



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

MEDICAL MARIHUANA LICENSING BOARD

OCTOBER 17, 2017 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Medical Marihuana Licensing Board met on October 17, 2017, at the Kellogg Hotel and Conference Center, Big Ten Conference Room A, 219 South Harrison Road, East Lansing, Michigan 48824.

CALL TO ORDER

Johnson, Chairperson, called the meeting to order at 12:30 p.m.

ROLL CALL

Members Present: Rick Johnson, Chairperson
Donald Bailey
Nichole Cover
David LaMontaine
Vivian Pickard

Staff Present: Andrew Brisbo, State Bureau Administrator
Charlene French, Executive Secretary
Colleen Curtis, State Administrative Manager
Erika Marzorati, Assistant Attorney General
Bridget Smith, Assistant Attorney General

PUBLIC COMMENT REMINDER

MOTION by Cover, seconded by Bailey, to limit time of public comment under 7C-F of agenda to one minute per individual and general public comment under item 9 to two minutes. A voice vote followed.

MOTION PREVAILED

The meeting site and parking is accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Charlene French at (517) 284-8599 at least 10 working days before the event.

MOTION by Cover, seconded by Pickard, to approve the agenda, as presented. A voice vote followed.

MOTION PREVAILED

APPROVAL OF THE MINUTES

MOTION by Cover, seconded by Pickard, to approve the September 12, 2017 minutes, as presented. A voice vote followed.

MOTION PREVAILED

OLD BUSINESS

NONE

NEW BUSINESS

- A. Workgroup Reports from Board Members – Colleen Curtis gave recap of workgroups, thanked board for participating.
 - a. Processor – Johnson
 - i. 17 Participants.
 - ii. Topics: THC limits, marihuana products, testing, and remediation.
 - iii. Johnson gave recap of recommendations and thanked the participants.
 - b. Grower – Pickard
 - i. 19 Participants.
 - ii. Topics: Facility standards, security measures, storage, waste disposal and pesticides.
 - iii. Pickard gave recap of recommendations and thanked the participants.
 - c. Provisioning Center - Bailey
 - i. 19 Participants.
 - ii. Topics: Packaging and labeling, daily purchase limits, marketing, onsite consumption and hours of operation.
 - iii. Bailey gave recap of recommendations from workgroup.
 - d. Safety Compliance Facility – Cover
 - i. 18 Participants.
 - ii. Topics: Facility safety standards, testing standards, sampling and max THC content for marihuana-infused products.
 - iii. Cover gave recap of recommendations and thanked the participants.
 - e. Secure Transporter – LaMontaine
 - i. 14 participants.
 - ii. Facility standards, security, insurance, transportation of product and funds and insurance requirements.
 - iii. LaMontaine gave recap of recommendations.

B. Request for Cooperation and Assistance from Michigan State Police

MOTION by Bailey, seconded by Cover, to move to request and receive cooperation and assistance of the Department of State Police in conducting background investigations of applicants and in fulfilling the responsibilities of the Board and the Department under the Medical Marihuana Facilities Licensing Act.

Discussion followed. A roll call vote followed, all support.

MOTION PREVAILED

C. Discussion on Licensing Financial Requirements (Capitalization)

a. Brisbo reviewed capitalization requirement recommendations as follows:

Grower: Class A - \$150,000

Grower: Class B - \$300,000

Grower: Class C - \$500,000

Processor: \$300,000

Provisioning Center: \$300,000

Secure Transporter: \$200,000

Safety Compliance Facility: \$200,000

b. Discussion between Brisbo and the Board followed.

c. Public Comment

DENNIS M. HAYES – Addressed the board on capital requirements.

CHRISTINA MONAGUE – Addressed the board on capital requirements.

RYAN SHAW – Addressed the board on capital requirements.

BENNHAM WRIGLEY JR. – Addressed the board on capital requirements and stacking.

KEITH BEYERLEIN – Addressed the board on capital requirements.

DEVIN LOKER – Addressed the board on capital requirements.

MATTHEW ABEL – Addressed the board on capital requirements.

CHAD MORROW - Addressed the board on capital requirements.

ROBERT ZELLE - Addressed the board on capital requirements.

KEITH OLSON – Addressed the board on capital requirements.

JOSEPH SMITH – Addressed the board on capital requirements.

STEVEN SLULLY – Addressed the board on capital requirements.

JEFFREY HANK – Addressed the board on capital requirements.

ERIC GUNNELS – Addressed the board on capital requirements and read words of former President John Adams.

D. Discussion on Licensing Insurance Requirements

- a. Brisbo reviewed insurance requirement recommendations as follows:
Liability Insurance (minimum of \$100,000)
Premises Insurance \$100,000
Auto (commercial) Insurance for Secured Transporters at Michigan
Minimum for No-Fault
- b. Discussion between Brisbo and the Board followed.

(BREAK)

c. Public Comment

QUINTIN MEEK – Addressed the board on insurance requirements.

RYAN SHAW – Addressed the board on insurance requirements.

JOHN GATES – Addressed the board on insurance requirements and availability.

E. Discussion on THC Limit for Marihuana-Infused Products

- a. Brisbo reviewed THC limit recommendations as follows:
Due to the variety of types of marihuana-infused products, as well as the variety in patient dosing needs, the Department will make its recommendation based on three different categories of infused product. Extracts and/or concentrates are considered “usable marihuana” and are not subject to the limitations of a marihuana-infused product.

Edibles:

- Intended to include items such as candy bars, cookies, brownies, rice crispy treats, hard candy, mints, gummies, popcorn, mixed nuts, honey, tea, other infused beverages, cannabutter and other marihuana-infused edible fats, and any other similar food-like product that is taken orally and ingested.
- Limit of 500 mg THC per container.
- The item in the container should be divided or made into easily divisible doses not to exceed 50 mg of THC.
- Items must pass homogeneity testing with a +/- 10% margin of error.

