



## MEMORANDUM

TO: Marijuana Control Board  
DATE: May 1, 2019

FROM: Erika McConnell, Director  
RE: Newspaper of General  
Circulation – Draft Policy

3 AAC 306.025(b)(2) states:

(b) After initiating a new marijuana license or endorsement application, the applicant must give notice of the application to the public by

...

(2) publishing an announcement once a week for three consecutive weeks in a newspaper of general circulation in the area; in an area where no newspaper circulates, the applicant must arrange for broadcast announcements on a radio station serving the local area where the proposed licensee seeks to operate twice a week for three successive weeks during triple A advertising time; the newspaper or radio notice must state

- (A) the name of the applicant;
- (B) the name and location of the proposed premises;
- (C) the type of license or endorsement applied for along with a citation to a provision of this chapter authorizing that type of license or endorsement; and
- (D) a statement that any comment or objection may be submitted to the board; and

There has never been clear guidance regarding what qualifies as a “newspaper of general circulation.” The Alaska Supreme Court weighed in in a 1976 case, *Moore v. State*, saying:

Our threshold determination is how the phrase ‘general circulation’ shall be construed. The proper construction of the term ‘general circulation’ requires consideration of both the qualitative and quantitative aspects of the publication. A newspaper which contains news of general interest to the community and reaches a diverse readership is one of general circulation. In view of the fact that the Anchorage Times carries news on a variety of subjects of general interest to the average reader, only a lack of readers in the Homer area could deny it the status of a ‘newspaper of general circulation in the vicinity’ of the [place where the issue arose]. At the time the notice was published, the population of the Homer area was approximately 3,500. The circulation of the Anchorage Times in the area was approximately 130. The number of readers, albeit small, was not so insignificant that the newspaper would fail to reach a diverse group of people in the community. Therefore, it

must be said that the Anchorage Times was a newspaper of ‘general circulation’ in the Homer area.

The key phrases from the court’s opinion appear to be “contains news of general interest to the community” and “reaches a diverse readership.”

AMCO staff regularly encounter issues relating to what is a “newspaper of general circulation.” To provide clarity to applicants, AMCO proposes to publish the attached policy on our website, unless the board would like to make any adjustments.

Attachment: Draft policy



## Policy on Newspaper of General Circulation

For the purposes of 3 AAC 306.025

A “newspaper of general circulation” is

- A newspaper published for the dissemination of local and state/national news and intelligence of a general character; and
- A newspaper having a subscription list of paying subscribers located within the city, borough, or municipality in question, and has been established, printed, and published at regular intervals in the city, borough, or municipality where publication, notice by publication, or official advertising is to be given or made; and
- A newspaper having public distribution points in the city, borough, or municipality.

The following chart shows a qualifying newspaper of general circulation for Alaska communities.

Community	Newspaper of General Circulation
Ketchikan Coffman Cove Craig Thorne Bay	Ketchikan Daily News
Wrangell	Wrangell Sentinel
Petersburg	Petersburg Pilot
Sitka	Daily Sitka Sentinel
Juneau Gustavus Hoonah Pelican Tenakee Springs	Juneau Empire
Haines	Chilkat Valley News
Skagway	Skagway News
Yakutat	Cordova Times Juneau Empire
Cordova	Cordova Times
Valdez	Valdez Star
Anchorage (including all communities within the Municipality of Anchorage) Whittier	Anchorage Daily News Anchorage Press
Chugiak Eagle River	Alaska Star
Seward	Seward Phoenix Log

For communities not listed, please contact the AMCO office at [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) or 907-269-0350.

Newspaper of General Circulation Policy  
 April 29, 2019

<b>Community</b>	<b>Newspaper of General Circulation</b>
Anchor Point Kasilof Kenai Nikiski Ninilchik Seldovia Soldotna Sterling Other Kenai Peninsula Borough communities	Peninsula Clarion
Anchor Point Homer Kachemak Ninilchik Seldovia	Homer News The Homer Tribune
Houston Palmer Wasilla Other Matanuska-Susitna Borough communities	The Frontiersman
Anderson Bettles Delta Junction Denali Park Fairbanks Galena Nenana North Pole Ruby Other Fairbanks North Star Borough communities	Fairbanks Daily News-Miner
Kotzebue	Arctic Sounder
St. George St. Paul	Use radio advertising
Nome	Nome Nugget
Bethel McGrath	Delta Discovery
Dillingham Egegik	Bristol Bay Times & The Dutch Harbor Fisherman
Kodiak	Kodiak Daily Mirror
Akutan Cold Bay False Pass King Cove Sand Point	Use radio advertising
Adak Unalaska	Use radio advertising

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