CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

January 31, 2020

Canna Get Happy LLC
DBA: Canna Get Happy LLC
Via email: sandradhbic@yahoo.com

Re: Retail Marijuana Store License #22327

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 AAC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

- **MJ-00 Application Certifications**
  - Page 1, Section 3 – Other Licenses:
    - You have indicated that you either have an ownership interest in, or a direct/indirect financial interest in License #10959, DBA Green Go, LLC, but you are not listed as a licensee of that establishment. Please re-review 3 AAC 306.015(a) and 3 AAC 306.015(e). Is the response that you provided in this section accurate?
  - Page 3, Section 4 – Certifications:
    - Please re-read the third and fourth statements. You should be able to sign initials next to at least one of them, but not both.
- **MJ-01 Operating Plan**
  - Please submit your responses on the application forms available on AMCO's website. If you need additional space for any of your responses, you can use as many copies of the extra page (Page 11) as needed.
  - Page 9, Section 9.1:
    - Your response appears to describe every sign that might be placed in the facility, but please limit your response to the information that is required under 3 AAC 306.770(b). The four-foot by eighteen-foot sign described in your response exceeds the limit of 4,800 square inches.
- **MJ-02 Premises Diagram**

- Please number and order your diagrams according to the diagram numbers on Page 1 of Form MJ-02, and use the checklists on Page 2 for the information that must be labeled on each diagram (in color). Let me know if you have any questions on what is required for each diagram.
- Note that the locations of surveillance cameras should not be depicted, but we do need to know where the surveillance room is.

- **MJ-03 Retail Supplemental**
  - Please provide your responses on Form MJ-03. You can use extra pages if additional space is needed.
  - Page 4, Section 6.2:
    - Please include the five required warning statements on your sample label. Note that these statements must be verbatim as written in regulation.
- **MJ-07 Public Notice Posting Affidavit**
  - Under 3 AAC 306.025(c), the public notice requirements must be completed within ninety (90) days of you submitting all application forms and fees. Because more than ninety days passed, you will need to re-post your Public Notice at your proposed premises and one other conspicuous location for **ten days**. After this is complete, fill out and complete a new MJ-07.
- **MJ-08 Local Government Notice Affidavit**
  - This form lists your Community Council as "Mat Su Borough", which is inconsistent with the information original provided on the online application in MyAlaska. Ensure that the correct community council is listed.
    - Was notice sent to a community council? Your Online Application listed the Community Council as South Lakes, which does not appear to be active at this time.
- **Publisher's Affidavit**
  - The newspaper advertisements must be completed within ninety days of you submitting all application documents and fees. Because more than ninety days have passed, you will need to rerun the advertisements **once a week for three consecutive weeks**, and provide a new affidavit from the publisher. Also include a copy of the ad.
- **Proof of Possession for Proposed Premises (POPPP)**
  - A lease, deed, or similar document that shows Canna Get Happy LLC's right or title to the premises is required with your application. Real Property Detail information from the Matanuska-Susitna Borough was provided, but this document is inadequate on its own (although it can be used to link the legal description of the property with the physical address).
    - Please see Page 8 of 10 on the Marijuana Establishment New License Application Instructions for more information on POPPP requirements, and let me know if you have any questions. A link is below.

https://www.commerce.alaska.gov/web/Portals/9/pub/MCB/MarijuanaApplication/MarijuanaEstablishmentLicenseApplicationInstructions.pdf

  - Note that if you use a lease, it must contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and will contact AMCO in the event that removal is necessary. This is typically included in the Default section of a lease.
- **Food Permit Application**
  - A Food Worker's Card was submitted with your application, but 3 AAC 306.315(1) requires you to submit a copy of an active application for a food safety permit for the establishment. Please contact the Alaska Department of Conservation's Food Safety and Sanitation Program in order to determine the correct application to submit. Once you have submitted your application, request a copy that DEC has stamped received to submit to AMCO (as proof that the application was filed).
- **Applicant's Alaska Residency**
  - Sandra Millhouse's Alaska residency could not be verified.
    - If you intend to apply for the 2020 Permanent Fund Dividend, please do so as soon as possible and let us know via email when your eligibility is confirmed.

- If you do not intend to apply for the PFD, also let us know via email.

It is very important that you submit the above corrections and/or documents in a timely manner so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,

TJ Zielinski, Occupational Licensing Examiner
For,
Glen Klinkhart, Interim Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	Sandra D Millhouse
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Canna Get Happy LLC, License #22327
Date:	Friday, January 31, 2020 8:34:59 AM
Attachments:	22327 Incomplete Notice.pdf image001.png

Good morning,

I have reviewed your application for a marijuana establishment, but at this time your application is considered incomplete. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application.

Please make sure to read the entire notice. If the submitted corrections for your application are inadequate to deem your application complete, or your application is still incomplete after ninety (90) days from the date of this notice, your application will be returned to you in accordance with 3 AAC 306.025(e)(1) and 3 AAC 306.025(f). Should you wish to continue pursuing licensure, it would be necessary to file a new application and pay new fees.

Ninety-day Due Date: 4/30/2020

Let us know if you require copies of any submitted documents, and feel free to call or email if you need clarification on any items in the Incomplete Notice. Correspondence should be sent to marijuana.licensing@alaska.gov.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From:	Marijuana Licensing (CED sponsored)
To:	Sandra D Millhouse
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Completed Supplemental Forms; License # 22327 Canna Get Happy 1 of 1
Date:	Thursday, February 20, 2020 1:41:31 PM
Attachments:	image001.png

Good afternoon Sandra,

Thank you, received. I went through the corrections that you submitted, but there are still a few additional documents needed:

Form MJ-01: Operating Plan Change – I received your revised response for Section 9.1, but I will need you to provide your responses on the forms posted on our website. Supplemental documents like badge samples and sample labels can be submitted on separate pages, but the form itself needs to be filled out. The same applies for Form MJ-03.

