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

MEMORANDUM

TO: Marijuana Control Board

DATE: December 8, 2022

FROM: Jane P. Sawyer,
Regulations Specialist/Acting PC

RE: Expired License 12173,
Northern Lights Cultivation

Jesse Hoyt, owner of Northern Lights Cultivation, a standard marijuana cultivation in the City of Ketchikan, requested to speak to the board regarding the expiration of the license.

The license was expired because full payment of fees for the renewal application was not received on or before August 31, 2022 – 3 AAC 306.035(g). Consequently, Metrc access was locked, but product has not been retrieved from the premises.

A recently adopted regulation which would allow the licensee to ask the board for reinstatement of the expired license does not apply to this licensee. The deadline to request reinstatement of the license was September 30, 2022. His last payment for the renewal application was October 31, 2022.

On November 2, 2022, our office returned the checks to the licensee and followed with an email explaining the reason for the expiration of the license.

Later that month, the licensee spoke with Joan, Jane, and Steve. And although we sympathize with his story (which he can speak to), we let him know that the board would have to be the one making further decisions regarding his expired license.

Here is a timeline of events that led to the expiration of the license.

8/8/2022: The renewal was initiated online. Nathan emailed, stating that he had a hard time tracking any payment information.
8/15/2022: An expiration warning letter was sent from AMCO.
9/9/2022: The license was expired for not filing a complete application and/or payment of all required fees. METRC locked.
9/14/2022: Investigator Johnson was notified via email of your intent to renew.
9/16/2022: You replied to Nathan's 8/8/2022 email, stating you thought the check went out already and asked who to make the check out to.
9/20/2022: Nathan provided the requested information.

Expired License 12173, Northern Lights Cultivation

9/28/2022: AMCO receives a check for $8,000.00. $7,000.00 license fee and $1,000.00 late fee. Missing the $600.00 renewal application fee. Cannot process partial payments nor put an application in the queue.

10/5/2022: You email asking why the $8,000.00 check was not processed.

10/7/2022: Nathan responded, stating we are missing the $600.00 renewal application fee. To which you responded, saying it would be sent ASAP.

10/31/2022: AMCO received the $600.00 check, dated 10/15/2022.

From:	Marijuana Licensing (CED sponsored)
To:	invin69@yahoo.com
Cc:	Marijuana Licensing (CED sponsored); Sawyer, Jane Preston (CED)
Subject:	#12173 Northern Lights Cultivation Renewal
Date:	Tuesday, November 1, 2022 1:48:13 PM
Attachments:	12173 Expiration Letter.pdf
Importance:	High

Good afternoon,

Following up on the phone conversation you had with Jane Sawyer earlier this morning, we discovered we had made an error in offering a reinstatement. You see, according to 3 AAC 306.035 (see the highlighted section below) you are not eligible to reinstate this license, because the request to reinstate is after 9/30/2022. This information is also included in the attached expiration letter. Moving forward, you have an option to apply for a new standard cultivation license, which entails meeting the public notice requirements of posting and publishing.

I will return the two checks totaling $8,600.00 via USPS tomorrow.

3 AAC 306.035 Application for renewal of license

(g) If a marijuana establishment required to submit a renewal application under (a) of this section fails to deliver a complete license renewal application or fails to pay the required renewal fee and the late renewal application fee on or before August 31 of each year, that marijuana establishment license expires at 12:00 midnight on August 31 of that year…A holder of an expired license may apply for reinstatement as described in (i) of this section.

(i) A holder of an expired license under (g) of this section may apply to the board for reinstatement of a license not later than September 30 of the year on which the license expired. When applying for reinstatement, the applicant shall

(1) submit a statement of reason, on a form prescribed by the board, for not submitting a renewal application on time;

(2) submit a complete renewal application as required in (b) of this section, including the license renewal fees, and, if applicable, fingerprints and fees as required by 3 AAC 306.055(a);

(3) attest that the applicant has not been granted reinstatement under this section during the prior five years;

(4) satisfy any additional requirements for reinstatement of the license as required by the board; and

(5) pay the non-refundable license reinstatement fee set out under 3 AAC 306.100(b).

(j) Nothing in (i) of this section gives any person a right to reinstatement of the license. License reinstatement will be granted solely as described under this chapter.

(k) Granting license reinstatement does not prevent the board from taking additional

disciplinary action against the licensee.

3 AAC 306.100 Application for a new license

(b)…The non-refundable reinstatement fee for an expired license under 3 AAC 306.035(i) is equal to 100 percent of the applicable renewal license fee in addition to the applicable renewal fees.

Here is a timeline of events that led to the expiration of the license.

