

1 TOWN HALL MEETING

2 STATE OF ILLINOIS

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4 IN RE: THE MEDICAL)

CANNABIS PILOT PROGRAM)

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10 THE STATE OF ILLINOIS, MEDICAL CANNABIS PILOT
11 PROGRAM PUBLIC MEETING, called for examination pursuant
12 to the provisions of the State of Illinois, as
13 they apply to the taking of meetings, taken
14 before Kathy L. Johnson, C.S.R., a Notary Public
15 in and for the County of Henry, State of
16 Illinois, on August 18th, 2014, at the hour of
17 11:00 a.m., at the Peoria Public Library, 107
18 N.E. Monroe, Peoria, Illinois, 61602.

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A P P E A R A N C E S

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ILLINOIS DEPARTMENT OF PUBLIC HEALTH
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STATE OF ILLINOIS DEPARTMENT OF
AGRICULTURE

BY: MR. RAY WATSON
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1 (Hearing start time: 11:00 a.m.)

2 MR. MORGAN: Good morning. How is
3 everyone doing? Can everyone hear me okay? If
4 at any point in time you have difficulty hearing
5 me or the requestors or anyone at this table, if
6 you do a favor and just raise your hand up, we'll
7 know that's a queue of difficulty hearing us.

8 We are happy to be here. Good morning.
9 My name is Bob Morgan. I'm the Statewide Project
10 Coordinator for the Illinois Medical Cannabis
11 Program. We'll do introductions here in a
12 second. This is our second town hall meeting.

13 We had one last week, and a few of you
14 were there last week in Collinsville, Illinois.
15 We're going to try to cover every area of the
16 State of Illinois, so we'll put some mileage on
17 the cars, but we're happy to have you all here
18 today. Hopefully everyone can be comfortable.

19 There's a restroom right outside this
20 room. Also, just a reminder for those of you who
21 did park at the meters, I think that's a two-hour
22 limit, so if at any point you need to leave,
23 we'll take a break around 1:00 just to make sure
24 everyone can feed their meters and we don't get

1 any parking tickets because nobody wants that.
2 Again, thank you so much for joining us today.
3 This is an extension of a process we began awhile
4 ago, at least in January, for some of us long
5 before that, after the law was passed trying to
6 solicit as much public feedback and comments as
7 possible.

8 This is our second town hall, where we
9 also previously in the spring had two public
10 hearings for the Department of Public Health for
11 the registry for patients and caregivers. So
12 this is really a continuation of a dialogue and
13 solicitation of feedback and comments in areas to
14 improve the program that really help us
15 collectively here at this table and others in the
16 room that work with this program at the State to
17 improve the program and have it as successful as
18 possible when it gets up and running.

19 Just a few things that we did learn last
20 week at Collinsville. We had, I believe even
21 less people in the room and it took us much
22 longer than we have time allotted. So, again,
23 we're going to take a break at about 2:00. I'm
24 sorry, at 1:00, so everyone has a chance to fill

1 the meter, and then we'll reconvene. We have the
2 room until just under, right before 2:00, so
3 we're going to try to get through as much as we
4 can by then. If you can do me a favor, for
5 anybody who was here in Collinsville and already
6 had a chance to ask questions and those of you
7 there, that wasn't really limited.

8 We really went through questions until we
9 ran out. I'm going to ask anybody who already
10 had a chance to ask their questions to wait
11 towards the end to make sure that those who are
12 here for the first time have a chance to ask a
13 question.

14 And also, to the extent you can, and the
15 ground rules do indicate you have up to three
16 minutes, but I ask that you try your very best to
17 narrow it down to at least, at most, one
18 question. It might not be possible in every
19 circumstance, but it will really help us.

20 Everyone here has something to offer and
21 to add and help us create a better program, and
22 we really want to get to that. So if you can do
23 us a favor and try and limit your questions
24 whenever possible, and we'll see how we end up

1 doing with timing. So we'll do quick
2 introductions.

3 MS. CARLSON: Hello. My name is Bridget
4 Carlson. I'm a Deputy Director of Medical
5 Cannabis for the Department of Financial and
6 Professional Regulation. As you're probably
7 already aware, we are going to be covering the
8 outpatient process and the regulation of
9 dispensaries. Thanks for all coming out today.
10 We appreciate it.

