

Alabama Medical Cannabis Commission Meeting

Minutes

October 12, 2023

The Alabama Medical Cannabis Commission met on October 12, 2023, at the Alabama State House, room 200. The meeting was called to order by Chairman Rex Vaughn at 1:00 P.M.

Vice Chairman Sam Blakemore led the Commission's invocation. The roll was taken with a quorum present. Commission members present for the meeting were Chairman Rex Vaughn, Dr. Sam Blakemore, Mr. Dwight Gamble, Dr. Angela Martin, Dr. Eric Jensen, Judge Charles Price, Ms. Taylor Hatchett, Mr. James Harwell, Dr. Jerzy Szaflarski and Mr. Dion Robinson. Dr. William Saliski and Ms. Loree Skelton were absent from the meeting.

Chairman Vaughn presented the minutes from the August 31, 2023, Commission meeting. A motion to approve the minutes was made by Ms. Hatchett, seconded by Mr. Harwell, and received approval by the Commission. Dr. Szaflarski abstained from the vote.

Chairman Vaughn recognized the Commission's legal team in attendance, including Mr. William Webster, Mr. Walker Kowalchyk, Mr. Mike Jackson, Mr. Scott Speagle, and Mr. Mark Wilkerson. Chairman Vaughn recognized Mr. Wilkerson to address the decision items before the Commission.

Mr. Wilkerson broadly discussed the pending litigation matters concerning the Commission's application submission process, the scoring of applications, procedures for the approval and stay of awards, and the rescission of license awards in June 2023. He noted that the Commission's counsel had participated in discussions with counsel for litigants in an effort to permit the licensing process to continue. He explained that the discussions had not led to an agreement between the parties, but that the discussions had identified and clarified certain issues. Mr. Wilkerson discussed the considerations of promulgating rules, associated timelines, and the differences in adopting rules in an emergency manner or through the regular rulemaking process.

Mr. Wilkerson reviewed the proposed emergency rules and accompanying resolution and noted that many of the rules address concerns that were raised by litigants. Such rules included procedures for submitting documents larger than 10 megabytes, specifications for application redactions, an additional public comment period, pass/fail show cause opportunity, public disclosure of score criteria, an opportunity for public presentations by applicants, and details concerning the award process.

Mr. Wilkerson explained that an identical permanent rule had been drafted. The only change is the expiration date.

Chairman Vaughn recognized members who had questions concerning the proposed rules. After discussion, the Commission considered the adoption of the Special Procedures Relating to Certain Applications and the associated emergency resolution. A motion to adopt the resolution

and emergency rules was made by Mr. Harwell, seconded by Dr. Jensen and unanimously approved by the Commission.

Mr. Wilkerson explained that the permanent rule will take effect after publication in the Administrative Monthly and following a public comment opportunity. Mr. Wilkerson addressed questions concerning the associated timeline. Chairman Vaughn then presented the consideration of adopting Special Procedures Relating to Certain Applicants as a permanent rule. A motion to adopt the rule was made by Vice Chairman Blakemore, seconded by Ms. Hatchett and received unanimous approval from the Commission.

Mr. Wilkerson discussed the proposed revisions to existing rules promulgated by the Commission. He explained that the most significant revisions related to the investigative hearing process and noted that the other changes are technical in nature. Chairman Vaughn presented the consideration of revisions to 538-X-3.18, 538-X-3.13, 538-X-3.12, 538-X-3.10, 538-X-3.04, and Appendix A of the Commission's rules. A motion to revise the existing rules was made by Vice Chairman Blakemore, seconded by Mr. Harwell and received unanimous approval from the Commission.

Chairman Vaughn noted that the adopted rules would be published on the Commission's website and that a timeline would follow.

There being no further business, a motion to adjourn was made by Ms. Hatchett, seconded by Vice Chairman Blakemore, and unanimously approved by the Commission. The meeting adjourned at 1:50 P.M.