI and criminal history record information on the federal level. As the designated Criminal Justice Information System (CJIS) Agency (CSA) for the State of Alaska, DPS is responsible for ensuring that all government and non-government agencies accessing CJIS data adhere to the law, policies, and standards developed by the state and federal government pertaining to the proper use, storage, dissemination, and destruction of CJI.^{i,ii}

13 AAC 68.215 authorizes DPS to allow direct access to criminal justice information to a "criminal justice agency, for a criminal justice activity". A criminal justice agency is defined in AS 12.62.900(11), in part, as "a government entity or subdivision of a government entity that allocates a **substantial portion of its budget to a criminal justice activity** under a law, regulation or ordinance"(emphasis added).

Direct access to these sensitive criminal justice databases is, therefore, predicated on meeting one of two separate but related standards. The first is whether employees of a given agency truly function as

peace officers. While Alaska Statutes do grant some AMCO employees limited peace officer powersⁱⁱⁱ, a 1998 Attorney General's Opinion concludes those limited powers are insufficient for such employees to be considered peace officers under statute.^{iv}

Second, both federal and state definitions of a "criminal justice agency" require that a "substantial portion of an agency's budget be allocated to a criminal justice activity..." The Federal Bureau of Investigation (FBI) has determined that "substantial portion" means over 50%. While AMCO's special investigators conduct some criminal justice activity in the course of their work, much of it – if not a substantial majority – appears to be regulatory in nature.

When viewed in sum, AMCO does not meet the qualifications of being a "criminal justice agency, for a criminal justice activity." Much of the agency's work is predicated on maintaining compliance with existing statute and regulations, and while that work may require some criminal justice activity, it is not a substantial portion of AMCO's budget under the FBI's definition. Moreover, the agency's employees do not meet the statutory definition of a "peace officer" even with their limited powers.

It is, therefore, the Department's conclusion that because AMCO does not meet the qualifications of a "criminal justice agency", agency employees may not have direct access to CJI, including ARMS and APSIN. Their direct access to those systems will be terminated on December 1, 2018. After the termination takes place, the Department will provide AMCO with a list and brief summary of all AMCO and Alcoholic Beverage Control (ABC) Office incidents from ARMS.

Previously, some conversations had taken place as to whether AMCO employees could access Alaska State Trooper (AST) radio channels on the Alaska Land Mobile Radio Network (ALMR) for the purposes of conducting criminal justice activity. For the same reasons as noted above, DPS and AST are not able to grant AMCO employees that access. However, we would invite AMCO to consider reaching out to the Network and area dispatch centers to establish its own closed ALMR frequency and necessary arrangements. Should a need for coordination arise, dispatchers could patch the AMCO ALMR channel in with the relevant AST channels for the duration of the incident.

We recognize that AMCO employees do conduct some criminal justice activity as a part of their investigations and may, from time to time, need access to information contained in APSIN and ARMS. Should employees need to access specific information, they should contact Lieutenant Kat Shuey at kat.shuey@alaska.gov, or Captain Dan Lowden at daniel.lowden@alaska.gov to facilitate access to needed records.

November 1, 2018

If you have additional questions or concerns or wish to discuss this matter further, please contact Brandy See at brandy.see@alaska.gov or 907-269-5641 to set up a phone call or meeting.

Sincerely,



Major Andrew J. Greenstreet
Acting Director, Alaska State Troopers

Cc: Walt Monegan, Commissioner, Department of Public Safety
Bill Comer, Deputy Commissioner
Allison Hanzawa, Special Assistant to the Commissioner
John Novak, General Counsel
Kathryn Monfreda, Criminal Records and Identification Bureau Chief
Brian Barlow, Deputy Director, Alaska State Troopers
Dan Lowden, Captain, Alaska State Troopers
Kat Shuey, Lieutenant, Alaska State Troopers
Mark Springer, Chair, Marijuana Control Board

ⁱ The national CJIS Security Policy defines criminal justice information as follows:

Section 4.1 CJIS Security Policy V5.7: "Criminal Justice Information is the term used to refer to all of the FBI CJIS provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data. The following categories of CJ describe the various data sets housed by the FBI CJIS architecture:

1. Biometric Data—data derived from one or more intrinsic physical or behavioral traits of humans typically for the purpose of uniquely identifying individuals from within a population. Used to identify individuals, to include: fingerprints, palm prints, iris scans, and facial recognition data.
2. Identity History Data—textual data that corresponds with an individual's biometric data, providing a history of criminal and/or civil events for the identified individual.
3. Biographic Data—information about individuals associated with a unique case, and not necessarily connected to identity data. Biographic data does not provide a history of an individual, only information related to a unique case.
4. Property Data—information about vehicles and property associated with crime when accompanied by any personally identifiable information (PII).
5. Case/Incident History—information about the history of criminal incidents."