11 MR. WATSON: Good morning. My name is
12 Ray Watson. I'm the General Counsel at the
13 Illinois Department of Agriculture, and we will
14 be permitting and regulating the cultivation
15 centers.

16 MR. MORGAN: Again, Bob Morgan. But
17 there are also a few people that are not up at
18 the table today I just want to give recognition
19 to that have really been critical to helping us
20 get up and running. A few of them that are in
21 the room, we have some representatives from the
22 Department of Revenue, the Secretary of State.

23 We also have a few additional people from
24 DFPR, Tara and Lana have been really critical for

1 the program. And we also have Melanie Arnold
2 with our communications team who's been terrific.
3 And Pershani Robin (phonetic), who's not here
4 today, for our legislative advocacy. So I just
5 want to give some credit to where, those who have
6 been working really hard.

7 MS. OBERDORF: Hi. I'm Laura Sherman
8 Oberdorf. I'm the Division Chief for Medical
9 Cannabis at the Illinois Department of Public
10 Health, and we will be handling the applications
11 for patients and their caregivers. Just a few
12 things to add onto what Bob has stated about how
13 we're going to conduct today's meeting.

14 As he mentioned, there's a sign-in table,
15 so please if you would like to speak indicate at
16 the table. If you came here today with an
17 organization we ask that there's one spokesperson
18 from that organization. And, also, if when you
19 come up to answer a question it's about something
20 specific in either our Statute or one of the
21 Department's rules.

22 We ask that you provide that citation so
23 that we can answer you more readily, and also
24 that everyone just remain quiet throughout the

1 meeting so that we can hear everyone
2 appropriately. As I call your name, please keep
3 in mind that I'll do my best to pronounce it
4 correctly. We need you to speak into the
5 microphone and also to spell both your first and
6 last name.

7 We do have a court reporter who is taking
8 down notes from today's meeting so that we can
9 more accurately reflect what happens. So without
10 further ado, I'm going to go ahead and call our
11 first person forward. If you would not like to
12 speak or if you would like to wait, please just
13 indicate that. Robert Spencer?

14 MR. SPENCER: I'll wait.

15 MS. OBERDORF: Okay. Jeremy Segabouch
16 (phonetic)?

17 MR. SEGABOUCH: I'll pass.

18 MS. OBERDORF: Okay. David Brodsky?

19 MR. BRODSKY: Good morning. My name is
20 David, D-a-v-i-d. Brodsky, B-r-o-d-s-k-y. I had
21 two quick questions. One, for the Department of
22 Financial and Professional Regulations, are we
23 going to be able to make deliveries to sick
24 patients as a dispensary? And also for the

1 Department of Ag, two part question; will we get
2 any bonus points for operating as a non-profit
3 for either cultivation or dispensary?

4 MR. MORGAN: Did everyone have the
5 opportunity to hear that question? Please raise
6 your hand. I'm sorry? But I think that worked.
7 Just checking.

8 MS. CARLSON: Our rules prohibit
9 dispensaries to make deliveries to patients or
10 caregivers.

11 MR. WATSON: And in one second I'm going
12 to look up the rule regarding bonus points. I
13 don't know that we actually have a specific
14 section that talks about non profits. The, I
15 suppose the Community Benefits Plan, maybe that
16 would be an area where you would want to discuss
17 it, what benefits operating as a non-profit might
18 be.

19 MS. OBERDORF: Okay. Next we have Danny
20 Highlander.

21 MR. HIGHLANDER: Pass.

22 MS. OBERDORF: Okay. Rick Ketley?

23 MR. KETLEY: I'll pass.

24 MS. OBERDORF: Okay. Mark Milton?

1 MR. MILTON: How we doing? My name's
2 Mark Milton. I'm an attorney with Husch
3 Blackwell. I have a question regarding the
4 liquid assets requirement. Would a line of
5 credit or a, you know, a letter of credit from a
6 bank qualify as a liquid asset for the purposes
7 of the application? I'll go ahead and let you
8 answer that and then add one sort of follow-up
9 question.

10 MR. MORGAN: Sure. And was that specific
11 to cultivation centers or dispensaries or both?

12 MR. MILTON: For both.

13 MS. CARLSON: Your question is, what is
14 the liquid asset requirement and whether or not
15 that can be a line of credit?

