



Marijuana Control Board

Meeting Agenda

Fourth Judicial District

Hampton Inn & Suites
433 Howard Bentley Avenue
Fairbanks, AK

September 11, 2024

ABC and MCB Joint Zoom Meeting

<https://amco-alaska-gov.zoom.us/j/88504204400?pwd=Yx5qwCmN0FYHnAx87RyiS6pgbm5vOV.1>

Meeting ID: 885 0420 4400

Passcode: 070914

Dial by your location

1 (669) 900-6833

88504204400#

September 12, 2024

Join Zoom Meeting

<https://amco-alaska-gov.zoom.us/j/84985738737?pwd=hsbJsZuqAfwDwVnrCn8BaJYsaYavka.1>

Meeting ID: 849 8573 8737

Passcode: 479981

Dial by your location

1 (669) 900-6833

84985738737#

All times are approximate. Lunch break from 12:00 noon to 1:00 pm.

The Board may go into executive session at any time when appropriate under AS 44.62.310(b) and (c).

● ADMINISTRATION

9:00 am

A. Call to Order - 9:02 am

B. Roll Call

- Bruce Schulte, MCB Board Chair- Public, present in person
- Bailey Stuart, MCB Board Vice Chair – Industry, present on zoom
- Lt. Christopher Jaime, MCB Board – Public Safety, present in person
- Ely Cyrus, MCB Board – Rural, present on zoom
- Dr. Brūke Clift, MCB Board – Public Health, present in person
- Kevin Higgins, Agency Attorney, present in person
- Joan M. Wilson, AMCO Director, present in person
- Jane P. Sawyer, Program Coordinator, present in person
- Regina Cruz , Licensing Examiner 3 (Marijuana), present in person
- Joe Bankowski, Special Investigator 2, present in person
- Steve Johnson, Special Investigator 1, present in person

C. Approval of Agenda

Dr. Clift moves to approve agenda, Lt. Jaime seconds. None opposed, motion carries.

D. AMCO Meeting Code of Conduct

TAB 1

E. Top 10 Zoom FAQ

TAB 2

F. Approval of June 26, 2024- MCB Meeting Minutes

TAB 3

Bailey S. motions to approve the June 26, 2024, Dr. Clift seconds. None opposed, motion carries.

● BOARD GOVERNANCE

9:05 am

Ely C., Lt. Jamie, Dr. Clift, and Chair Bruce S. has no conflict or issues to report. Jane S.– speaks about an ethics report that Bailey S. had submitted to chair Bruce S. disclosing her consulting contract without listing the licensees she was consulting. Bailey S. speaks on her ethics report that she has not been doing any consulting for Stuart Consulting but doing marketing which includes branding and graphics development. Bailey S. states she is currently not consulting anyone on anything that has to do with the Marijuana Control Board or regulations. Director Joan W. asks if the branding has to do with Marijuana products? Bailey S. responds that it does and was disclosed to Bruce S. and they had decided to discuss it until later in the meeting. Bruce S. clarifies that he suggested to wait until the agenda item comes up, so Bailey S. could state her concerns at that time. Bailey S. discloses that she knows a particular licensee for 15 years and that she has done some of the packaging for High Society Labs that is up for administrative hearing and making sure that it is on the record. Kevin H. provides guidelines on the ethics act to avoid a violation under 39.52.960 and states he doesn't hear any interest held more of a relationship and not a

membership in an organization, but decision is ultimately up to the board. Bailey S. asks if she should speak on her consulting company under board governance each time. Kevin H. responds not unless the facts change. Sara C. from Commissioners office adds that if Bailey S. has financial contracts in the past and possibly in the future that she clarifies that will be, the facts that will change and if there are matters with the licensees in front of the board that will be the prompt to bring it up. Dr. Clift adds that a concern with potential relationship influencing the outcome and having any financial interest, is a concern. Ely C. says had a similar situation having a relationship with a licensee so he has no concern, a concern if there's other facts known that the board isn't aware of that may influence the outcome of the decision. Lt. Jamie echoes the board and believes easiest thing to do would be to recuse yourself as bias is involved. Kevin H. advises the Chair the only issue he can advise is on the ethics act to benefit her personal interest and to remain objective in her role as a decision maker. Bruce S. rules that she does not have a personal interest that has been identified and to keep her in the discussion and she can make the call on the issue if it is too close. Joan W. points out that when in deliberation of this license if information doesn't come out that she knows and influences her vote, it is important that the Board is informed.

