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COMMERCE, COMMUNITY, AND EC. DEV.

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

3 AAC 306.025(a) is amended to read:

(a) An applicant must initiate a new marijuana establishment license or endorsement application on a form the board prescribes, using the board's electronic system, to create a public notice form. **In the case of a transfer of license to another person under 3 AAC 306.045 or a license conversion under 3 AAC 306.047, the public notice form is a true copy of the application itself filled out.**

Commented [JPS1]: This project came about because there are some areas where a newspaper ad or radio broadcast is not achievable for various reasons. So, we thought that allowing the applicant to research another means to notify the public of a license application in lieu of newspaper or radio, and so long as the alternate means is approved by the board, it would be acceptable.

3 AAC 306.025(b) is amended to read:

(b) After initiating a new marijuana license or endorsement application, **or filling out the appropriate application in the case of transfer of a license to another person or license conversion,** the applicant must give notice of the application to the public by

Commented [SJP(2): Transfer of License and License Conversion do not begin online. They 100% paper based.

(1) posting a copy of the public notice form **or application** for 10 days at

(A) the location of the proposed licensed premises **or current licensed premises, whichever applies;** and

(B) one other conspicuous location in the area of the proposed premises **or current licensed premises, whichever applies. The public notice at either location must be accessible and viewable by any member of the general public;**

Commented [SJP(3): Here, the intent is that anyone would be able to see the public notice, and not only certain members of the public. In one example, if the public notice for the transfer of a retail license is posted inside the licensed premises, a 20-year-old who is interested in knowing what is going on in their neighborhood, would not know because they can't enter the licensed premises. Another reason is that not all age-appropriate adults are consumers, so they would most likely not enter the licensed premises, therefore would not see the public notice.

(2) publishing

(A) an announcement once a week for three consecutive weeks in a newspaper of general circulation in the area. **In** [IN] an area where no newspaper circulates **and the radio station permits the announcement,** the applicant must arrange for broadcast

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announcements on a radio station serving the local area where the proposed licensee seeks to operate twice a week for three successive weeks **between 6:00 a.m. and 10:00 a.m. or 3:00 p.m. and 7:00 p.m.** [DURING TRIPLE A ADVERTISING TIME]; **in an area where the announcement by newspaper or radio is not available, another means of announcement approved by the board or temporarily approved by the director.** The [THE] newspaper or radio notice must state

(i)[A] the name of the applicant;

(ii)[B] the name and location of the proposed premises;

(iii)[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

(iii)[D] a statement that any comment or objection may be submitted to the board.; and

(3) submitting a copy of the public notice form **described in (a) of this section** to

(A) each local government with jurisdiction over the **proposed** licensed premises **or current licensed premises, whichever applies**; and

(B) any community council in the area of the proposed licensed premises **or current licensed premises, whichever applies.**

3 AAC 306.025(d) is amended to read:

(d) When the director receives an application for a marijuana establishment license or endorsement, the director shall determine if the application is complete. Any application for a marijuana establishment license or endorsement that the director receives without the application

Commented [JMW4]: We leave this for board discussion. Is there a preapproval process for alternative notice? What means would you consider, such as social media advertisements in areas with internet service, and, if the latter, why isn't the Anchorage Daily News sufficient?

Commented [SJP5]: See Joan's notes. Discussion for board.

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and license fee is incomplete. If the director determines the application is complete, the director shall immediately give written notice to

(1) the applicant;

(2) each local government with jurisdiction over the applicant's proposed licensed premises **or current licensed premises, whichever applies;**

(3) the community council if the proposed licensed premises **or current licensed premise** are located within the boundary of a community council established by municipal charter or ordinance; and

(4) any nonprofit community organization that has requested notification in writing.

(e) If an application for a marijuana establishment license or endorsement is incomplete, the director shall notify the applicant by electronic mail at the address provided by the applicant and shall either

(1) return an incomplete application in its entirety; or

(2) request the applicant to provide additional identified items needed to complete the application. (Eff. 2/21/2016, Register 217; am 12/28/2017, Register 224; am 2/21/2019, Register 229; am 4/11/2019, Register 230; am 3/25/2020, Register 233; 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		