16 (Mr. Milton nodded affirmatively.)

17 MS. CARLSON: I've looked through our
18 rules and I'm pretty sure that it says that it
19 has to be a statement from your financial
20 institution or a signed statement by your CPA
21 stating that you have those funds available. So
22 a line of credit is not, there's no designation
23 that it cannot be a line of credit, but it's my
24 understanding that you have that \$400,000

1 available in liquid to show to us in your
2 application, you know, the date we receive it.

3 MR. MILTON: Okay. Sorry.

4 MS. CARLSON: Do you have, did you have
5 something to add, Bob?

6 MR. MORGAN: We did receive that question
7 last week too, and I think that's something we'll
8 address on our web site with an FAQ question. As
9 Bridget was saying, the intent is certainly to
10 demonstrate that you have the assets readily
11 available. It gets a little dicy when you start
12 getting to a promissory note or some kind of
13 indication from any financial institution that
14 later on they will make funding available to an
15 applicant.

16 But we'll address that specifically
17 because that is a question that has come up a few
18 times. We'll address that in our FAQ's.

19 MR. MILTON: Okay. Thank you. And the
20 follow-up is, let's say we have an applicant who
21 has already purchased assets for a cultivation
22 center, for a dispensary. Would they receive
23 credit for what they've put into those assets as
24 part of the overall, you know, quote, unquote

1 liquid assets? Obviously, those are going to be
2 part of the business so --

3 MR. MORGAN: That's a good question for
4 those in here, just whether or not the
5 operational costs and funding that goes into the
6 organization prior to license, whether that be
7 counted towards your liquid assets requirement.

8 Generally, I would lean against that, for
9 the purpose of a line of credit is really
10 designed to show moving forward and prospectively
11 that that asset would be available.

12 We appreciate that people are spending
13 money right now on a lot of different aspects of
14 preparation for the application. But generally
15 speaking, I think that the State would be looking
16 for current and future liquid asset requirement.

17 MR. MILTON: Okay. Thank you. And could
18 I ask just one more question? I think it will be
19 applicable, you know, for everyone here. The
20 State seems to use the term Board of Directors,
21 the term Board of Directors a lot. Obviously,
22 you know, people may be forming LLC's which are
23 typically, you know, members, member managed,
24 that sort of thing. Are those terms

1 interchangeably or, you know, do you all, is the
2 key just to find out, all right, who are the
3 players, who are the people behind these
4 operations, and those are the people that you
5 want identified in the applications, whether it
6 be owners, potential managers, that sort of
7 thing? Can you just elaborate what you're
8 looking for with respect to the bios? Thank you.

9 MS. CARLSON: Well, if you look through
10 the Department of Financial and Professional
11 Regulation's rules, we've kind of limited the
12 term Board of Directors and we've really focused
13 on the term principal officers. And one of the
14 very first parts of our rules is Section 129D.30,
15 which defines what dispensing organizations,
16 dispensing organization principal officers are.

17 And it goes through if it's a
18 corporation, the officer of the corporation, if
19 it's a partnership, the partners, if it's a joint
20 venture, the individuals who sign the joint
21 venture agreement. You know, it goes through A 1
22 through 6 and then identifies that it can be
23 established as a Trust.

24 So I think you can look through our rules

1 and kind of see that what we're looking for is we
2 want to know who are the people owning the
3 dispensary, who are the people operating it, who
4 has control of it, and who's investing in it. So
5 we know the source of control and the source of
6 funds.

7 MR. WATSON: And I think, generally
8 speaking, what we're looking for is the people in
9 the direct or indirect financial interest,
10 because we want to know who those people are and
11 what their backgrounds are.

12 MR. MILTON: Thank you.

13 MS. OBERDORF: Rodney Nordstrom. And
14 just a reminder, please spell both your first and
15 last names when you come up to speak. Thank you.

16 MR. NORDSTROM: Rodney Nordstrom.
17 R-o-d-n-e-y. Nordstrom is spelled
18 N-o-r-d-s-t-r-o-m. I'm a local attorney here in
19 Peoria. Champaign County is not currently
20 allowing for dispensaries. If they ultimately
21 change that and during our application process we
22 have another location from a sister county
23 involved, will we be able to change if that
24 opportunity becomes available?

