



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,  
and Economic Development

ALCOHOL AND MARIJUANA CONTROL OFFICE

550 W 7<sup>TH</sup> AVENUE, STE 1600  
Anchorage, AK 99501  
Main: 907.269.0350

To: Marijuana Control Board  
Date: June 25, 2025  
From: Kevin Richard, Director  
RE: Director's Report

- **Introduction**

- This report summarizes the activities of the Alcohol and Marijuana Control Office (AMCO) from the last board meetings held April 2025.

- **Discussion Topics**

- **AO 358**

- The Board has received copies of Administrative Order 358 issued by the Governor on May 9, 2025. This has placed restrictions on travel, implemented a hiring freeze, and a freeze on the promulgation of new regulations by all agencies. AMCO has submitted and received waivers for the hiring of a Licensing Examiner 2 and a Special Investigator 1. When reviewing regulatory projects, I encourage the Board to consider which are necessary to protect the safety of the public or to meet other essential State responsibilities.

- **Licensing**

- Jane Sawyer and her staff will update you on the progress that has been made since the April 2025 board meetings. There is currently a vacancy for a Regulatory Specialist 2. After receiving the hiring waiver, AMCO extended an offer to an applicant who will start June 30, 2025.

- **Enforcement**

- Investigator Joe Bankowski will update you on the activities of the AMCO Enforcement Unit since the April board meetings. There is currently a vacancy in the Enforcement Unit for one Special Investigator I.

- **Administrative**

- The AMCO Administrative Unit has a vacancy for an Administrative Assistant I position. Staff is working to reclassify the position to bring it more in-line with the job responsibilities.

- **Legislative Review**

- SB 15 passed in the last legislative session and became law on 4/28/2025. AMCO has a representative monitor each of the hearings. Ongoing legislative matters will be addressed later in the agenda.

- **Topics to be Considered**

- **Delegated Authorities to the Director**



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- AS 17.38.150 allows the MCB to delegate authorities to the Director. The attached memorandum and list of delegations is provided for the board's consideration.
- **E-Mail Balloting**
  - AMCO has conferred with Law on the status of e-mail balloting for the approval of license applications. It is in the best interest of licensees that AMCO and the Board focus on other areas to gain efficiency in the licensing process. There is legal research required before I am comfortable with the potential legal risk. This requires resources that are better suited to assist licensees. I do ask that the board continue to consider the use of an online board management system for organizational purposes and be receptive to potentially holding additional online-only special meetings for the purposes of issuing licenses.
- **AK-ACCIS Agency-Side Application Entry**
  - AMCO has identified an area for improvement in agency-side application entry. The AK-ACCIS contractor has been tasked with providing a quote and solution for agency-side application entry. This will allow AMCO staff to more efficiently enter paper applications into our database. AMCO will reduce the backlog of aged applications and allow for more accurate reporting to the Board.
- **Best Practices for Applications**
  - In addition to the FAQ available on AMCO's internet homepage, AMCO will begin working on "Best Practices" documents for licensees that will address some of the most common application errors we see.
- **Next Board Meeting**
  - The next Marijuana Control Board meetings are scheduled for September 17<sup>th</sup> and 18<sup>th</sup> in Anchorage, AK.

A handwritten signature in black ink, appearing to read "K. Richard".

Kevin Richard  
Director  
Alcohol & Marijuana Control Office  
[kevin.richard@alaska.gov](mailto:kevin.richard@alaska.gov)



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Thursday, June 19, 2025

To: Marijuana Control Board  
From: Kevin Richard, Director  
RE: Delegations of Authority to the Director (2025)

Marijuana Control Board Members,

The Marijuana Control Board ("MCB") may delegate authority to the director under AS 17.38.150. Delegable authorities include duties other than to propose and adopt regulations. The most recent comprehensive delegation of authority documents I could find are from August 2023. According to the meeting minutes from September 24<sup>th</sup>, 2024, the board extended prior delegations of authority to Acting Director Lizzie Kubitz.

Carefully review the delegations provided on the attached pages and determine if the delegations can be approved or require amendment.

Board Approval: ☐ Yes ☐ Yes, With Amendment ☐ No

Board Amendments:

Board Approval Date: June 24, 2025

Sincerely,

A handwritten signature in black ink, appearing to read "KR", written over a horizontal line.

Kevin Richard  
Director



## Delegations by the Marijuana Control Board to the Director

### Sec. 17.38.150. Duties of director.

The director shall enforce this chapter and regulations adopted by the board.

The director shall issue, renew, transfer, suspend, or revoke all licenses and permits and issue product approvals at the direction of the board.

The board may delegate to the director the authority to temporarily grant or deny the issuance, renewal, or transfer of licenses and permits. The director's temporary grant or denial of the issuance, renewal, or transfer of a license or permit is not binding on the board.

The board may delegate to the director any duty imposed by this chapter except its power to propose and adopt regulations.