● PUBLIC TESTIMONY

9:10 am

Public testimony opens at 9:27 am.

The Board may decide to limit public testimony.

Public testimony is limited to issues not on this agenda and that are not proposed regulations. Written comments may also be submitted to the board for review during its next regular meeting via mcb.amco@alaska.gov

Recordings and transcripts are available on AMCO's website here:

<https://www.commerce.alaska.gov/web/amco/MCBMeetingDocuments>

Trevor Hayes, Representative of AMIA: Thanks Joan for commitment to industry and welcomes acting Director Kubitz. Businesses are struggling and urge board to help. Competition within the illicit market but also the legal market with bad actors with potential inversion. An immediate way to help is the reduction of license fees relatively quickly. Continue the discussion of moratorium of licenses since it has benefits. Don't see an issue with underage and shoulder taps but suggest a higher priority of inversion is an issue. A potential rewrite for regulations should be a priority. Requests support to continue to advocate to the reduction of taxes. Thank you to AMCO and the Board. A discussion on the businesses being impacted in the industry. Trevor H. a moratorium would offer protection with federal legalization moving that will change the dynamics. Dr. Clift asks does he not feel that a moratorium would increase the risk for small businesses? Trevor H. responds that it will add value to current licenses. Lt. Jamies asks if the bad actors in the businesses have been reported to enforcement. Trevor H. responds that it is a difficult thing and a risk. Lt. Jamie says not providing information may put the board and enforcement in a tough position. Ely C. mentions shoulder taps and fake id is less of a problem for Marijuana. Bailey S. adds to the comments of Trevor H. and Lt. Jamie, they want to pause the growth of the industry for enforcement to the inversion in industry. Bruce S. asks if we have the authority to stop issuing licenses. Kevin H. responds under 17.38.200 if an application must be

reviewed and the is section includes if a local government wants to issue a moratorium and can communicate with the board.

Sylvia C. from (inaudible) credit union- for enforcement to be cautious with rumors since they have seen may cases of taking competitors their down and they don't do anything wrong.

Jana W. Atty with JDW Law, Atty for Licensees – Reiterate her thoughts on \$250 per product, since cookies and rice crispies have already been approved suggest first 3 should be \$250 and the rest would be free. Welcome Director Kubitz. Reduction of license fees the statute says should not exceed \$5000 but can go below that amount. Make renewal licensing fees biennial and registration for statute annually. Echoes idea bout data analyst missing that link. Move hemp to AMCO that can focus on the hemp regulation Echo Bailey S. on cap licensing. Thanks Director Wilson.

10:01 am: Public Testimony is closed.

● DIRECTOR

- **Director's Report** **TAB 4**

Director Wilson summarizes her report. Bailey S. thank you to the Director.

- **Delegated Items to Director Wilson** **TAB 5**

Director Wilson gives overview on items specifically delegated to Director Joan Wilson. Lizzie Kubitz – introducer herself to the Board. Offered herself to AMOC in interim time since there is opportunity to step in and help. A discussion on delegation item and how staff weigh in. Bailey S. moves to maintain the duties delegated to the Director of the Marijuana Control Board in interim. Dr. Clift seconds. All vote yes, motion carries.

- **Discussion Cannabis Potency and Pesticides Testing Lab User Group** **TAB 6**

Tables this tab to regulations discussion.

● ENFORCEMENT

- A. Supervisor's Report** **TAB 7**

Joe B. summarizes his report. A discussion on the vacancies and to cover the position of a data analyst. Bailey S. thanks enforcement for taking a great presence especially in Matsu valley.

- B. Notices of Violation Issued and Licensee Responses** **TAB 8**

There is a discussion on the air carrier and the violation given to the licensees through transportation. Kevin H. states that there should be a process on fines and the amount being charged.