1 MS. CARLSON: Dispensaries?

2 MR. NORDSTROM: Dispensaries.

3 MS. CARLSON: So in your application you
4 should identify the proposed address that you're
5 building. You know, details on the building. If
6 you've had a chance to look at the information
7 that we posted about a week ago, there's a lot of
8 detail about what we're looking for on that.

9 I can direct you over there. If,
10 however, in the future, you are registered and
11 you're licensed to operate and then you do want
12 to switch that location to a different location
13 there's a process for switching that location.
14 And that also comes with, I think there's a fee
15 for that, and it has to be a location approved by
16 the Department.

17 MR. NORDSTROM: Thank you.

18 MS. CARLSON: Does that answer your
19 question?

20 MR. NORDSTROM: Yes.

21 MS. CARLSON: Okay.

22 MR. NORDSTROM: I represent someone who
23 has a live scan dispensary in Colorado. Will you
24 accept that as a qualifying element here in

1 Illinois? In other words, if they've been live
2 scanned and fingerprinted in Denver, or Colorado,
3 is that okay, or do you need another one here in
4 Illinois?

5 MR. MORGAN: The question is relative to
6 Illinois' live scan vendor requirement, whether
7 or not we would allow out of state live scans.
8 At this point we are not, in part because of the
9 State's definition of live scan vendors and the
10 licensure of only Illinois-based entities through
11 the Illinois Department of Financial and
12 Professional Regulations.

13 Again, we did receive that comment last
14 week with requests that we reconsider that item
15 so that out of state individuals wouldn't have to
16 travel to Illinois. From our perspective, the
17 most important issue is the integrity of our
18 background checks. There are a number of
19 obstacles with background checks, State and
20 Federal, that we want to make sure that we know
21 the individuals and the applicants, who they are.

22 So it really goes to a question of could
23 we theoretically try and have some kind of an ink
24 fingerprinting in other states transferred to

1 Illinois and that kind of thing, but just for the
2 integrity of ensuring that our, we are consistent
3 with the scanning process for background checks,
4 at this point we're requiring Illinois based.

5 MR. NORDSTROM: And finally, outside
6 Board of Directors who are not principals as
7 defined under the law, what disclosure
8 requirements would you have who may receive a
9 stipend but may not have any financial interest
10 in the organization per se?

11 MR. MORGAN: It's a good question. One
12 of the things we try to do in both DFPR and
13 actuals is to try to cover the wide array of
14 ownership structures and boards that we expect.
15 It's probably not possible to cover every
16 potential type of arrangement.

17 I think Ray put it best last week where
18 we encourage more information than less, and when
19 there's a question we prefer to know more. For
20 anybody who's going to be receiving, have any
21 financial interest, and financial interest of
22 course not necessarily having an equity interest
23 but having some kind of a salary being drawn or a
24 stipend, I would lean in favor of providing that,

1 but Bridget's got some more information.

2 MS. CARLSON: At least for dispensaries,
3 principal officer is defined in the definition
4 section of our rules as a prospective dispensing
5 organization or dispensing organization Board
6 member, owner, President, Vice President,
7 secretary, treasurer, partner, officer, member,
8 shareholder or person with a profit sharing
9 arrangement, as further defined in this part.

10 And I think I identified a little earlier
11 where you can find the other principal officer
12 definitions, but I would instruct you to look
13 there because it's pretty detailed.

14 MR. NORDSTROM: The scenario I described
15 would not fit that criteria, however, a person
16 with a stipend who doesn't necessarily have a
17 financial interest in the organization, and will
18 get paid regardless of how well they do, so --

19 MR. WATSON: And this would be a stipend
20 for?

21 MR. NORDSTROM: Board, attending board
22 meetings and offer feedback regarding the
23 wherewithal of the organization.

24 MR. WATSON: So more of an outside

1 advisor?

2 MR. NORDSTROM: Outside board member,
3 yes.

4 MR. WATSON: Outside board member. I, I
5 would lean towards disclosure.

6 MS. CARLSON: I would too.

7 MR. WATSON: I think if there's a
8 question, as I said last week, or if you don't
9 know whether or not to include something, go
10 ahead and include it. I would hate to have
11 someone have their application denied or
12 disqualified because they left something out, and
13 that would go across all areas.