ⁱⁱ AS 12.62.900(12) defines criminal justice information as "any of the following, other than a court record, a record of traffic offenses maintained for the purpose of regulating drivers' licenses, or a record of a juvenile subject to the jurisdiction of a court under AS 47.12:

- A. Criminal history record information;
- B. Nonconviction information
- C. Correctional treatment information;
- D. Information relating to a person to be located, whether or not that person is wanted in connection with the commission of a crime."

ⁱⁱⁱ AS 04.06.110 states, "The director and the persons employed for the administration and enforcement of this title may, with the concurrence of the commissioner of public safety, exercise the powers of peace officers when those powers are specifically granted by the board. Powers granted by the board under this section may be exercised only when necessary for the enforcement of the criminally punishable provisions of this title, regulations of the board, and other criminally punishable provisions of this title...."

^{iv} The definition of a peace officer is found in AS 01.10.060(6). A 1998 written opinion from the Attorney General's Office to the Commissioner of the Department of Fish and Game determined, "In summary, it is our view that the statutory framework of the Alaska Statutes viewed as a whole contemplates that for any publicly employed law enforcement officer to be considered a peace officer within the meaning of AS 01.10.060(6), he or she must be empowered with a full range of police duties and authority and must be currently functioning on essentially a full-time basis in that role."

Office of Governor
MICHAEL J. DUNLEAVY

You are here: [Home](#) / [Admin Orders](#) / Administrative Order No. 306

Administrative Order No. 306

February 13, 2019

I, Michael J. Dunleavy, Governor of the State of Alaska, under the authority of Article III, Sections 1 and 24, of the State of Alaska Constitution, establish the Statewide Investigator Unit within the Department of Law, establish a task force to implement a plan to consolidate investigators from other designated departments within the Statewide Investigator Unit, and reassign investigators subject to this order and the implementation plan to the Statewide Investigator Unit.

Background

Civil and criminal investigative functions in state departments continue to operate in administrative silos, resulting in resources being deployed inconsistently across programs. Program-specific dedicated investigators can cause deficiencies in the prioritization of life, health, and safety.

Purpose

The purpose of this order is to consolidate certain investigative functions into the new Statewide Investigator Unit within the Department of Law by reassigning investigative staff from within the Departments of Commerce, Community, and Economic Development, Environmental Conservation, Health and Social Services, Labor and Workforce Development, and Revenue.

The investigators in the Statewide Investigator Unit will be able to form a statewide team. This consolidation will lead to increased cross-training and greater coverage. This is intended to reduce the cost of investigations and prosecutions by pooling resources and increasing accountability and will result in a more consistent approach to investigations. The investigators will be better able to focus on being the experts in how to conduct investigations. Investigators consolidated within the Department of Law will be more connected with attorney experts on the subject matters of the investigations. In the long term, this order should result in greater prioritization of investigations and associated legal actions of life, health, and safety issues as well as faster response times and increased efficiencies in services to the public.

Order

1. The Statewide Investigator Unit is established within the Department of Law.
2. Effective immediately, a taskforce is established and delegated the authority for overall implementation of this order, subject to the Governor's final approval. The task force will develop an implementation plan for the reassignments under this order and establish performance measures to monitor and report

- compliance. The taskforce will be comprised of the Attorney General, the Director of the Division of Personnel and Labor Relations, and the Office of Management and Budget (OMB) Management Director.
3. In accordance with the implementation plan devised by the taskforce, investigative staff from the following departments are reassigned to the Statewide Investigation Unit within the Department of Law:
- A. Department of Commerce, Community, and Economic Development – with the exception of investigators employed by the department for the Board of Dental Examiners (AS 08.36.073), the State Medical Board (AS 08.64.103); and the Board of Registration for Architects, Engineers, and Land Surveyors (AS 08.48.055);
 - B. Department of Environmental Conservation;
 - C. Department of Health and Social Services – with the exception of medico-legal investigators;
 - D. Department of Labor and Workforce Development – with the exception of investigators employed by the Department within the section of Workers' Compensation that investigates fraud (AS 23.30.280(d)); and
 - E. Department of Revenue
4. The Statewide Investigator Unit will support statutory investigatory requirements and, within those requirements, prioritize investigations concerning life, health, and safety. The Statewide Investigator Unit investigations will include investigation of:
- A. Environmental crimes that impact human health and the environment;
 - B. Labor violations that impact the health and safety of workers, the public, and employers;
 - C. Insurance fraud;
 - D. Claims for consumer protection;
 - E. Violations of revenue laws and minimum pricing under the Tobacco Master Settlement Agreement;
 - F. Permanent Fund Dividend fraud; and
 - G. Non-compliance with child support orders.

