



**Marijuana Control Board
Meeting Minutes
July 12, 2017
Fourth Judicial District
DEC Meeting Room
610 University Avenue
Fairbanks, Alaska**

Board Members present:

Mark Springer
Nicholas Miller
Peter Mlynarik, Chair
Brandon Emmett
Loren Jones

AMCO staff present:

Erika McConnell, director
Harriet Milks, AMCO attorney
Jedediah Smith, local government specialist

● **ADMINISTRATION**

Chairman Peter Mlynarik called the meeting to order at 9 am.

A. Approval of Agenda

*Mark Springer moves to approve the agenda. Brandon Emmett seconds.
Springer proposes to move Tab 10 to follow Tab 7.
Agenda approved with change 5-0.*

B. Approval of the March 7, 2017 Meeting Minutes

*Springer moves to approve. Emmett seconds.
Motion carries 5-0.*

C. Approval of the April 4-5, 2017 Meeting Minutes

*Springer moves to approve. Emmett seconds.
Motion carries 5-0.*

D. Approval of the May 15, 2017 Meeting Minutes

Springer moves to approve. Emmett seconds.

Motion carries 5-0.

E. Approval of the May 24, 2017 Meeting Minutes

Springer moves to approve. Emmett seconds.

Motion carries 5-0.

● **DIRECTOR BRIEFING**

A. Director's Report

Director McConnell: AMCO lost two administrative staff to other positions in state service. Program coordinator still out on leave. Two licensing staff are new. Purchase of new audio equipment for better recording. Renewal application clarification: board wants to see licensees with NOV's in the previous year, not over the entire license history. If renewal is not filed in a timely manner, licenses expire on August 31. But it is not clear when licenses expire if renewal is filed in a timely manner. Propose to the board, show expiration date is August 31. Board directed advisory on multiple buildings as licensed premises.

Conflict of regulations. Board must approve changes to licensed premises in one section, and the director in another. Propose board delegate authority in 3 AAC 306.015(c). If comfortable with delegation on NOV's and temporarily approved changes to operating plans, chair can sign delegated order.

Emmett: These delegated orders are acceptable. No objection.

Chair Mlynarik: Statutory requirement for fingerprints?

McConnell: Cards are submitted to DPS, not kept on file at AMCO. AMCO cannot simply send a name to DPS for a background check.

Milks: On renewal application, licensee is required to disclose whether there has been a change in criminal history. It is in the statute that all renewals require a background check.

Emmett: some business owners are perplexed by having to submit background check every year, when alcohol only requires every five.

Jones: We need to have some legislative change on this requirement. It is an added expense.

Springer: An annual background check, especially since saying under penalty of perjury, that this is too high a bar.

Mlynarik: Investigator should have the ability to run a local check through APSIN. Investigators should be doing that on these renewals. Three years is reasonable.

Springer moves MCB request legislature amend AS17.38.200(a) to change the requirement for background checks. Emmett seconds. Motion carries 5-0.

McConnell: Board can retain authority on licensed premises changes, or delegate to director.

Jones: If they are going to have multiple buildings, space between them needs to be restricted space.

McConnell: when the board delegates authority to me, doesn't mean I have to make a decision. When I see a conflict, I will bring to board.

Springer moves to delegate authority of 3 AAC 306.015(c) to approve licensed premises changes to director. Emmett seconds.

Motion carries 5-0.

McConnell: One licensed premises, but separate restricted access areas. Need guidance from the board. Under what circumstances would a licensee need areas accessible to the public?

Springer: We issued licenses to cultivators who are using their residences. One of the questions I ask is 'do you have any kids.' We instruct them when they are going to move their product to create a temporary restricted access area.