14 MS. OBERDORF: Steve Hall.

15 MR. HALL: Pass.

16 MS. OBERDORF: Jim Massa.

17 MR. MASSA: Jim Massa. J-i-m, M-a-s-s-a.

18 In the Regs it indicates that there's a need for
19 a closed circuit TV. Is it okay to use a DVR or
20 an NVR acceptable for monitoring if it's
21 monitored 24/7?

22 MR. WATSON: Do you have the citation?

23 MR. MASSA: No, I don't. I didn't, I
24 didn't know I had to have that one.

1 MR. WATSON: Okay. It would be helpful
2 to have the citation for other people who are
3 asking questions about specific language in the
4 rules. I'll just take one second here.

5 MS. CARLSON: Is there a question for
6 cultivation centers or dispensaries?

7 MR. WATSON: Cultivation centers.
8 Actually it could be for both. The, and I'm
9 sorry. Would you repeat the question?

10 MR. MASSA: It calls for closed circuit
11 TV which is kind of outdated. Are the use of DVR
12 and NVR acceptable for monitoring and recording
13 24/7?

14 MR. WATSON: Well, as long as it's going
15 to meet the requirements of being able to pull up
16 a still photograph and be stored and be
17 accessible to the Department and State Police. I
18 don't, I'd hate to say, I'd hate to say, why
19 don't we get, respond to that in the frequently
20 asked questions --

21 MR. MASSA: Okay.

22 MR. WATSON: -- because I have not
23 considered that.

24 MR. MASSA: Would it affect the points?

1 MR. MORGAN: Well, so if you could send
2 that with, you referenced DVR, and there was
3 another technical term that frankly I'm not
4 familiar with it. It would be helpful to us if
5 we could have that in writing just --

6 MR. MASSA: Okay.

7 MR. MORGAN: -- so we make sure that we
8 knew what we were responding to.

9 MR. MASSA: All right.

10 MR. MORGAN: But the bonus points
11 themselves wouldn't have the security --

12 MR. MASSA: Wouldn't have anything to do
13 with that.

14 MR. MORGAN: -- components as a related
15 part of the mandatory required aspects.

16 MR. MASSA: Okay. Thank you.

17 MR. MORGAN: Thank you.

18 A VOICE: It is 1000.445.

19 MR. MORGAN: Yeah.

20 MS. OBERDORF: Nicholas Williams.

21 MR. WILLIAMS: Hello. Nicholas Williams.
22 N-i-c-h-o-l-a-s. Last name W-i-l-l-i-a-m-s. I'm
23 Chief Staff Counsel for Herba, LLC, and the
24 various associated entities we also own. The

1 question I have is primarily directed toward the
2 Department of Financial and Professional
3 Regulation, although I suppose it would really go
4 to anyone. The Department of Ag as well.

5 To what degree, and actually there's
6 constitutional issues, but ignoring those for the
7 moment, are Illinois businesses that are already
8 in existence, specifically that are already
9 operating medical businesses, going to be favored
10 over businesses or business persons from other
11 states?

12 And kind of as a reason why I'm asking
13 this is, is the town of Normal has indicated that
14 six to seven businesses from Colorado and
15 California are attempting to seek a dispensary in
16 the Bloomington-Normal area. My question is, if
17 we're already doing business we're already
18 employing, in the Bloomington area, say 80
19 people, 220 people in the State of Illinois.

20 What, if any, benefits do we get in the
21 application process if someone who's already
22 conducting significant business in Illinois
23 versus specifically people from out of state?

24 MR. MORGAN: I'll take the first crack at

1 that. The, it's a slightly different question
2 for dispensary versus cultivation center in that
3 cultivation center's looking for particular
4 cultivation experiences that are listed in the
5 rules and also in the application.

6 We try to find an appropriate balance
7 between encouraging those with the most
8 experience while also encouraging Illinois-based
9 business. You'll see that in the Illinois-based
10 applicant bonus point section for both DFPR and
11 the Department of Agriculture, which is intended
12 to encourage Illinois corporation, Illinois based
13 job creation, Illinois based residents for their
14 agents, things of that nature.

15 At the same time, we're limited based on
16 the State in terms of the number of licensees
17 that we can provide an opportunity to grow or to
18 sell the product at a dispensary. Given that,
19 we're stuck with trying to find the most
20 qualified with a very limited number of licenses.

