

Arkansas Medical Marijuana Commission

25 July 2018

On the 12th day of July 2018, 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., James Miller, and Dr. J. Carolos Roman.

Commissioner Tillman called the meeting to order.

Commissioner Story made a motion to accept the minutes from the 2 July 2018 meeting.

Commissioner Carroll seconded the motion.

The motion carried 5-0.

Commissioners requested in the previous meeting to receive information on the possibility of additional or independent staff.

Director Mary Robin Casteel presented testimony to the Commission, explaining her recent discussion with the Office of Personnel Management, and relayed that while positions were created for the Medical Marijuana Commission, those positions are not currently funded. The positions could be funded by the legislature during the General Session. Director Casteel asked the Commission what specific additional or different help they felt they needed through additional staff. Chairwoman Tillman and Commissioner Story both explained they were unclear on which ABC employees were serving the Commission, or how to contact those employees. Director Casteel made formal introductions of the ABC staff members dedicated to MMC, and opined that she felt the Commission was more than adequately staffed by ABC employees.

The Commissioners invited members from the Office of State Procurement to explain the procurement process, and how it would pertain to the Commission's potential hiring of a third party scorer. David Withow and Mary Katherine Williams from the Office of State Procurement appeared to offer testimony, and explained the option for cooperative contracting, which essentially "piggy backs" on existing contracts other governmental agencies have with consulting contractors. The Commission discussed in depth the ability to customize the "scope of work," to be submitted with the request for bids. Some of those customizations included screening for conflicts of interest, a time limit of 30-60 days, and scorers with backgrounds in the medical, pharmacological, and agricultural industries. Commissioners asked ABC staff to prepare the scope of work for the Commission to review at its next meeting.

Commissioner Carroll motioned for an emergency rule to authorize the Commission retain a consultant for scoring.

Commissioner Miller seconded the motion.

Commissioner Story suggested the motion should be broadened to authorize the Commission to hire a consultant for any reason, not specifically limited to application scoring.

Commissioner Carroll amended his motion to an emergency rule to authorize the Commission to hire a consultant.

Commissioner Miller seconded the motion.

The motion carried 5-0.

Staff Attorney Danielle Hoefer confirmed to the Commission that cultivation licenses were awarded on 10 July 2018, pursuant to MMC Rules.

Staff Attorney Danielle Hoefer confirmed to the Commission that all letters of protest concerning cultivation license-holders had been turned over to ABC Enforcement for investigation, and, if warranted, adjudication by the ABC Board.

Commissioner Roman made a motion to amend the existing rules, by emergency rule, to hold cultivation and dispensary applications and scores in reserve, so that the MMC could rely on the existing applications and scores in the event additional licenses are issued.

Commissioner Miller seconded the motion.

The motion carried 4-1, with Commissioner Story voting “no.”

Commissioner Miller motioned to adopt language of a “double blind tie-breaker,” in the event two or more applications in line for licensure had identical scores.

Commissioner Carroll seconded the motion.

The motion carried, 5-0.

Commissioner Story made a motion for the Commission to resume scoring, in lieu of a third party scorer.

Commissioner Roman seconded the motion.

The motion failed, 2-3, with Commissioners Tillman, Carroll, and Miller voting “no.”

Finally, the Commission scheduled a follow-up meeting to continue with the aforementioned agenda items, as well as to address disqualified cultivation applications for Thursday, July 25, 2018, at 4:00pm (1600 HRS).

There being no further business, Dr. Tillman adjourned the meeting.