I also didn't see a corrected Form MJ-07 with the submitted documents.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

-----Original Message-----
From: Sandra D Millhouse [mailto:sandradhbic@yahoo.com]
Sent: Thursday, February 20, 2020 1:06 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Completed Supplemental Forms; License # 22327 Canna Get Happy 1 of 1

Sorry the attachment didnt go last time.

Hello,
The following is the publishers affidavit.
I believe this is the last thing I needed.
If I missed something, please let me know.
Thank you,
Sandra Millhouse,
Canna Get Happy

From:	Marijuana Licensing (CED sponsored)
To:	Sandra D Millhouse
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Canna Get Happy LLC #22327
Date:	Monday, February 24, 2020 9:05:23 AM
Attachments:	image001.png

Good morning Sandra,

I finished going through all of the corrections that you submitted, and most of your application forms are now complete. However, there are a handful of additional corrections needed before the application will be ready to go in front of the Board.

- Form MJ-01 Operating Plan
  - In Section 3.3, please also include a sample visitor's badge.
- Form MJ-02 Premises Diagram
  - On Diagram 1-B, please label the bathroom so that it is not designated as a restricted access area, as that would require the bathroom to be under video surveillance.
- Form MJ-03 Retail Supplemental
  - In Section 6.2, your sample label is missing some of the required warning statements. Per your response in Section 6.1, the sample label is missing statement #3 and half of statement #4.
- Proof of Possession for the Proposed Premises
  - If a deed is being used to show right and title to the property, the grantee needs to be the proposed licensee – Canna Get Happy LLC. This deed isn't adequate on its own because the grantee is Sandra D. Millhouse.
  - An alternate option might be for you to draft a lease from yourself to this LLC. If you choose this option, keep in mind that the lease must be legally binding and contain the disclaimer regarding removal of marijuana from the premises. I cannot answer questions on drafting a lease, so if you choose this option then you are strongly encouraged to seek professional legal counsel.

Let me know if you have any questions about these corrections, or if you need copies of any documents.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From:	Marijuana Licensing (CED sponsored)
To:	Sandra D Millhouse
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Canna Get Happy LLC #22327
Date:	Monday, February 24, 2020 2:30:20 PM
Attachments:	image001.png

Hi Sandra,

This isn't in statue or regulation, but the Marijuana Control Board indicated at a past meeting (I believe that it was some time in 2017, but I haven't had to reference those meeting minutes in quite some time) that they want this language in every lease for a licensed marijuana establishment. I can try to find it if you'd like, but the phrasing that we use is that "lease must contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and will contact AMCO in the event that removal is necessary". Typically this disclaimer has been put in the section of the lease for remedies upon default by the tenant, but it just needs to be present somewhere in the lease.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Sandra D Millhouse [mailto:sandradhbic@yahoo.com]
Sent: Monday, February 24, 2020 2:16 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Canna Get Happy LLC #22327

Hi TJ,
I have been searching thru the regulations for the marijuana control board, and looking online, but when I try to pull up the information on the disclaimer I need in the lease, it says the page is unavailable. Can you please tell me where I can find the disclaimer somewhere else, so it can be noted in my lease.
Thank you so much,
Sandra Millhouse,
Canna Get Happy

> On Feb 24, 2020, at 9:05 AM, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

Good morning Sandra,

I finished going through all of the corrections that you submitted, and most of your application forms are now complete. However, there are a handful of additional corrections needed before the application will be ready to go in front of the Board.

- Form MJ-01 Operating Plan
    - In Section 3.3, please also include a sample visitor's badge.
- Form MJ-02 Premises Diagram
    - On Diagram 1-B, please label the bathroom so that it is not designated as a restricted access area, as that would require the bathroom to be under video surveillance.
- Form MJ-03 Retail Supplemental
    - In Section 6.2, your sample label is missing some of the required warning statements. Per your response in Section 6.1, the sample label is missing statement #3 and half of statement #4.
- Proof of Possession for the Proposed Premises
    - If a deed is being used to show right and title to the property, the grantee needs to be the proposed licensee – Canna Get Happy LLC. This deed isn't adequate on its own because the grantee is Sandra D. Millhouse.
    - An alternate option might be for you to draft a lease from yourself to this LLC. If you choose this option, keep in mind that the lease must be legally binding and contain the disclaimer regarding removal of marijuana from the premises. I cannot answer questions on drafting a lease, so if you choose this option then you are strongly encouraged to seek professional legal counsel.

Let me know if you have any questions about these corrections, or if you need copies of any documents.

Sincerely,

<image001.png>

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From:	Marijuana Licensing (CED sponsored)
To:	Sandra D Millhouse
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Canna Get Happy LLC #22327
Date:	Tuesday, February 25, 2020 10:46:39 AM
Attachments:	MJ-03 Correction - Small Errors.pdf image001.png

---

Good morning Sandra,

I finished reviewing your corrections from yesterday. There is still one small error on MJ-03 that will need to be corrected, but everything else appears complete now. The warning statements on your sample label should be verbatim as written in regulation, but there are two words missing from the fourth statement. They should read "For use **only** by adults…" and "Keep out of **the** reach of children". Once that correction is made, I should be able to deem your application complete.

Sincerely,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501