21 So it's a balancing test for us, so we
22 certainly are not excluding Illinois based or
23 requiring Illinois based. But depending on the
24 category of the application it does depend in the

1 cultivation section, we're very, very deliberate
2 about adding horticulture experience under the
3 measure as opposed to just those who have grown
4 cannabis before. Of course, that would exclude
5 law-abiding Illinois farms at this point.

6 So we're very deliberate about that
7 section. And, again, we're also very deliberate
8 about adding the bonus points so that we can put
9 an emphasis on Illinois-based jobs.

10 MR. WILLIAMS: All right. Thank you very
11 much.

12 MR. MORGAN: Thank you.

13 MS. OBERDORF: Roger Klemmer.

14 A VOICE: He left.

15 MS. OBERDORF: Bryan Marquina.

16 MR. MARQUINA: Sorry. It's Bryan
17 Marquina. B-r-y-a-n, M-a-r-q-u-i-n-a. So I have
18 a couple questions. I will try and, you know,
19 limit them for you guys. But specifically for
20 cultivation, since we're cultivation, the State
21 is asking about what strains applicants will
22 grow. We aren't sure how to answer these
23 questions for our Illinois clients.

24 We've certainly grown strains in states

1 that are legal. However, we feel as though
2 having this in part of the application would be
3 violating part of the Cole memo. How would we
4 address this, if this was part of the final
5 application how would we address this?

6 MR. WATSON: I guess I would ask how is
7 it going to violate the Cole memo?

8 MR. MARQUINA: Well, it says that you can
9 not bring specific strains or things across State
10 lines. So how would you, if you're going to talk
11 about a specific strain that you're going to
12 cultivate in this state, how would you address
13 bringing that into the state?

14 MR. MORGAN: Ray does that when he wants
15 to pass. I think the best possible answer for a
16 very important question would be, we are looking
17 for a very detailed explanation of what the
18 cultivation centers will do and how they're going
19 to do it.

20 At the same time, we very deliberately
21 and very specifically are not asking too many
22 specifics about initial operations for some of
23 the points that you just raised. The request for
24 the application doesn't ask, it doesn't ask that

1 specific question relative to the Cole memo with
2 references to transporting cannabis across state
3 lines.

4 MR. MARQUINA: Okay. Well, okay. Well,
5 thank you.

6 MR. MORGAN: Sure. Thank you.

7 MS. OBERDORF: I'm having a hard time
8 reading the name but the organization is the
9 Green Thumb. I think it's --

10 MR. SHIRAH: It's Shirah (phonetic).

11 MS. OBERDORF: Shirah, yeah.

12 MR. SHIRAH: A member already asked the
13 questions.

14 MS. OBERDORF: Okay. Thank you. Ben
15 Rediler. Rediler?

16 MR. REDIGER: Rediger. My name is Ben
17 Rediger. B-e-n, R-e-d-i-g-e-r. Thank you, guys,
18 for being here today. I know it's taken a long
19 time for you to put it together, and we all very
20 much appreciate the work that's gone into this
21 and how serious you're all taking it.

22 My work is on behalf of multiple groups
23 that are both going after cultivation and
24 dispensing. And my role is to educate

1 communities on the impact that a business will
2 have, teaching communities what a cultivation
3 center looks like, how it operates, how the plant
4 is manufactured. On the dispensary side, how it
5 is administered, oral form, pill form, food,
6 vapor, etc. And on the patient side why it
7 works.

8 So my job is spent networking with
9 patient groups, teaching them why cannabis and
10 cancer is part of the condition, why those
11 conditions are listed, and how that affects them
12 specifically. As I'm working in the application
13 to focus on the community education substance
14 abuse programs and things like that, I am
15 utilizing social media and web sites to put that
16 education out there.

17 I know there are limitations on
18 marketing. And my question is related to how
19 those limitations affect this process to this
20 point until applications are actually handed out,
21 until licenses are actually awarded, what the
22 marketing stipulations are from an educational
23 standpoint to get to patients and physicians so
24 they fully understand what this medicine is and

1 how it's going to benefit them?

2 MR. MORGAN: Another really important
3 question. Certainly our function is not all that
4 different of trying to educate communities,
5 patients and certainly those interested in being
6 applicants or for cultivation centers or
7 dispensaries. This is a very critical time for
8 educating patients.

