

Arkansas Medical Marijuana Commission

January 3, 2017

On the 3rd day of January, 2017 the Arkansas Medical Marijuana Commission (AMMC) convened at Little Rock, Arkansas. In attendance were the Arkansas Medical Marijuana Commissioners: Dr. Ronda Henry-Tillman, Chairperson, Dr. Stephen J. Carroll, Travis W. Story, Esq., Dr. J. Carlos Roman, and James Miller.

Commissioner Tillman called the meeting to order.

The Commissioners reviewed the meeting minutes from the December 27, 2016 meeting of the AMMC. Upon motion by Commissioner Story and second by Commissioner Miller, the minutes were approved by a vote of 5-0.

The following changes to the draft cultivation facility rules were discussed and agreed upon by the Commissioners:

- Section 12(a)(vi): revise to read: “An applicant, owner, board member, or officer has a background history that indicates the individual does not have a reputable and responsible character or would pose a risk to health, safety, or welfare of the public or qualifying patients; or.”
- Add a section to set forth the appellate procedure for the denial of applications.
- Section 13(a): Correctly number the section and strike the language, “(if required to register with the same).”
- Section 13(c): revise to read: “Within seven (7) days of receiving written notice from the commission.....”
- Section 13: Add subsection “e.” to explain the appeals process for denial of renewal.
- Section 15(b): Clarify specific events or occurrences for which a cultivation facility shall be required to notify the commission.
- Section 15: Add a section “c.” to address situations in which the commission is notified of changes in information that may jeopardize a facility’s qualifications to hold a license.
- Section 16(e): revise to read: “In order to obtain approval to transfer ownership of a license or of an entity that holds a license by its individual agent, principals in ownership, board members, or officers, the licensee shall submit to the commission an application for license transferal on a form and in a manner prescribed by the commission.”
- Add a section to set forth the requirements for transferring the location of a cultivation facility.

Commissioners discussed the amount of the licensing and renewal fee for cultivation facilities. Commissioner Story made a motion to set the fee at \$185,000.00. The motion failed for lack of a second. Commissioner Roman made a motion to set the fee at \$100,000.00. Commissioner Miller seconded the motion. The motion passed by a vote of 5-0.

Commissioners discussed dividing the cultivation licenses by the Arkansas public health regions. In a previous meeting, Commissioners voted to allow one (1) license in each of the five (5) public health regions. Commissioner Story moved for the following: Amend the original vote to allow only one license per public health region, so that the five (5) licenses may be located anywhere within the state. Additionally, add to the criteria for merit selection a provision to reward merit points to applicants if they can show the potential for positive impact on the economy and diversity of the area in which they intend to locate a cultivation facility.

Commissioner Roman seconded the motion. The motion passed by a vote of 5-0.

Commissioners discussed requiring cultivation facility applicants to show proof of assets as part of the application process. Commissioner Story made a motion to add under section 5(c) of the draft rules for cultivation facilities, the following requirements: Applicants must provide proof of assets or a surety bond in the amount of \$1,000,000.00, and Applicants must provide proof of at least \$500,000.00 in liquid assets. Commissioner Roman seconded the motion. The motion passed by a vote of 5-0.

Commissioners discussed a packet of sample applications from other states that use merit criteria to award cultivation licenses. Commissioners ultimately decided to study the packet for further discussion at the next meeting.

Commissioners asked that staff draft a request for an Attorney General's opinion on the topic of the Medical Marijuana Amendment's restrictions for expense reimbursements, in-lieu-of payments, and compensation other than that provided for by the amendment, as it relates to their ability to travel for commission business to view cultivation and dispensary sites.

There being no further business, the meeting was adjourned.

The next meeting of the commission will be on Tuesday January 10, 2017 at 3 p.m.

Approved:

Dr. Ronda Henry-Tillman, Chairperson