High Potency Products:

- Intended to include tinctures, capsules, suppositories, transdermal patches, and any other similar product.
- Limit of 1,000 mg THC per container, given a +/- 10% margin of error.

Topicals:

- Intended to include lotions, rubs, balms, soaps, and any other similar product.
- Limit of 6% THC by volume, given a +/- 10% margin of error.

b. Discussion between Brisbo and the Board followed.

c. Public Comment

DENNIS HAYES - Thanked board and addressed the board on THC limit.

BRANT JOHNSON – Addressed the board on THC limits and where products could be used.

RICK THOMPSON – Addressed the board on THC limits and Open Meetings Act.

BILL SCHANER – Addressed the board on insurability.

JASON DURHAM – Addressed the board on THC limits.

REBECCA THOMPSON – Addressed the board on THC limits.

JOSEPH SMITH – Addressed the board on THC limits.

MATHEW ABEL – Addressed the board on THC limits.

F. Discussion on Daily Purchasing Limit

a. Brisbo reviewed Daily Purchasing Limit recommendations as follows: The Bureau of Medical Marihuana Regulation has recommended a daily purchasing limit of 2.5oz for the following reasons:

- The 2.5oz limit allows patients traveling long distances to purchase an amount of medical marihuana that will last them a significant amount of time.
- The Medical Marihuana Act of 2008 allows a patient to possess 2.5oz of medical marihuana at any given time.
- No national benchmark has been established.
- Feedback from the public (through workgroup participation) suggest this is an amount that meets the public need.

b. Discussion between Brisbo and the Board followed.

c. Public Comment

DENNIS HAYES – Addressed the board on daily purchase limits and caregivers.

RICK THOMPSON – Addressed the board on daily purchase limits.

JASON DURHAM – Addressed the board on daily purchase limits and caregivers.

KRISTINE BEEBE – Addressed the board on daily purchase limits.

KEITH OLSON – Addressed the board on daily purchase limits and state lines.

DEPARTMENT REPORT

A. Licensing Checklist

- a. Application checklist is prepared.
- b. Checklists were available for those in attendance and also on the website.
- c. Checklist is an opportunity to see the types of documents that may be needed for application process.

B. Advisory Bulletins

- a. Review of bulletin topics released.
- b. Bulletins are available on the LARA website.

C. Educational Sessions

- a. Purpose of educational sessions reviewed, clarified not board meeting and not policy update.
- b. Opportunity to see the IT systems.
- c. Detroit location had overwhelming response the Bureau is looking for a new location, those registered will be notified of new location.
- d. Two sessions will be live-streamed with link posted on the Bureau of Medical Marihuana Regulation website.

PUBLIC COMMENT

TONI SHANANAQUET – Addressed the board on insurance.

STEPHANIE GOODMAN – Addressed the board on insurance.

KATHERIN SCHRANK – Grower work group, addressed the board on stacking and history within other states.

RYAN SHAW – Addressed the board on big business vs. small business and Colorado requirements.

MARTE HUGHSON – Addressed the board on the constitution, and dispensaries closed in Traverse City.

MATTHEW YASCOLT – Addressed the board on the effects marihuana has on youth.

CRAIG DEVOOGD – Addressed the board on the Michigan Right to Farm Act.

DUSTIN SEBRIGHT – Addressed the board on Arizona regulations, license stacking and seed to sale.

CATHY BOUCHARD – Addressed the board on her history with medical marihuana.

KILEY LOY – Addressed the board on industry regulation, growers and dispensaries, opioids and closing of dispensaries.

AARON POLS – Addressed the board on stacking.

RICK THOMPSON – Addressed the board on business licensing concerns.

SUE NOLFF – Addressed the board on closure of dispensaries, municipalities and the black market.

ERIC GUNNELS, elected official - Addressed the board on medical marihuana bill (legislation), December 15th deadline and municipalities.

BRANDON CHRISTY – Addressed the board on his medical marihuana experiences, cost in Washington, capital requirements and stacking.

RICHARD BARON – Concerns over interpretations of law, looking for clarity for caregiver as employee, will the state look at taxes to satisfy the caregiver requirement.

GREGORY BARKLEY MD – Addressed the board on the effects of cannabis as treatment, closure of dispensaries, economy, medical expenses and labeling.

REBECCA TROTMAN – Addressed the board on testing and medical use of cannabis.

MICHAEL DUDEK – Addressed the board on capitalization requirements and banking/finance options.

JENNIFER ZOPPI – Addressed the board on non-profits and ability to run a business.

RYAN FRASIER – Addressed the board on tax structures, armed security, and limits on number of locations/licenses.

CHAD MORROW – Address the board on raids and closing of dispensaries and big business.

JOSEPH SMITH - Addressed the board on seed tracking requirement.

BRENDA SCOGGIN – Addressed the board on THC limits for topicals.

ELIJAH JACKSON – Addressed the board on caregiver history, capitalization and transition from caregiver to grower.

KEITH OLSON – Addressed the board on workgroups, presented documents to a board member.

ANNE HILL – Addressed board on odor control from growers/processing facilities and air quality standards.

JASON DURHAM – Addressed the board on supply chains.

ADJOURNMENT

MOTION by Cover, seconded by Bailey, to adjourn the meeting at 3:37 p.m. A voice vote followed.
MOTION PREVAILED

Next Meeting November 28, 2017, 12:30 p.m. at the Kellogg Hotel and Conference Center

Board Approved on: November 28, 2017