CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

February 24, 2022

Homer Budz, LLC
DBA: Homer Budz, LLC
Via email: homerbudz@gmail.com

Re: Standard Marijuana Cultivation Facility License #12783

Dear applicant,

AMCO has reviewed the documents submitted for the transfer of controlling interest for the 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-17c License Transfer Application**
  - Section 1:
    - Correct the Doing Business As to say, "Homer Budz, LLC".
    - This transfer is considered a transfer of controlling interest. Please remove the checkmark from the "Regular ownership transfer" box, and add a checkmark to the "Transfer of controlling interest in the licensed entity" box.
  - Section 2:
    - Correct the Doing Business As to say, "Homer Budz, LLC".
    - Correct the Business License # to say, "1051679".
  - Section 3: The Title in this section must match Division of Corporations, Business & Professional Licensing's (CBPL) website. Please correct Patrick E Moore's Title to say, "Member".
  - There is no need to get form MJ-17c re-notarized, unless you prefer to do so.

- **MJ-00 Application Certifications**
  - Section 1: Correct the Doing Business As to say, "Homer Budz, LLC".
  - Page 3: Please provide your initials in the last box provided. You may leave the second to last box blank.
  - There is no need to get this form re-notarized, unless you prefer to do so.

- **MJ-01 Operating Plan**
  - Section 1: Correct the Doing Business As to say, "Homer Budz, LLC".

- Section 3.1: Expand upon your answer to discuss the requirement of how each entrance to a restricted access area must be marked by a sign that says "Restricted Access Area. Visitors must be escorted."
- Section 3.2: Expand upon your answer to discuss the visitor badge requirement, and the requirement of how a marijuana establishment shall limit the number of visitors to not more than five visitors for each licensee, employee, or agent of the licensee who is actively engaged in supervising those visitors at all times.
- Section 3.3: Also provide a sample of the licensee/employee identification badge.
- Section 8.1: Please re-review 3 AAC 306.750 and expand upon your answer to include, for example, transport manifests, METRC, etc.
- Section 9.2: Please provide a picture of your logo, if possible.
- There is no need to get this form re-notarized, unless you prefer to do so.

- **MJ-04 Cultivation Supplemental**
  - Your MJ-04 is on a slightly older MJ-04 form, the newer form can be found here: https://www.commerce.alaska.gov/web/Portals/9/pub/MCB/MarijuanaApplication/MJ-04.pdf
  - Please transfer your answers to the newer MJ-04 form, and answer any additional questions on the newer form, and make the following corrections:
    - Section 2.1: Expand upon your answer to discuss the second part of the question regarding harvest and transfer from your premises.
    - Section 4.1: Please provide the overall square footage under cultivation.
    - Section 4.6: This section has a new question about pesticides on the newer MJ-04 form. Please answer that question accordingly. Section 4.6 from your older MJ-04 is now section 4.7 on the newer form. In section 4.7 of the newer form, please expand upon your answer from 4.6 to include the discussion of all gases, including carbon dioxide management, to be used, if any.
    - Section 5.2: 3 AAC 306.740 requires marijuana plant waste to be made unusable by grinding the plant waste and mixing it with at least an equal amount of other compostable materials. Please adjust your answer accordingly.
    - There is no need to get this form re-notarized, unless you prefer to do so.

- **MJ-07 Public Notice Posting Affidavit**
  - Because of the discrepancies on the MJ-17c, please post the corrected MJ-17c at both, the location of the proposed premises and another conspicuous location for ten days, and then submit a new MJ-07 completed and signed in front of a notary after the posting period has ended.
  - Additionally, on the new MJ-07, please make sure the Doing Business As says, "Homer Budz, LLC".

- **MJ-08 Local Government Notice Affidavit**
  - Because of the discrepancies on the MJ-17c, please re-notify the local government by submitting to them the corrected MJ-17c, and then submit a new MJ-08 completed and signed in front of a notary.
  - Additionally, on the new MJ-08, please make sure the Doing Business As says, "Homer Budz, LLC".

- **Publisher's Affidavit**
  - Because there were discrepancies throughout your advertisement (the wrong regulatory reference, inaccurate percentages owned, etc.), you will need to do a <u>one-time</u> correction

advertisement. Please re-advertise one time, not for the entire three weeks. Then, submit a new Publisher's Affidavit with a copy of the newspaper clipping.

