

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 City Manager

4 **RESOLUTION 15-094**

5  
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 APPROVING RECOMMENDED COMMENTS AND QUESTIONS TO  
8 THE STATE OF ALASKA MARIJUANA CONTROL BOARD ON THE  
9 PROPOSED STATE MARIJUANA REGULATIONS.

10  
11 WHEREAS, The City of Homer Cannabis Advisory Commission (“CAC”) has been  
12 working diligently to review the proposed State of Alaska regulations on marijuana use and  
13 facilities statewide; and

14  
15 WHEREAS, The CAC has crafted comments and questions to the State of Alaska  
16 Marijuana Control Board designed to promote the City’s interest in clear and unambiguous  
17 regulation of the marijuana industry; and

18  
19 WHEREAS, City Council has reviewed those comments and questions and finds the  
20 presentation of these comments and questions to be in the City’s best interest.

21  
22 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby  
23 adopts the following comments and questions for presentation to the State of Alaska  
24 Marijuana Control Board and authorizes the City Attorney to present these comments and  
25 questions both verbally and in writing to the Marijuana Control Board:

26  
27 1. 3 AAC 306.010

28  
29 Given the unique nature of each Alaskan community and its topography and land use  
30 approach, the City recommends that the regulations defer to the municipalities for  
31 restrictions on location via the zoning and planning authority grant to such  
32 municipalities. This approach will avoid unintentional contradictions between local  
33 and zoning laws and the regulations. It will also permit municipalities to adopt more  
34 or less restrictive location prohibitions depending upon the needs of the municipality  
35 in question. Similarly, the City recommends that any restriction based upon church  
36 services or religious places of worship be removed from the regulations as the  
37 communities within Alaska often involve the use of commercial or industrial spaces  
38 for religious services and other nontraditional religious service locations that would  
39 make the application of the regulations extremely challenging, if not impossible  
40 without severely impacting the regulated facilities ability to comply with the  
41 regulations.  
42

43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82

2. 3 AAC 306.715; 3 AAC 306.325

Please clarify the handler permit process. Under the regulations, may a private entity become authorized to issue permits similar to other professional job classifications? Will the process for becoming an approved handler permit course under 3 AAC 306.325 be included in the regulations or will a policy regarding such courses be adopted prior to or in conjunction with the adoption of the regulations?

3. 3 AAC 306.020

Please explain the requirement for the social security numbers and other identifying information for “family member(s)” and “affiliates” of individuals seeking a license under 3 AAC 306.020. While the regulations require only identifying information on the owners or shareholders of partnerships and corporations, the requirements are much more far reaching for individuals. The City fears that requiring such personal information without regard for the relation of such information to the license itself or even the licensee may constitute a breach of privacy.

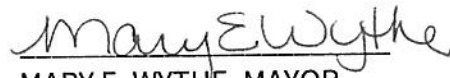
4. 3 AAC 306.400, et seq.

Please explain the intent in limiting the ability of cultivation facilities to sell directly to retail or manufacturing establishments and the interaction between a marijuana cultivation broker facility and a marijuana cultivation facility under the proposed regulations.

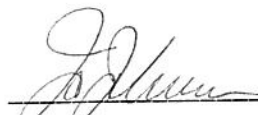
PASSED AND ADOPTED by the Homer City Council on this 12<sup>th</sup> day of October, 2015.



CITY OF HOMER

  
MARY E. WYTHE, MAYOR

ATTEST:

  
\_\_\_\_\_  
JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A