11:05 am: Break
11:31: Reconvened

Bailey S. asks about the regulations about how they are being fined. Joe B. responds that it is an administrative issue that needs to be tuned. Kevin H. adds there can be a board action at this point and if the board feels that there needs to be additional consequences they are able to vote. Bailey S. moves license # 17612 from a notice of a violation to an accusation. Dr. Clift seconds, all vote yes, motion carries. Bailey S. moves license #14359 to an accusation. Ely C. seconds. There is a discussion on possible criminal charges and actively trying to show licensees that we are trying to put a stop to illegal operations. All vote yes, motion carries. Bailey moves license #10873 to an accusation. Lt. Jamie seconds, all vote yes motion carries. There is a discussion on moving license #29879 to an accusation that there was a fire and explosions that was not reported to AMCO. Lt. Jamie moves to make a motion for an accusation, Dr. Clift seconds. All vote yes, motion carries.

● LICENSING STATISTICS

TAB 9

Regina C. summarizes her report; there are no questions from the board.

Bailey S. moves to amend the agenda to OAH matters following page 9. Lt. Jamie seconds. All vote yes, motion carries. Bailey moves to go to executive session for the purpose of reviewing the stipulated agreements from OAH. Lt. Jamie seconds. All vote yes, motion carries.

1:06 pm Reconvene:

- Bruce Schulte, MCB Board Chair- Public, present in person
- Bailey Stuart, MCB Board Vice Chair – Industry, present on zoom
- Lt. Christopher Jaime, MCB Board – Public Safety, present in person
- Ely Cyrus, MCB Board – Rural, present on zoom
- Dr. Brücke Clift, MCB Board – Public Health, present in person

Bailey S. motions to move OAH matters to a later date with ALJ present. Dr. Clift second. All vote yes, motion carries. A discussion on the later date and the coordination for OAH and questions oh how can be present.

Bruce S. suggests moving Licensing Renewal Fees to the top of the Regulations for discussion.

● NEW RETAIL MARIJUANA STORE APPLICATIONS

A. License #: 36481

Licensee:
Premises Address:
Local Governments:
Consideration:

Silly Bear Cannabis, LLC

Silly Bear Cannabis, LLC
8620 W. Guss Ct. Wasilla, AK 99623
Matanuska-Susitna Borough
Will need delegation- See memo

TAB 10

Bailey moves to approve license #36481 with delegation, Dr. Clift seconds. Bruce S. clarifies the fingerprints being outdated. Jana W. Atty present on person and licensee present on zoom. Bailey S. asks about the 5 to 1 per budtender and considering the size of operations. Licensee will have that fixed. Bailey S. asks about the website and the reviews already online, and false advertising about being opened. Licensee will have that fixed. All vote yes, motion carries.

- B. License #38163:** **Hollywood Vines** **TAB 11**
Licensee: Cherrier Investments, LLC
Premises Address: 3591 S. Vine Road Wasilla, AK 99623
Local Governments: Matanuska-Susitna Borough
Consideration: Will need delegation- See memo

Bailey S. moves to approve License #38163 with delegation, Dr. Clift seconds. Atty. Jessika Smith on zoom for licensee with licensees. MJ-01 section 9.1 about the signs and the regulation passed data. The different logos the supplemental one is the correct one. Section 8.1 a security listed no longer exists, noted by licensee and will correct. All vote yes, motions carries.

- C. License #37930:** **Island Girl Cannabis, LLC** **TAB 12**
Licensee: Island Girl Cannabis, LLC
Premises Address: 224 Smith Street Suite A
Local Governments: City and Borough of Sitka
Consideration: Will need delegation- See memo

Bailey S. moves to approve license #37930 with delegation, Dr. Clift seconds. Jana W. Atty for licensee present in person, and licensee present in zoom. Jana provides update that the drive through was not approved and activated. All vote yes, motion carries.

- D. License #38398:** **THE MASON JAR LLC** **TAB 13**
Licensee: The Mason Jar, LLC
Premises Address: 5690 Glacier Highway, Unit 19
Local Governments: City and Borough of Juneau
Consideration: Will need delegation- See memo

Bailey S. motions to approve License #38398 with delegation; Dr. Clift seconds. Licensee Dennis L. present on zoom. All vote yes, motion carries.

- E. License #38593:** **Shackleford Farms LLC** **TAB 14**
Licensee: Shackleford Farms LLC
Premises Address: 8847 Kenai Spur Highway, Kenai, AK 99611
Local Governments: City of Kenai, Kenai Peninsula Borough
Consideration: Will need delegation- See memo

Bailey motions to approve license #38593 with delegation. Dr. Clift seconds. Licensee Nick M. present on zoom. Bailey S. states that in case of breach it should be AMCO instead of DCCED and making sure licensee understood. Bailey S. asks about MJ-02 as a restricted access which would require a visitor log

and would be accessible to the public, would change it to unrestricted access. All vote yes, motion carries.

