



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 grant or deny</u> →</p> <p>(the director's temporary grant or denial is not binding on the board)</p>	<ul style="list-style-type: none"> • New licenses • Transfer of licenses • Conversion of licenses • Onsite Consumption Endorsement • Renewal licenses • Exterior Window Pick-up <p>These application packets are made up of several AMCO forms and additional docs →</p> <p>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.</p> <p>At the August 2023 meeting, the board expanded the delegation authority to the director to</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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	approve renewals with notices of violation, except that a renewal with three violations or more of the same type, are brought to the board.	
MCB may delegate to the director (temporarily or permanently) the authority to approve or deny →	<ul style="list-style-type: none"> MJ-10: Marijuana Handler’s Course Provide Application—3 AAC 306.701 → 	Review and approval are not delegated to director—board reviews and approves or denies
	<ul style="list-style-type: none"> MJ-13: Business Name Change—3 AAC 306.100(c)→ 	Approval or denial is delegated to director—board does not see
	<ul style="list-style-type: none"> MJ-14: Licensed Premises Change—3 AAC 306.705(c) and (d) → 	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"> MJ-15: Operating Plan Change—3 AAC 306.100(c)→ <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>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.</p>
	<ul style="list-style-type: none"> MJ-15d: THC Limit Change→ <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"> MJ-16: New Product Application—(3 AAC 306.525(c))→ 	<p>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.</p>
	<ul style="list-style-type: none"> MJ-17: Ownership Change— 3 AAC 306.040 (not to be confused with transfer of license application)→ 	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"> MJ-20a: Residency Exception—3 AAC 306.035(h)→ (Renewal applications <u>only</u>) 	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"> MJ-22a: Request to Retest— 3 AAC 306.660(c)→ 	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"> MJ-22b: Request to Transfer Failed Material—3 AAC 306.660(b)→ 	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"> • MJ-25: Waste Disposal Notice—3 AAC 306.740(c)→ • MJ-26: Quality Control Report—3AAC 306.460(d) and 3 AAC 306.557→ 	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"> • MJ-27: Marijuana from Unlicensed Source—3 AAC 306.405(a)(9)→ 	Approval or denial of this application is issued by director—board does not see unless there is an appeal do a denial