- The advertisement should say:
  - Homer Budz, LLC, doing business as Homer Budz, LLC, located at 67835 Virginia Ave, Homer, AK 99603 is applying under 3 AAC 306.045 for transfer of controlling interest in a standard marijuana cultivation facility (3 AAC 306.400), license #12783. The transfer involves a change of ownership percentage from Robert J Moore 33% and Florence D Moore 33% and Patrick E Moore 34% to Patrick E Moore 100%. Interested persons may object to the application by submitting a written statement of reasons for the objection to their local government, the applicant, and the Alcohol & Marijuana Control Office (AMCO) not later than 30 days after the director has determined the application to be complete and has given written notice to the local government. Once an application is determined to be complete, the objection deadline and application information will be posted on AMCO's website at https://www.commerce.alaska.gov/web/amco. Objections should be sent to AMCO at marijuana.licensing@alaska.gov or to 550 W 7th Ave, Suite 1600, Anchorage, AK 99501.

- **MJ-17d Unaltered Operating Plan and/or Premises Diagram Affidavit**
  - Section 1: Correct the Doing Business As to say, "Homer Budz, LLC".
  - Section 2: Please sign your initials in the second box provided. You may leave the first box blank.
  - There is no need to get this form re-notarized, unless you prefer to do so.

- **Alaska Residency**
  - I am not able to verify your Alaskan residency for 2022; if you intend to apply for the Permanent Fund Dividend, you are encouraged to apply sooner and provide proof of eligibility prior to this application being deemed complete and brought to the Board for consideration.
  - If you do not intend to apply for the PFD, please notify us via email at marijuana.licensing@alaska.gov.

- **Miscellaneous Information for your Reference**
  - I have attached a refund form to the email for an overpayment of the Transfer application fees totaling $201.75. Please look over this form and make sure the mailing address and recipient is correct. Then sign, print your name, and date it and send it back to me for processing.
  - Additionally, it appears that Homer Budz, LLC changed the ownership with the Division of Corporations, Business & Professional Licensing (CBPL) in June of 2021 without the Board's approval (by removing 2 individuals from the LLC). My understanding is that would result in an NOV per 3 AAC 306.045. This information has been forwarded to AMCO Enforcement.

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,

Jacqlene Drulis

Jacqlene Drulis, Local Government Specialist
For,
Glen Klinkhart, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	homerbudz@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Transfer Application - Homer Budz, LLC - #12783
Date:	Thursday, April 28, 2022 2:00:20 PM
Attachments:	image001.png

Good afternoon,

I have reviewed your corrections, but there are more corrections needed.

- **MJ-04 Cultivation Supplemental**
  - Section 2.1: According to 3 AAC 306.435 Marijuana Inventory Tracking System – "The marijuana cultivation facility shall assign a tracking number to each plant over eight inches tall..."; but your answer says 12 inches tall. Please adjust your answer accordingly.
  - Section 4.6:
    - All proposed products must be on DEC's list of approved pesticides in the state of Alaska. DEC's list of approved pesticides used on cannabis is at the following link: https://dec.alaska.gov/commish/cannabis/
    - Is Green Cleaner a pesticide? If so, please provide the complete product name and EPA registration # (if applicable).
    - There are several different products with neem oil on DEC's list of approved pesticides. Please provide the complete product name and EPA registration # (if applicable).

- **Publisher's Affidavit**
  - As a reminder, we are still waiting on the corrected publisher's affidavit discussed in the original Incomplete Notice.

This email does not extend the 90-day deadline mentioned in the incomplete letter, that deadline is **May 25, 2022**.

Please let me know if you have any questions.

Thank you,

Jacqlene Drulis
Local Government Specialist
Alcohol & Marijuana Control Office (AMCO)
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501
(907) 334-2195

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, February 24, 2022 4:28 PM

To: 'homerbudz@gmail.com' <homerbudz@gmail.com>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Incomplete Transfer Application - Homer Budz, LLC - #12783

Good afternoon,

Your transfer application has been reviewed, attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

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: May 25, 2022

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

Thank you,

Jacqlene Drulis
Local Government Specialist
Alcohol & Marijuana Control Office (AMCO)
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501
(907) 334-2195