● **LICENSE OWNERSHIP TRANSFER APPLICATIONS**

- A. License #11413** **Red Run Cannabis Cultivators, LLC** **TAB 15**
Current Licensee (**from**): Denali Dispensaries, LLC (Bradley Bartlett 50%, Branden Bartlett 50%)
New Licensee (**to**): Red Run Cannabis Cultivators, LLC (Marc Theiler 50%, Roger Boyd 50%)
License Type: Standard Marijuana Cultivation Facility
Premises Address: 4603 Pittman Rd
Local Governments: Matanuska-Susitna Borough
Consideration: Will need delegation

Bailey S. motions to approve license transfer #11413 with delegation, Dr. Bruke seconds. JDW Atty for Transferor and Transferee. Jana W. gives overview of transfer and licensees. All vote yes, motion carries.

- B. License #20642** **KGB South Cultivation** **TAB 16**
Current Licensee (**from**): Snow Lotus Gardens, LLC (Holly Rudder-Larson 50%, Duane Larson 50%)
New Licensee (**to**): FBB & Associates Inc. (Don Brooks 20%, Lacey Brooks 5%, Dexter Aikey 45%, Alan Wilson 15%, Julie Cheverton 15%)
License Type: Limited Marijuana Cultivation Facility
Premises Address: 2301 South Knik-Goose Bay Road #4B
Local Governments: Matanuska-Susitna Borough
Consideration: Will need delegation

*Bailey motions to approve transfer license #20642, Dr. Clift seconds. No licensee present for this transfer. Director Wilson gives an overview of the history of this licensee. Bailey S. withdraws her motion, Dr. Clift seconds the withdraw. Bruce S. moves to table the Transfer until later time or date. Dr. Clift seconds. All vote yes, motion carries. **Application was tabled until the November 20th, 2024, meeting in Anchorage.***

● **BOARD CONSIDERATION**

- **2024-2025 Late Fee Renewals - Request for refund of late fees**

- A. License #21069:** **Wildflower** **TAB 17**
Licensee: Three Sisters, LLC
License Type: Retail Marijuana Store
Premises Address: 158 Alimaq Dr
Local Governments: Kodiak (City of)
- License #12833** **Wildflower Farms**
Licensee: Alaska Loven It, LLC
Premises Address: 2908 Kachemak Drive
Local Government: Homer/ KPB

Jana W. Atty for Licensee gives overview of the late fees that request for refund. There was no taken from the board.

B. Licensee: AK GLD2, LLC

TAB 18

- | | |
|--------------------------|---|
| 1. License #21724 | Red Light District |
| License Type: | Retail Marijuana Store |
| Premises Address: | 407 E Northern Lights Blvd 2A Anchorage, AK |
| Local Governments: | Municipality of Anchorage |
| 2. License #21725 | Red Light District |
| License Type: | Standard Marijuana Cultivation |
| Premises Address: | 407 E Northern Lights Blvd 2A Anchorage, AK |
| Local Governments: | Municipality of Anchorage |

Jana W. Atty. for Red Light District present, In person. Jana gives overview on the reason for consideration of this late fee. There was no action from the board.

2024-2025 Renewal- Late Fee appeal

C. Licensee: Eden Growth Group, LLC

TAB 19

- | | |
|--------------------------|--------------------------------|
| 1. License 10647 | Alaska Herb Garden |
| License Type: | Standard Marijuana Cultivation |
| Premises Address: | 6511 Arctic Spur Rd. |
| Local Governments: | Municipality of Anchorage |
| 2. License #10648 | Uncle Herb's |
| License Type: | Retail Marijuana Store |
| Premises Address: | 6511 Arctic Spur Rd. |
| Local Governments: | Municipality of Anchorage |
| 3. License #12866 | Uncle Herb's |
| License Type: | Retail Marijuana Store |
| Premises Address: | 1213 Ocean Drive, Unit 2 |
| Local Governments: | Homer, Kenai Peninsula Borough |
| 4. License #20865 | Uncle Herb's |
| License Type: | Retail Marijuana Store |
| Premises Address: | 360 Boniface Parkway |
| Local Governments: | Municipality of Anchorage |
| 5. License #30153 | Uncle Herb's |
| License Type: | Retail Marijuana Store |
| Premises Address: | 209 King Circle Suite 1 |
| Local Governments: | Municipality of Anchorage |