8/8/2022: The renewal was initiated online. Nathan emailed, stating that he had a hard time tracking any payment information.
8/15/2022: An expiration warning letter was sent from AMCO.
9/9/2022: The license was expired for not filing a complete application and/or payment of all required fees. METRC locked.
9/14/2022: Investigator Johnson was notified via email of your intent to renew.
9/16/2022: You replied to Nathan's 8/8/2022 email, stating you thought the check went out already and asked who to make the check out to.
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10/7/2022: Nathan responded, stating we are missing the $600.00 renewal application fee. To which you responded, saying it would be sent ASAP.
10/31/2022: AMCO received the $600.00 check, dated 10/15/2022.

Forms, fees and instructions are available on our website here: https://www.commerce.alaska.gov/web/amco/MarijuanaLicenseApplication.aspx. If you have questions or concerns, please email marijuana.licensing@alaska.gov.

Respectfully,

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0350

From: Marijuana Licensing (DOR sponsored)
To: [redacted]
Subject: [redacted]
Date: Tuesday, July 19, 2022 4:25:46 PM

This email confirms we received this 6/28/22 email and this attachment.

Thank you,

Nathanael Hall
Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0263
Nathanael.Hall@alaska.gov
Please consider the environment before printing this e-mail.

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Intended Recipients: This e-mail is intended only for the use of the individual or entity named in or addressed to. If received by the Alaska Department of Revenue, Tax and Dividends Division, Alcohol and Marijuana Control Office, Alcohol and Marijuana Licensing Section, Tobacco Enforcement Section, Tax Compliance, or Tax Audits, 6/21/2022 2:17 PM, if you are not the intended recipient, you are prohibited from disseminating, distributing, or copying any information contained in this communication.
Not Intended Recipients: If you are not the intended recipient, or believe you received this video in error, please notify the sender by reply e-mail and delete the original message with all hyperlinks, from your computer.

From: jesse boyd <nissin87@yahoo.com>
Sent: Tuesday, June 28, 2022 7:03 PM
To: Marijuana Licensing (DOR sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Alcohol and Marijuana Control Office

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Renewal 12173

> On Jun 21, 2022, at 5:58 PM, jesse boyd <nissin87@yahoo.com> wrote:
>
> Renewal forms for 12173
>
>
>
>
>
>
>
> Sent from my iPhone

From:	jesse hoyt
To:	Marijuana Licensing (CED sponsored)
Subject:	Renewal lease 12173
Date:	Thursday, June 30, 2022 6:46:14 AM
Attachments:	compliance with this Paragraph. Landlord that a policy is due to expire at least (10) days prior to such expiration, Landlord sh.pdf

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Sent from my iPhone

From: Marijuana Licensing (CED sponsored)
To: jesse hoyt; Marijuana Licensing (CED sponsored)
Subject: 12173 renewal follow up
Date: Monday, October 10, 2022 7:47:48 AM

Good morning. Thank you for the update, we will be on the lookout for it and notify when it's received, processed, etc.

Thank you,

Nathanael Hall

Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-334-0892
marijuana.licensing@alaska.gov

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Any guidance provided by this electronic communication is not a binding legal opinion, ruling, or interpretation that may be relied upon, but merely guidance concerning existing statutes and regulations. There may be other unique or undisclosed facts, circumstances, and information that may have changed any guidance provided in this communication.
CONFIDENTIALITY NOTICE: This communication is intended for the sole use of the individual or entity to whom it is addressed, is covered by the Electronic Communications Privacy Act (18 USC § 2510-2521), and may contain Confidential Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 USC § 552). If you are not the intended recipient, you are prohibited from disseminating, distributing, or copying any information contained in this communication.
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From: jesse hoyt <invin69@yahoo.com>
Sent: Friday, October 7, 2022 5:02 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: 12173 renewal follow up

I'll send asap thank u

Sent from my iPhone

> On Oct 7, 2022, at 10:59 AM, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:
>
> Jesse, good morning.
>
> AMCO confirms $8000 check for partial payment was received 9/28/22.
> The reason it had not been processed is that it is incomplete ($600 short).
>
> Fee breakdown:
>
> Standard Cultivation license renewal - $7,000

Renewal application processing - $600
Late fee - $1,000
Total due = $8,600

Please submit the missing $600 at your earliest convenience.