Responsibility for Implementation

The task force is responsible for the implementation of this Order. Department leadership and agency staff are expected to provide their complete cooperation in effecting this reorganization.

Timeframes

Effective immediately, the task force, in partnership with the State's Administrative Services Directors and agency experts, will develop the investigator consolidation implementation plan and timeline, with implementation to begin in Fiscal Year 2020.

Resource Allocation

In cooperation with the Office of Management and Budget, the task force is responsible for determining the appropriate allocation and transfer of personal services, travel, contractual, equipment, space, data processing, and any other budgetary resources to ensure the effective implementation of this order.

Duration

This Order takes effect immediately and remains in effect until rescinded.

Dated this 13th day of February, 2019.

/s/Michael J. Dunleavy
Governor

MCB REGULATIONS PROJECTS

| DOL Project Number | Topic | Date Opened by MCB | FY | Board mbr point person(s) | Current Status/Notes | Date Adopted by MCB | Effective Date |
|--------------------|--|--------------------|----|---------------------------|--|---------------------|----------------|
| JU2015200669 | Omnibus Regulations | | | | Adopted by board; filed with Lt Gov | 11/20/15 Pg 23 | 2/21/16 |
| JU2016200436-1 | Conduct of board meetings in alcohol | 2/11/16 pg 2 | 16 | | Adopted by board; filed with Lt Gov | 7/6/16 | 12/28/16 |
| JU2016200436-2 | [Reserved for anticipated future work] | | | | | | |
| JU2015201028 | Onsite consumption | 2/11/16 | 16 | | Board voted not to continue project 2/2/17 | N/A | N/A |
| JU2016200617 | Handler permits | 4/27/16; 2/2/17 | 17 | | sent to Lt Gov 4/20/18 | 1/25/18 | 5/23/18 |
| JU2016200611 | Testing | 6/9/16 pg 22 | 16 | | signed by Lt Gov 6/5/17 | 4/5/17 | 7/5/17 |
| JU2016200610 | Advertising requirements | 6/9/16 pg 22 | 16 | Schulte | vote to put out for comment failed 7/14/17 | N/A | N/A |
| | Space planning and layout | | 16 | | | | |
| | Labeling and packaging | | 16 | | Approved 7/14/17; rescinded 11/28(29?) | N/A | N/A |
| JU2016200612 | Video surveillance (Schulte handout) | 6/9/16 pg 22 | 16 | Schulte | | | |
| JU2016200609 | Participation of outside entities – residency requirements (BE handout) | 6/9/16 pg 22 | 16 | Emmett | | | |
| JU2016200605 | Waste disposal (Springer motion) | 6/9/16 pg 23 | 16 | Springer | Combined with waste disposal #2 | N/A | N/A |
| JU2016200613 | Retail store notices | 7/8/16 pg 16 | 17 | | signed by Lt Gov 6/22/17 | 4/5/17 | 7/22/17 |
| JU2016200837 | Requiring fingerprints for new owners | 9/7/16 | 17 | | signed by Lt Gov 6/19/17 | 4/5/17 | 7/19/17 |
| JU2016200838 | What happens to existing licenses if local gov opts out by ordinance | 9/7/16 | 17 | | signed by Lt Gov 6/27/17 | 4/5/17 | 7/27/17 |
| JU2016200839 | DEC approval before acceptance of license application (food safety permit) | 9/7/16 | 17 | | signed by Lt Gov 6/27/17 | 4/5/17 | 7/27/17 |
| | Advertisement; definition of “advertisement” and “logo” | 12/7/16 | 17 | | Board took no action on proposal (2/2/17) | N/A | N/A |
| JU2017200165 | Transportation | 2/2/17 | 17 | | signed by Lt Gov 9/11/17 | 7/13/17 | 10/11/17 |
| JU2017200542 | Quality control | 2/2/17 | 17 | | Signed by Lt Gov 4/25/18 | 11/29/17 | 5/25/18 |
| | Notify AMCO of crime on licensed premises | 5/15/17 | 17 | Springer | Signed by Lt Gov 4/25/18 | 11/29/17 | 5/25/18 |
| JU2018200397 | Waste disposal #2 | 2/2/17 | 17 | | Signed by Lt Gov 9/20/18 | 6/15/18 | 10/20/18 |
| JU2017200548 | Onsite Consumption | 3/7/17 | 17 | | Voted out for public comment on 7/14/17; cmts due 10/27/17; on 11/14 agenda; referred to cmte and postponed to April 2018 mtg 11/15/17; new draft 4/4/18 agenda; postponed to June '18; postponed to August '18; out for 60 day cmt 8/15/18; cmts due 11/1/18; oral hearing 12/19/18; adopted 12/20/18; Sent to DOL 1/9/19 | 12/20/18 | |

