

Meeting Minutes
Arkansas Medical Marijuana Commission

Thursday, April 04, 2024
1515 W. 7th Street, 5th Floor Conference Room
Streamed Via www.myarkansaspbs.org/arcan

James Miller, Chairman
Amber Pool
Tyler Ketner

Kevin Case
Reggie Thomas

The Medical Marijuana Commission meeting was called to order by Chairman James Miller. Chairman Miller and Commissioners Ketner and Case appeared in person; Commissioners Thomas and Pool appeared via the Go-To link. The first item of business was approval of the minutes. After reviewing the minutes, Commissioner Thomas made a motion to approve the minutes which was seconded by Commissioner Case and approved by vote of 5-0.

Chairman Miller announced that he would work through the agenda out of order to address older items first. The first agenda item was the Change of Name notice for license 290, BaM. ABC Director Christy Bjornson notified the Commission of name changes for license 290, and the name change was recognized by the Chairman and Commissioners. Following this was the Transfer of Ownership for license 290, which was tabled during the March meeting. ABC Director Christy Bjornson notified the Commission of pending litigation brought forth since the March meeting and requested that the Commission table the matter again until more information of the court ruling is available.

Attorney Baxter Drennon, representing BaM, provided statements regarding the matter and requested that the matter move forward. In response to his statements, Counsel for the Attorney General's Office requested that the Commission acted consistently with previous handlings of similar matters. Commissioner Case asked if previous matters were tabled for litigation, where Counsel for the Attorney General's Office confirmed. Attorney Abtin Mehdizadegan, representing BaM stated the matter had previously been litigated and asked the application be approved. Commissioner Case followed up with questions about that previous litigation, where Attorney Drennon provided additional details about that

case. Commissioner Ketner made a motion to table License 290 until a legal resolution is reached, which was seconded by Commissioner Thomas, and was approved by a 3-2 vote.

The next agenda items were notices of Transfer of Ownership. The second Transfer of Ownership was for License 277, Good Day Farm Cantrell. ABC Director Bjornson notified the Commission that no issues were found by ABC. Counsel for the Attorney General's Office then notified the Commission that the Attorney General's Office had not completed their review and had no recommendation to offer. In response, ABC Director Bjornson and ABC staff attorney, Chip Leibovich provided insight of the vetting process by ABC to elaborate on that review. Following this, Chairman Miller made a motion to approve the Transfer of Ownership, Commissioner Ketner seconded, and approved by a 5-0 vote.

The third Transfer of Ownership for License 281, Good Day Farm Hensley was considered. ABC Director Bjornson notified the Commission that there was one issue with vetting one individual but asked the Commission to consider approval conditioned on the submission of the background check for the one individual. Chairman Miller asked ABC if it was an issue with fingerprinting, where ABC staff attorney, Chip Leibovich responded to confirm. Counsel for the Attorney General's Office then responded to notify the Commission that issue is complex and requested additional time to review the matter. In response to the request from the Attorney General's Office, Attorney, Dachille notified the Commission that submission requirements by the Attorney General's Office were met, and the fingerprinting issue was actively being resolved, thus requesting consideration of the conditional approval.

Before moving forward with the Transfer of Ownership for License 281, Chairman Miller mentioned his idea to make parties to turn in all documents the Commission meeting by the previous Commission meeting. An example provided was that all documents needing submission for the June Commission meeting should be submitted by the May 16th Commission meeting. In response of the motion, ABC Director Bjornson offered her support. Chairman Miller then made a motion to move the submission deadline to the previous Commission meeting, Commissioner Pool seconded, and was approved by a 5-0 vote.

Going back to the Transfer of Ownership for License 281, Chairman Miller asked if the Commissioners would like to grant the conditional approval, and he also asked the Counsel for the Attorney General's Office what they believe their timeline for review would be. In response, Counsel for the Attorney General's Office detailed why the matter is resulting in a lengthy and complex review timeframe. Chairman Miller made a motion to table the Transfer of Ownership to the May meeting, where Attorney, Dachille expressed concerns of tabling the matter due to the renewal consideration. Counsel for the Attorney General's Office then notified the Commission of ways in which the Commission handled similar matters in the past. Attorney, Dachille then provided the Commission with documentation detailing the transaction structure in question, and the Commission accepted it. Chairman Miller made a motion to table the Transfer of Ownership until the May 16th meeting, Commissioner Ketner seconded, and was approved by a 5-0 vote.

The fourth Transfer of Ownership on the agenda was for License 11, Revolution Cannabis was withdrawn; Confirmed by ABC Director Bjornson and Chairman Miller.

The fifth Transfer of Ownership was for License 158, Enlightened Morrilton was considered. ABC Director Bjornson notified the board that there were no issues with the vetting by ABC, but the purchase agreement for the transfer provided that Enlightened Morrilton's transfer would be contingent on the approval of cultivation license #11. Since License 11 was withdrawn ABC Director Bjornson believed this issue should be tabled, but also notified the Commission of an amended agreement that was received April 4, 2024. She recommended that the Commission table the matter due to lack of sufficient time to review the amended agreement. ABC Director Bjornson also notified the Commission that there was also a missing background check information for one individual, thus making it prudent to table the matter. Attorney Ray Green, speaking on behalf of Enlightened Morrilton provided statements and notified the Commission that would agree to table the Transfer. Chairman Miller made a motion to table the Transfer of Ownership until all the May 16th meeting, Commissioner Pool seconded, and was approved 5-0 vote.

The Commission moved to the next agenda items which was the discussion of rule changes. Chairman Miller then asked Counsel for the Attorney General's Office about movement of pending cases;

Deputy Attorney General, Doralee Chandler notified the Commission that an update from the Civil Division could be provided at the May 16th meeting.

Finally, the Commission set meeting dates for the following three months – May 16th, 2024, at 3:30 pm, June 13, 2024, at 3:00 pm, and July 11th, 2024, at 3:30 pm (tentatively).

The meeting was then adjourned.