Thank you,

Nathanael Hall

Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-334-0892
marijuana.licensing@alaska.gov

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From: jesse hoyt <invin69@yahoo.com>
Sent: Wednesday, October 5, 2022 6:56 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: 12173 renewal follow up

I sent off my renewal payment but I haven't see it come out of my account just want make sure u got it. Thanks. #12173

Sent from my iPhone

> On Sep 20, 2022, at 6:06 PM, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:
>
> Good evening, Mr. Hoyt.
>
> Payments are made to state of alaska.
>
> Thank you,
>
> **Nathanael Hall**

Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-334-0892
marijuana.licensing@alaska.gov
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From: jesse hoyt <invin69@yahoo.com>
Sent: Friday, September 16, 2022 5:12 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: 12173 renewal follow up

I'm sorry I thought my check was sent out for renewal who is the check for renewal fees supposed to be made out to. #12173.

Sent from my iPhone

On Aug 8, 2022, at 9:40 AM, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

Jesse,

I'm processing intake on the renewal app received 6/30/22 and am having difficulty tracking down payment info. Can you please give some more info on that i.e. how you paid, was it dropped with the renewal or did you pay in cash at revenue, etc.

Thank you,

Nathanael Hall
Occupational Licensing Examiner
Alcohol and Marijuana Control Office
th

550 West 7 Avenue, Suite 1600
Anchorage, AK 99501
907-269-5065
marijuana.licensing@alaska.gov
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From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Friday, July 29, 2022 9:19 AM
To: jesse hoyt <invin69@yahoo.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: 12173 renewal follow up

Good morning, Jesse.

Current lease on file attached per request.

Thank you,

Nathanael Hall
Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-5065
marijuana.licensing@alaska.gov
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From: jesse hoyt <invin69@yahoo.com>
Sent: Tuesday, June 14, 2022 1:43 PM
To: Marijuana Licensing (CED sponsored)

<marijuana.licensing@alaska.gov>
Subject: Re: Complete Renewal Application -NORTHERN LIGHTS CULTIVATION 2- License #12173+Mandatory Meeting Attendance Notice

> **CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Seeing if u could send me my current lease agreement for 12173

Sent from my iPhone

> On May 27, 2022, at 7:32 AM, jesse hoyt <invin69@yahoo.com> wrote:
>
> Could u send me the current lease agreement I have on file. Thanks jesse hoyt.
> #12173
>
> Sent from my iPhone
>
> > On Dec 2, 2021, at 11:33 AM, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:
> >
> > Hello,
> >
> > Your marijuana establishment renewal application has been reviewed and determined to be complete for the purposes of 3 AAC 306.035(c). Please see attached for correspondence regarding your marijuana establishment renewal application.
> >
> > Because of the past NOVs, you are **required** to "attend" the

next Marijuana Control Board meeting scheduled for 1/19-21, 2022. Watch our website closer to the meeting date for log-in/call-in information, etc.

Please note: the proposed 3rd day on 1/21/22 may be cancelled in the event all business in taken care of by the end of day 2 on 1/20/22.

If you have any questions, direct all correspondence to marijuana.licensing@alaska.gov.

Thank you,

Nathan Hall

Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-5065
marijuana.licensing@alaska.gov

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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

September 9, 2022

Jesse Hoyt
PO Box 7501
Ketchikan, AK 99901

Via Email: invin69@yahoo.com

Re: Expiration and Mandatory Cessation of Operation of License #12173

YOUR MARIJUANA ESTABLISHMENT LICENSE HAS EXPIRED

Dear Jesse Hoyt:

Because a complete application for renewal and/or the required fees were not filed with the Alcohol & Marijuana Control Office (AMCO) by August 31, 2022, **your marijuana establishment license expired at midnight, August 31, 2022**, per 3 AAC 306.035. An administrative hold is placed on all marijuana and marijuana products on the licensed premises per 3 AAC 306.830(a)(4) effective today.

THE SALE, MANUFACTURE, AND/OR DISTRIBUTION OF MARIJUANA OR MARIJUANA PRODUCT ON YOUR PREMISES MUST CEASE IMMEDIATELY. IF YOU ARE A LICENSED STANDARD OR LIMITED MARIJUANA CULTIVATION FACILITY, YOU MAY CONTINUE TO CARE FOR YOUR PLANTS UNTIL THE CONCLUSION OF YOUR RIGHTS DESCRIBED HERE, UNLESS EARLIER TERMINATED BY THE DIRECTOR IN A SUBSEQUENT WRITTEN NOTICE.

AMCO Enforcement staff will be contacting you regarding any remaining marijuana or marijuana products in your possession that is subject to an administrative hold.

If you submitted a renewal application that was determined to be incomplete, your license has expired for failure to complete the application by the statutory deadline. You may request a refund of your license fee by contacting AMCO staff. The renewal application fee and late penalty fee are non-refundable.

There are two options for any holder of an expired license that seeks authority to operate:

1. The holder must file a complete new application under 3 AAC 306.020 and 3 AAC 306.025, along with the required fees.

2. The holder of an expired license may apply for a reinstatement **no later than September 30 of the year on which the license expired** as set forth in 3 AAC 306.035(i).