D. Licensee: Alaska Herb Garden

6. License #30154	Alaksa Herb Garden
License Type:	Limited Marijuana Cultivation
Premises Address:	209 King Circle, Suite 2
Local Governments:	Municipality of Anchorage

Jana W. Atty. present in person, licensee Aaron and Lloyd present on zoom. Aaron gives overview of the request and feels penalties are punitive and excessive. Bruce S. can relate and understands that the fees are high. Lt. Jamie agrees that a regulation is a regulation. Bailey S. industry is hurting must consider all of this and the bigger picture. Bailey S. moves to refund all the licensee fees that have gotten their late fees in before August 30th, 2024. Kevin H. states that the board must follow the regulation if you do want it to change then you would have to go through the administrative procedures act. Jane S. adds that a late fee under 306.100 is not refundable. Ely C. times we don't think thoroughly and if we go this path there are ramifications that can come later. Bailey S. rescinds her motion given the circumstance and regulation. There was no action from the board.

● **TABLED FROM PREVIOUS MEETING(S)**

A. License #21069:	Wildflower	<u>TAB 20</u>
Licensee:	Three Sisters, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	158 Alimaq Dr	
Local Governments:	Kodiak (City of)	
Consideration:	Changing MJ-28b Operating Plan supplemental	

Background: *This application was tabled at the June 27th, 2024, meeting. The Board had requested for complete drawings of the premises for the MJ-15 Operating Change and MJ-14 Premises Diagram Application.*

Jana W. Atty for licensee present in person, licensee Janeise present on zoom. Janiese gives an overview of this application. Bruce S. asks if there will always be a staff member there, licensee responds no but they have access to view on their phones and cameras. Bailey S. asks if there will be a member standing at the gate? Licensee responds that there will be a gap and must go into the retail store to purchase. Bailey S. states the dashed lines could allow for a minor to enter. Licensee responds that they are monitored by inside easily like when they enter, they would be asked to leave. Jana W. states that there are cameras to cover all the footage. Bailey S. motions to approve, Dr. Clift seconds; all vote yes motion carries.

B. License #36998:	GOOD Cannabis	<u>TAB 21</u>
Licensee:	Good LLC	
License Type:	Retail Marijuana Store	
Premises Address:	Area B, Lot 7 of Harbor View Subdivision	
Local Governments:	City of Whittier	
Consideration:	Conditional Protest by Local Government	

Jana W. Atty. for Licensee and Trevor H. licensee present in person, Jason B. Atty. for City of Whittier present on zoom. Jana W. and Jason B. gives overview of the application. Bailey S. moves to approve license #36998 with delegation, Dr. Clift seconds. There is a discussion on the walk-up window and education for the cruise ships consumers. Jason B. clarifies the Approve with delegation and timing component for this conditional protest. All vote yes, motion carries.

Background: *This application was tabled at the June 27th, 2024, meeting, for a Protest from the City of Whittier that was sent within the objection period. On August 26, 2024, the City of Whittier submitted a Conditional Protest by Local Government to the applicant.*

Break: 2:30 pm

Reconvene: 2:47 pm

● **OAH MATTERS – Parties’ Proposed Settlements**

1. Matter of Alaska Loven It, LLC, OAH No. 24-0209-MCB
Parties’ proposed settlement
2. Matter of AlaskaSense, LLC, OAH No. 24-0208-MCB
Parties' proposed settlement
3. Matter of FSE, Inc., dba Good Titrations, OAH No. 24-0207-MCB
Parties’ proposed settlement
4. Matter of Kine, Co., LLC, OAH No. 24-0239-MCB
Parties' proposed settlement
5. Matter of Last Frontier Joint Operations, LLC, OAH No. 24-0213-MCB
Parties’ proposed settlement
6. Matter of North Star Fire, LLC, OAH No. 24-0253-MCB
Parties’ proposed settlement
7. Matter of Shackleford Investments, LLC, OAH No. 24-0164-MCB
Parties’ proposed settlement
8. Matter of The Frost Frontier, LLC, OAH No. 24-0216-MCB
Parties’ proposed settlement
9. Matter of The Happy Harvest Company, LLC, OAH No. 24-0217-MCB
Parties proposed settlement

● **ADMINISTRATIVE HOLD HEARING**

Farm Loop Labs, LLC d/b/a High Society Laboratory, license 29879.

