



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
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January 7, 2019

Local Government Officials,

The Marijuana Control Board recently released for public comment a new proposed regulation that would allow local governments to protest marijuana licenses on a “conditional basis.”

This change would require local governments to indicate whether or not their protest was a conditional protest. Under this regulation, a conditional protest would be defined as a protest based on the applicant not having some local government approval that they are expected to acquire within a reasonable period of time. Examples include conditional use permits, special land use permits, and local marijuana licenses. For applications with conditional protests, the board would be able to approve with delegation rather than denying with an abeyance period. Non-conditional protests would be for all other issues, and the existing language that states that the board must deny an application with a protest unless the board finds the protest arbitrary, capricious and unreasonable would remain.

This distinction will allow applications with conditional protests to move more efficiently through the licensing process, and when a conditional protest is received after a delegated approval by the board, the application would not need to come back before the board.

You may review the regulation and post comments through the online public notice system by following this link: <http://notice.alaska.gov/192569>

Please don't hesitate to contact the Alcohol and Marijuana Control Office if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell
Director, Alcohol and Marijuana Control Office