Forms, fees and instructions may be found here: https://www.commerce.alaska.gov/web/amco/MarijuanaLicenseApplication.aspx. Any questions or concerns may be sent to marijuana.licensing@alaska.gov.

Regarding the administrative hold, you may request, not later than 15 days after receiving this notice, an informal conference with either the Director or the Marijuana Control Board or a formal hearing before the Board. The selection of an informal conference does not affect your right to request a formal hearing should the informal conference not resolve the administrative hold to your satisfaction.

Sincerely,

Carrie Craig, Records and Licensing Supervisor
for
Joan Wilson, Director

From:	jesse hoyt
To:	Marijuana Licensing (CED sponsored)
Subject:	Alcohol and Marijuana Control Office
Date:	Tuesday, June 21, 2022 5:57:16 PM
Attachments:	Alcohol and Marijuana Control Office.pdf

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Renewal forms for 12173

Sent from my iPhone

From:	Marijuana Licensing (CED sponsored)
To:	Sawyer, Jane Preston (CED)
Subject:	FW: #12173 Northern Lights Cultivation Renewal
Date:	Wednesday, November 2, 2022 1:54:00 PM
Attachments:	12173 Expiration Letter.pdf

From: jesse hoyt <invin69@yahoo.com>
Sent: Wednesday, November 2, 2022 1:52 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: #12173 Northern Lights Cultivation Renewal

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I would like to try set something up with the board or anybody I would need to talk to about my loss of license my whole life savings are wrapped into my cultivation business.

Sent from my iPhone

On Nov 1, 2022, at 1:47 PM, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

Good afternoon,

Following up on the phone conversation you had with Jane Sawyer earlier this morning, we discovered we had made an error in offering a reinstatement. You see, according to 3 AAC 306.035 (see the highlighted section below) you are not eligible to reinstate this license, because the request to reinstate is after 9/30/2022. This information is also included in the attached expiration letter. Moving forward, you have an option to apply for a new standard cultivation license, which entails meeting the public notice requirements of posting and publishing.

I will return the two checks totaling $8,600.00 via USPS tomorrow.

3 AAC 306.035 Application for renewal of license

(g) If a marijuana establishment required to submit a renewal application under (a) of this section fails to deliver a complete license renewal application or fails to pay the required renewal fee and the late renewal application fee on or before August 31 of each year, that marijuana establishment license expires at 12:00 midnight on August 31 of that year…A holder of an expired license may apply for reinstatement as described in (i) of this section.

(i) A holder of an expired license under (g) of this section may apply to the board for reinstatement of a license not later than September 30 of the year on which the license expired. When applying for reinstatement, the applicant shall

(1) submit a statement of reason, on a form prescribed by the board, for not submitting a renewal application on time;

(2) submit a complete renewal application as required in (b) of this section, including the license renewal fees, and, if applicable, fingerprints and fees as required by 3 AAC 306.055(a);

(3) attest that the applicant has not been granted reinstatement under this section during the prior five years;

(4) satisfy any additional requirements for reinstatement of the license as required by the board; and

(5) pay the non-refundable license reinstatement fee set out under 3 AAC 306.100(b).

(j) Nothing in (i) of this section gives any person a right to reinstatement of the license. License reinstatement will be granted solely as described under this chapter.

(k) Granting license reinstatement does not prevent the board from taking additional disciplinary action against the licensee.

3 AAC 306.100 Application for a new license

(b)…The non-refundable reinstatement fee for an expired license under 3 AAC 306.035(i) is equal to 100 percent of the applicable renewal license fee in addition to the applicable renewal fees.

Here is a timeline of events that led to the expiration of the license.

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8/15/2022: An expiration warning letter was sent from AMCO.
9/9/2022: The license was expired for not filing a complete application and/or payment of all required fees. METRC locked.
9/14/2022: Investigator Johnson was notified via email of your intent to renew.
9/16/2022: You replied to Nathan's 8/8/2022 email, stating you thought the check went out already and asked who to make the check out to.
9/20/2022: Nathan provided the requested information.
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10/5/2022: You email asking why the $8,000.00 check was not processed.
10/7/2022: Nathan responded, stating we are missing the $600.00 renewal application fee. To which you responded, saying it would be sent ASAP.
10/31/2022: AMCO received the $600.00 check, dated 10/15/2022.

Forms, fees and instructions are available on our website here: https://www.commerce.alaska.gov/web/amco/MarijuanaLicenseApplication.aspx.
If you have questions or concerns, please email marijuana.licensing@alaska.gov.

Respectfully,

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
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Anchorage, AK 99501
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