Marijuana Concentrate Manufacturing Facility

This hearing was tabled for a separate meeting that will be scheduled at a later date.

● **REGULATIONS**

A. Regulations Tracking Sheet

TAB 22

Reconvene after break at 2:45pm.

Bruce S. notes tracking sheet gives status of regulations projects and proposes to discuss renewal fees project at TAB 32 first so as to include the full attendance of the board. No objections.

B. Opened Regulations Projects

1. Public Comment Period Closed. Public oral comments may not be received at this meeting for this section.

a. Location of Exterior Window Pick-Ups

TAB 23

Status: Public comment closed June 28, 2024. No comments were received.

Potential Board Actions: TBD at meeting

Bruce S. opens discussion. Bailey S. asks staff for confirmation of public notice to and from dates. Kristina S. gives background of project with Joan W. adding historical information. The board notes no comments were received. Board discussion. "Inaudible voice recording" (Staff in room notes that Dr. Bruke C. moves to adopt regulations.) Bruce S. states "OK, there is a move to adopt, do I hear a second?" Bailey S. seconds. Ely Cyrus- yes. Bailey S.- yes. Dr. Bruke C.- yes. Bruce S.- yes. None opposed, motion carries.

b. Operating Plans

TAB 24

Status: Public comment closed September 6, 2024. No comments were received.

Potential Board Actions: TBD at meeting

Kristina S. mentions comments were received after board agenda finalized but before public comment period closed and those are with board for review. Bailey S. speaks on her concerns with the changes in the operating plans regulations draft and would like to see this project tabled for another meeting. Board discussion. The comments of AMIA were reviewed and Bailey S. confirms she is on the board of AMIA and this is an unpaid position. Bailey S. motions to table the project. Bruce S. seconds. Bailey S. – yes. Ely C. – yes. Dr. Bruke C. – yes. Bruce S.- yes. Motion carries.

c. Edibles Only for Onsite Consumption

TAB 25

Status: Public comment closed September 6, 2024. Comments were received.

Potential Board Actions: TBD at meeting

Bruce S. introduces project. Board members note the many comments received. Board discussion. Bailey S. motions to adopt project. Dr. Bruke C. seconds. Ely C. drops off of call at 3:26 pm. Board attempts to return Ely C. to the meeting call are not successful. Joan W. speaks against the opening up of onsite consumption for edibles with this project. Kevin H. gives clarifying overview of regulations change. Kristina S. summarizes project. Board discussion. Jane S. relates an experience from her visit to an existing onsite consumption area. Safety concerns relating to onsite consumption discussed. Absence of board member Ely C. noted and the best practice is to have a majority of the full board available for voting. Bruce S. states he would like to see rewrite of entire section dealing with onsite consumption. Bruce S. calls for vote. Bailey S.-yes. Dr. Bruke C.- yes. Bruce S.-no. Motion carries.

Board moves to TAB 26

...

Ely C. returns to session via phone call at 3:54.

...

Joan W. informs board they can reconsider the edibles only project if they wish to include the vote from board member Ely Cyrus who is now available. Bruce S. opens reconsideration discussion. Kevin H. reminds the board of the findings of the sunset audit and its recommendation that statute be changed to require a majority of the 'whole' board to take an action and speaks to this issue. Best practice is to have a majority of the whole board to approve a regulation. Bruce S. moves to reconsider Edibles Only for Onsite Consumption regulations project. Bailey S. seconds. Ely C.-yes. Bailey S.-yes. Dr. Bruke C.-yes. Bruce S.-yes. Motion passes and reconsideration of project opened. Bailey S. motions to adopt. Ely C. seconds. Ely C.-yes. Bailey S.-yes. Dr. Bruke C.-yes. Bruce S.-yes. Motion carries.

Board now moves to TAB 27.

2. Open Regulations Projects, Board Discussion

a. Labelling Requirements of Test Results

TAB 26

Status: Draft for board discussion

Potential Board Actions: TBD at meeting

Bailey S. summarizes the regulations project. Jane S. advises that comments from the public can be heard if the board wishes as the project is for board discussion which may include the public.