MCB REGULATIONS PROJECTS

| DOL Project Number | Topic | Date Opened by MCB | FY | Board mbr point person(s) | Current Status/Notes | Date Adopted by MCB | Effective Date |
|--------------------|--|--------------------|----|---------------------------|---|---------------------|----------------|
| JU2018200370 | Plant count for new cultivators | 4/5/17 | 17 | | Signed by Lt Gov on 9/20/18 | 6/15/18 | 10/20/18 |
| JU2017200536-1 | Require testing licensee to notify director of significant equipment failure | 5/15/17 | 17 | Springer | Signed by Lt Gov on 7/24/18 | 11/29/17 | 8/23/18 |
| | Separation distance | 4/5/17 | 17 | Springer | Draft on 9/14 agenda; no action | N/A | N/A |
| JU2017200477 | Timing of public objections | 5/15/17 | 17 | Emmett | Signed by Lt Gov on 11/28/17 | 9/15/17 | 12/28/17 |
| | Local government jurisdiction | | 17 | | | | |
| JU2017200533 | Revise definition of “direct or indirect financial interest” at 3 AAC 306.015(e) | 5/15/17 | 17 | Springer | adoption vote failed 11/29/17 | N/A | N/A |
| | “Advertisement” and “promotional activities” | | 17 | Mlynarik; Miller | Signed by Lt Gov 9/17/18 | 6/15/18 | 10/17/18 |
| JU2017200827 | Allow licensees to participate in trade shows | 5/15/17 | 17 | Emmett | Signed by Lt Gov 7/12/18 | 1/25/18 & 5/7/18 | 8/11/18 |
| | Require corporation bylaws | 9/14/17 | 18 | Jones | Signed by Lt Gov 7/12/18 | 1/25/18 | 8/11/18 |
| | Multiple businesses on a lease | | 18 | | | 1/25/18 | 8/11/18 |
| | Removal of affiliates | | 18 | | | 1/25/18 | 8/11/18 |
| | Charging for multiple inspections | 9/14/17 | 18 | | Signed by Lt Gov 7/12/18 | 1/25/18 | 8/11/18 |
| | Local gov approval of odor emissions | 9/14/17 | 18 | Springer | Signed by Lt Gov 7/12/18 | 1/25/18 | 8/11/18 |
| JU2018200331.003 | Revise definition of “recreation or youth center” | 5/15/17 | 17 | Miller | adoption vote failed 8/15/18 | N/A | N/A |
| JU2018200331.002 | Extend video storage retention time | 11/14/17 | 18 | Springer | vote to adopt failed 0-5 on 10/17/18 | N/A | N/A |
| JU2018200331.001 | Date of issuance of handler permits | 1/25/18 | 18 | Jones | Signed by Lt Gov 8/8/18 | 6/15/18 | 9/7/18 |
| JU2017200829 | Definition of resident | 9/14/17 | 18 | | approved 1/25/18; rescinded 5/7/18 | N/A | N/A |
| | Financial background investigations | 9/14/17 | 18 | Jones | Draft on 11/14 agenda; voted out for public comment 11/29/17 comment period closed 1/3/18; sent to cmte 1/25/18 | | |
| | Random sampling | 2/2/17 | 17 | | Draft on 11/14 agenda; referred to testing cmte 11/29/17 | | |
| | Require trim that is sold separately to be tested separately; kief | 5/15/17 | 17 | Emmett; Miller | Voted out for public comment 7/14/17; posted 8/15/17; cmts due 9/22/17; on 11/14 agenda; referred to testing cmte 11/29/17 | | |
| | Streamline edibles testing | 7/14/17 | 18 | Emmett | Draft on 11/14 agenda; referred to testing cmte 11/29/17 | | |
| | Overlapping premises | 1/25/18 | 18 | Jones | | | |
| JU2018200720 | Allow out-of-state investment in testing labs | 1/25/18 | 18 | Springer | Minor amendment and voted out for public comment 6/15/18; cmts due 9/7/18; Jones to work on revisions for December February mtg | | |

