

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

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Blaine Gilman, Assembly President  
Brent Johnson, Vice President

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### MEMORANDUM

**TO:** Blaine Gilman, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Kelly Cooper, Assembly Member

**DATE:** May 17, 2016

**RE:** Ordinance 2016-18: Waiving the Right To Protest the State of Alaska's Issuance of Certain Marijuana Cultivation Licenses

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The approval process for commercial marijuana licenses applications includes the requirement that the Alcohol & Marijuana Control Office ("AMCO") director give immediate notice to the local government with jurisdiction once she determines an application is complete. The local government then has 60 days to protest the application.

The Marijuana Control Board is required to decide whether to grant or deny an application no later than 90 days after receiving the complete application. It may not, however, grant or deny it before the 60-day protest period has expired.

The Borough Clerk's Office has received four applications for marijuana cultivation licenses from the state and the 60-day protest period has not yet passed. The next Marijuana Control Board meeting is June 9, 2016, which is before the 60-day protest period will have expired.

This ordinance is submitted as a laydown for introduction in response to a request from an applicant for a cultivation license. He indicated that marijuana plants grown outdoors reach maturity a minimum of 90 days after planting. If the cultivation licenses are not approved at the Marijuana Control Board meeting then the entire 2016 cultivation period will be lost for those planning to grow their plants outdoors. Waiving this protest will not have any effect on other license applications or borough requirements for marijuana establishments, and will enable this segment of the industry to operate this season.

Your consideration is appreciated.