<p>MCB may delegate to the director the authority to <u>temporarily</u> grant or deny →</p> <p>(the director's temporary grant or denial is not binding on the board)</p>	<ul style="list-style-type: none"><li>• New licenses</li><li>• Transfer of licenses</li><li>• Conversion of licenses</li><li>• Onsite Consumption Endorsement</li><li>• Renewal licenses</li><li>• Exterior Window Pick-up</li></ul> <p>These application packets are made up of several AMCO forms and additional docs →</p> <p><b>Renewals only: At the May 2017 meeting, the board delegated full authority to the director to approve renewal applications, except renewal applications with notices of violations, objections, or protests.</b></p> <p><b>At the August 2023 meeting, the board expanded the delegation authority to the director to</b></p>	<p>MJ-01, MJ-02, MJ-03, MJ-04, MJ-05, MJ-06, MJ-07, MJ-07a, MJ-07b, MJ-08, MJ-08a, MJ-09, MJ-12, MJ-17c, MJ-17d, MJ-19, MJ-20, MJ-28b, MJ-31.</p> <p>(This list is in numerical order. The required AMCO forms that complete the application or endorsement packet depend on the type of license or endorsement application)</p>
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	<b>approve renewals with notices of violation, except that a renewal with three violations or more of the same type, are brought to the board.</b>	
MCB may delegate to the director (temporarily or permanently) the authority to approve or deny →	<ul style="list-style-type: none"> <li>MJ-10: Marijuana Handler’s Course Provide Application—3 AAC 306.701 →</li> </ul>	Review and approval are not delegated to director—board reviews and approves or denies
	<ul style="list-style-type: none"> <li>MJ-13: Business Name Change—3 AAC 306.100(c)→</li> </ul>	Approval or denial is delegated to director—board does not see
	<ul style="list-style-type: none"> <li>MJ-14: Licensed Premises Change—3 AAC 306.705(c) and (d) →</li> </ul>	Approval or denial is delegated to director—board only considers when there are questions for board by staff, or there is an appeal to a staff denial
	<ul style="list-style-type: none"> <li>MJ-15: Operating Plan Change—3 AAC 306.100(c)→</li> </ul> <p>(this application is used to amend a licensee’s operating plan and previously approved products. Changes to an operating plan include changing the packaging of a product, serving size of a product, THC content of a product)</p>	<p>This application is filed as a packet (MJ-15 + pages of MJ-01, MJ-04, MJ-05, MJ-06, and prior approved products).</p> <p><b>At the September 21-22, 2022, meeting, the board delegated specifically to Director Wilson full authority to approve MJ-15. A change of AMCO director requires reconsideration by the board.</b></p>
	<ul style="list-style-type: none"> <li>MJ-15d: THC Limit Change→</li> </ul> <p>(this form was specifically created for the purpose of increasing the THC limit per serving size/package—5/50 to 10/100, upon application by licensee, to already approved</p>	This application is approved or denied by the director. The board does not see it unless there is an appeal to a denial.

	products at the time the regulation change took effect)	
	<ul style="list-style-type: none"> <li>MJ-16: New Product Application—(3 AAC 306.525(c))→</li> </ul>	<p><b>At the September 21-22, 2022, meeting, the board delegated specifically to Director Wilson full authority to approve new products—but only when the product is not new to the Alaska licensed market. Products that are new to the market, require board approval. A change of AMCO director reconsideration by the board.</b></p>
	<ul style="list-style-type: none"> <li>MJ-17: Ownership Change—3 AAC 306.040 (not to be confused with transfer of license application)→</li> </ul>	Approval or denial of this application is issued by director—board does not see unless there is an appeal to a denial
	<ul style="list-style-type: none"> <li>MJ-20a: Residency Exception—3 AAC 306.035(h)→ (Renewal applications <u>only</u>)</li> </ul>	Approval or denial of this residency exception application is not delegated to the director—board considers this application together with the renewal application(s) at a regularly scheduled meeting. The board approves or denies on a case by case basis.
	<ul style="list-style-type: none"> <li>MJ-22a: Request to Retest—3 AAC 306.660(c)→</li> </ul>	Approval or denial of this application is issued by director OR board—right now, only director approves or denies. The board would see the application if there was an appeal to a denial
	<ul style="list-style-type: none"> <li>MJ-22b: Request to Transfer Failed Material—3 AAC 306.660(b)→</li> </ul>	Approval or denial of this application is issued by director OR board—right now, only director approves or denies. The

		board would see the application if there was an appeal to a denial.
	<ul style="list-style-type: none"> <li>• <b>MJ-25: Waste Disposal</b> Notice—3 AAC 306.740(c)→</li> <li>• <b>MJ-26: Quality Control</b> Report—3AAC 306.460(d) and 3 AAC 306.557→</li> </ul>	These forms are only a notice to AMCO. They do not need to be approved by AMCO or board
	<ul style="list-style-type: none"> <li>• MJ-27: Marijuana from Unlicensed Source—3 AAC 306.405(a)(9)→</li> </ul>	Approval or denial of this application is issued by director—board does not see unless there is an appeal do a denial