MCB REGULATIONS PROJECTS

| DOL Project Number | Topic | Date Opened by MCB | FY | Board mbr point person(s) | Current Status/Notes | Date Adopted by MCB | Effective Date |
|--------------------|---|--------------------|----|---------------------------|---|---------------------|----------------|
| JU2018200819 | License conversion | 1/25/18 | 18 | Jones | sent to Lt Gov 12/13/18; signed by Lt Gov 1/22/19 | 10/17/18 | 2/21/19 |
| JU2018200818 | License expiration for renewal | 6/15/18 | 18 | Jones | sent to Lt Gov 12/11/18; signed by Lt Gov 1/22/19 | 10/17/18 | 2/21/19 |
| | Ownership change when licensees don't change | 1/25/18 | 18 | Jones | sent to Lt Gov 12/11/18; signed by Lt Gov 1/22/19 | 10/17/18 | 2/21/19 |
| | Wholesale concentrates to retail | 6/15/18 | 18 | Emmett | sent to Lt Gov 12/11/18; signed by Lt Gov 1/22/19 | 10/17/18 | 2/21/19 |
| JU2018200994 | Sample jars | 8/15/18 | 19 | Emmett | Initial draft provided to board on 8/15/18; revise for October mtg; voted out for comment 10/17/18; comments due 12/12/18; on 12/21, tabled to February meeting | | |
| JU2018200632.001 | Testing Working Group Recs #1 – Part 1 | 6/15/18 | 18 | Emmett | Signed by Lt Gov 10/9/18 | 8/15/18 | 11/8/18 |
| JU2018200989 | Testing Working Group Recs #1 – Part 2 (Tracking and Grading) | | 18 | | Parts of project referred to testing cmte 8/15/18; voted out for comment 10/17/18; comments due 12/12/18; on February agenda | | |
| JU2018200820 | Expiration of public notice | 6/15/18 | 18 | Emmett | sent to Lt Gov 12/14/18; signed by Lt Gov 1/22/19 | 10/17/18 | 2/21/19 |
| JU2018200746 | Definition of residency #2 | 6/15/18 | 18 | Emmett | sent to Lt Gov 12/14/18; signed by Lt Gov 1/22/19 | 10/17/18 | 2/21/19 |
| JU2019200010 | Protest by local government | 12/20/18 | 19 | | Draft on 12/20/18 agenda; voted out for comment 12/20/18; comments due 2/8; on February agenda | | |
| JU2018200829 | All licensees have handler permits | 8/15/18 | 19 | Jones | sent to Lt Gov 12/11/18; signed by Lt Gov 1/22/19 | 10/17/18 | 2/21/19 |
| | Effective date of ownership change | 8/15/18 | 19 | Jones | sent to Lt Gov 12/11/18; signed by Lt Gov 1/22/19 | 10/17/18 | 2/21/19 |
| JU2018200993 | Handler permit renewal fee | 8/15/18 | 19 | Jones | Draft on 10/16 agenda; voted out for comment 10/17/18; comments due 12/12/18; on 12/21, tabled to February meeting | | |
| JU2018200990 | Follow approved operating plan | 8/15/18 | 19 | Emmett | Draft on 10/16 agenda; voted out for comment 10/17/18; comments due 12/12/18; on 12/21, tabled to February meeting | | |
| JU2018200992 | Inspection parameters | 8/15/18 | 19 | Emmett | Draft on 10/16 agenda; voted out for comment 10/17/18; comments due 12/12/18; on 12/21, tabled to February meeting | | |
| | Fine schedule | 8/15/18 | 19 | Jones | Sbcmte (Jones, Ankerfelt, Hoelscher) to work for December February mtg | | |
| JU2019200011 | University as licensee | 10/17/18 | 19 | Springer | Draft on 12/20/18 agenda; voted out for comment 12/20/18; comments due 2/8; on February agenda | | |
| JU2019200009 | Fingerprints for individuals | 10/17/18 | 19 | Emmett | Draft on 12/20/18 agenda; voted out for comment 12/20/18; comments due 2/8; on February agenda | | |

MCB REGULATIONS PROJECTS

| DOL Project Number | Topic | Date Opened by MCB | FY | Board mbr point person(s) | Current Status/Notes | Date Adopted by MCB | Effective Date |
|---------------------------|----------------------------------|---------------------------|-----------|----------------------------------|--|----------------------------|-----------------------|
| JU2019200012 | License fees | 10/17/18 | 19 | Emmett | Draft on 12/20/18 agenda; voted out for comment 12/20/18; comments due 2/8; on February agenda | | |
| | Handler courses | 10/17/18 | 19 | Emmett | Draft on 2/20/19 agenda | | |
| | Umbrella Categories for Products | 10/17/18 | 19 | Emmett | | | |
| | Denial of license application | 10/17/18 | 19 | Emmett | Draft on 2/20/19 agenda | | |