Bruce S. notes Jessica Alexander, participant in the Cannabis Testing Group, wishes to speak. Jessica Alexander asks the board to open a regulations project on pesticides. Her testing lab has purchased the equipment and done training to test pesticides and heavy metals now. She requests to present, at the next board meeting, a list of pesticides with their action limits, to write into the contaminant regulations. Bruce S. asks if DEC's list of pesticides is included by reference. Jane S. advises this is not by reference but that an applicant should abide by DEC's list but it is not adopted by reference and is not in regulations. Bruce S. notes the board will return to Jessica Alexander's request at a later time.

Bruce S. moves back to the labelling test results project. Further board discussion. Bailey S. gives overview that this is a clean-up project. Kristina S. notes Ely C. has returned to the meeting call (3:54pm). Bruce S. summarizes where the project is at. Inaudible. Bruce S. states 'Dr. Bruke C. motions' to adopt and send to law for review and then out for public comment. Bailey S. seconds. Bailey S.-yes. Ely C.- yes. Dr. Bruke C.-yes. Bruce S.- yes. Motion carries.

Joan W. asks if the board would like to reconsider the edibles only project now that Ely C. has returned. Board moves back to TAB 25.

b. Total THC Definition

TAB 27

Status: Draft for board discussion

Potential Board Actions: TBD at meeting

Bruce S. introduces. Kristina S. clarifies the recommendation from the Cannabis Testing Group has used in the draft project. Bailey S. moves to approve the draft, send to law and then out for public comment. Bruce S. asks for a move to second. Inaudible. Bruce S. states "OK, is there any discussion on that?" No discussion. Ely C.- yes. Bailey S.-yes. Dr. Bruke C.- yes. Bruce S. -yes. Motion carries.

c. Flowering Plants Tracking Requirement

TAB 28

Status: for board discussion

Potential Board Actions: TBD at meeting

Bruce S. introduces. Bailey S. moves to approve, send to law and out for public comment. Dr. Bruke C. seconds. Board discussion. Ely C.- yes. Bailey S.-yes. Dr. Bruke C.- yes. Bruce S. -yes. Motion carries.

d. Remove Batch Limit for Tracking

TAB 29

Status: for board discussion

Potential Board Actions: TBD at meeting

Bruce S. introduces and notes he is in support of this project. Bailey S. moves to approve, send to law and out for public comment. Joe B. has concerns with multiple strains in one batch and notes a need to define bath. Kristina S. comments that 'plant batch' not defined currently in regulations but that 'batch' or 'harvest batch' are defined and if needed, draft can be amended to define 'plant batch'. Inaudible. Joan W. notes to Dr. Bruke C. that she can't be heard for the record. Inaudible. Kevin H. reads 306.990(b)(3) that defines batch or harvest batch and that batch and harvest batch have the same definition. Kevin H. takes 'plant' to modify 'batch' and that it is a batch and the word 'plant' may be superfluous. Board discussion on 'plant batch' meaning. Dr. Bruke C. seconds the motion. Ely C.- yes. Bailey S.-yes. Dr. Bruke C.- yes. Bruce S. -yes. Motion carries.

e. Management Agreements

TAB 30

Status: for board discussion

Potential Board Actions: TBD at meeting

Kristina S. gives overview of proposed drafted changes to this project. Bruce S. summarizes. Joan W. speaks to enforcement actions for undisclosed management services. Bailey S. motions to approve draft and send to law and out for public comment. Dr. Bruke C. seconds. Kristina S. asks for board clarification and guidance on two questions on proposed draft. Board discussion and guidance is not to change draft. Ely C.- yes. Bailey S.-yes. Dr. Bruke C.- yes. Bruce S. -yes. Motion carries.

f. Marijuana Handler Permit Education Course

TAB 31

Status: for board discussion

Potential Board Actions: TBD at meeting

Bailey S. introduces and summarizes project. Bailey S. motions to approve draft and send to law and out for public comment. Dr. Bruke C. seconds. Board discussion. Kristina S. comments on the changes to how a test provider could have 20 specialized education questions and advertise as such. Ely C.- yes. Bailey S.-yes. Dr. Bruke C.- yes. Bruce S. -yes. Motion carries.

Board moves to Board Requests.

g. Licensing Renewal Fees

TAB 32

Status: for board discussion

Potential Board Actions: TBD at meeting

Bruce S. introduces and Kristina S. notes the early stage of this project and it has not yet been out for public comment or reviewed by law. Bruce S. summarizes the project and opens discussion on reduction of fees. Board discussion on calculations of what various strategies for renewal fee reductions would look like with estimates, budgets, and money sources included. Sarah C. gives an overview of the renewal fees and other options for the board. Bruce S. speaks to the exit of Director Wilson and what a new director might face. Joan W. opines she is in favor of reducing renewal fees. Board discussion. Bailey S. motions to amend draft regulations to reduce renewal fees for all license types to match new license fees and send amended draft to law and then out for public comment. Ely C. seconds. All vote yes. Motion carries.

Lt Jamie exits meeting at 3:17 pm.

Bruce S. moves back to TAB 23 for discussion.

● **BOARD REQUESTS (IF ANY)**

Jessica Alexander- Licensee for Land and Seas Laboratory, Cannabis Testing Facility Group -requests a regulatory project for pesticides and heavy metals and will provide a list in the next meeting. The list will consist of pesticides with their action limits. Board discussion. Jane S. comments on the DEC list process of adding and removing products. Kevin S. references hemp list of 11 AAC 46.40. Jessica Alexander has worked with the hemp program on this and also mentions she recommends a random testing be implemented. Bailey S. moves to open a regulatory project for pesticides and heavy metals permissible levels and to reference the testing and heavy metals pesticides work group findings in the regulation project. Bruce S. seconds. All vote yes, motion carries.

Kristina S. relays request received via personal teams chat from Sarah Chambers and Lizzie Kubitz to readdress the renewal fees reduction regulation vote to confirm licenses that will have reduced renewal fees. Bailey S. moves to amends the regulation 306.100 to include all license types for renewal fees for all license types, Dr. Clift seconds; all vote yes, motion carries.

Ely C. request to increase the THC serving per edibles overall limit per serving. Jessica A. speaks on increasing limit on edibles to change the definition of total THC to include the delta 7 which is lesser psychoactive of delta 9. Theres a discussion on the tabling the regulations request for AMCO office -----. Ely moves to open a regulations project to investigate increasing the THC content per serving and in discussion narrowing down the expectation for staff. Dr. Clift seconds. Ely C. since the projects take time, he can expect the project in the January/February meeting. All vote yes motion carries.

Jana. W. Atty for licensee, requests a regulation for \$250 fee for new products and would work a draft and submit to staff.

● **MARIJUANA MAILBOX**

TAB 33

All correspondence received in the Board's inbox from June 15th, 2024, to August 30, 2024.

● **ADDITIONAL PUBLIC TESTIMONY**

Open public testimony at 4:52pm

Lloyd Stiassny, Licensee: Thank Joan for her service to industry. Moratorium, compliance, inversion, critically important for success of cannabis industry. To continue open licensing hurts license holders. Enforcement is limited o what they can do and a "pause" to catch up and engage with industry would be step forward.

James Thornton, Licensee: Echos the industry and Lloyd. Thanks Joan and AMCO staff.

Trevor H, Licensee and AMIA Industry: Speak about the Transportation on commercial flight issues, and licensees that would defend their position and others going by the regulations. The cost to get the products to these locations. Expect people to have a defensible position.

Close public testimony at 4:58

The Board may decide to limit public testimony.

Public testimony is limited to issues not on this agenda and that are not proposed regulations
Written comments may also be submitted to the board for review during its next regular meeting
via mcb.amco@alaska.gov

● **BOARD COMMENTS**

Ely C. : thanks to Joan W. and service to AMCO, been very receptive to board and Industry.

Bailey S.: same sentiments to Ms. Wilson, great having a full board and work together

Dr. Clift: important that we protect people who want to enter the industry and who are already in the industry. Fair and address licensure and protecting the safety of public is important and the financial interests of the company.

Bruce S.: covered a lot of ground; thanks the staff for all the work; Mr, Higgins keeping us on track; Joan W. you were the perfect person to come in did a fantastic job

● **NEXT MARIJUANA CONTROL BOARD MEETING**

The next meeting is scheduled for November 20-21, 2024, in Anchorage.

● **ADJOURN** *Adjourned at 5:01*