9 Some of you in the room are working very
10 hard to do that all the time, as are we. It's
11 been a very short turnaround in terms of
12 educating members of the State in terms of what
13 this program will be and what people need to know
14 and how it could benefit them.

15 So to directly answer your question, as
16 far as I know, and I'll let Bridget and Ray
17 correct me if I'm wrong, but the rules and the
18 regulations in the applications don't address
19 marketing that occurs prior to a license. In
20 terms of patient population we are certainly
21 trying to get the word out to as many potential
22 eligible patients as possible.

23 The second part of your question perhaps,
24 and I'm not sure I heard it at the end of it, but

1 what about marketing once you are a licensed
2 dispensary or cultivation center. And the rules
3 do address that and I'll --

4 MR. WATSON: The rule regarding
5 advertising is found at 1000.425, and I'm sure
6 you're familiar with this but just for the rest
7 of the group, cultivation centers may not
8 advertise through any public medium, including
9 but not limited to newspapers, television, radio,
10 or any means designed to market its products to
11 the public.

12 Cultivation centers may market the
13 products directly to registered dispensaries or
14 physicians through direct mail, brochures, or
15 other means directed solely to the dispensaries
16 and not available to the public. So once you
17 receive the permit as a cultivation center those
18 are the rules. I believe the rules are silent
19 with regard to prior to that.

20 MR. REDIGER: To leading up to it.

21 MS. CARLSON: So similar to as rules are
22 Section 1290.455 identifies what a registered
23 dispensing organization shall not do. So it's
24 really what, what you're prohibited from doing

1 once you're registered. And as Bob had indicated
2 correctly that prior to being registered there
3 are no prohibitions on advertising. And really
4 if you look at A-1, 2 and 3, it's basically you
5 shouldn't be advertising near a school or a
6 playground on a public transport vehicle or on or
7 in a publicly owned or operated property.

8 And so really relative to this meeting
9 today in the application process we're really
10 curious to see, you know, who you're going to be
11 advertising to and what that might look like.
12 But during this time there aren't any
13 prohibitions.

14 MR. MORGAN: I would just add on top of
15 that too, the majority of the people in this room
16 today, from my understanding, are mostly
17 predominantly those interested in being an
18 applicant for a cultivation center or a
19 dispensary. There are some potential patients
20 and caregivers as well.

21 The success of this program will depend
22 on everyone in this room getting the word out to
23 those that might be benefitted from participating
24 and letting them know about the impact of the

1 rules and the statute, the potential benefits,
2 the physician relationship that's necessary and
3 then helping those reach this program. So I
4 encourage everybody in this room to take that
5 ownership on in terms of the State will do
6 everything it can to spread the word to potential
7 eligible patients and caregivers, but it is a
8 pilot program and our success will be measured at
9 the end of the program based on how successful
10 this is in reaching those who can be benefitted
11 by the product.

12 MR. REDIGER: And may I make one more
13 comment to the group? This is a fundamental
14 shift in American culture and American medicine
15 as it relates to cannabis and patients. And as
16 we learn about it, especially potential
17 cultivators, it is essential that the district
18 that you're working in fully understands how the
19 medicine is processed and why it's effective.

20 If you were successful in doing that,
21 chances are they'll approve your application, and
22 certainly increase the patient list. There are
23 two and a half million people in Illinois that
24 have rheumatoid arthritis alone, and we have the

1 ability to touch them and help them in ways that
2 they have not been helped before. And if your
3 focus in your application is on that, I imagine
4 you will be successful.

5 MR. MORGAN: And also, the State neither
6 endorses nor denies anything that was just said
7 in the comment.

8 MR. WATSON: I would kind of follow-up to
9 that though. In the bonus point section there
10 are two sections that may be beneficial to an
11 applicant who does reach out to the community and
12 does that education. One is the Community
13 Benefits Plan.

14 The applicant may provide the Department
15 with a detailed description of any plans the
16 applicant has to give back to the local community
17 in the Board and cultivation center permit. And
18 the one that may be more applicable is the local
19 community neighborhood report where the applicant
20 may provide comments, concerns or support
21 regarding the potential impact of the proposed
22 location to the local community and neighborhood.

23 So we will be considering the support
24 that the applicant is receiving from the local

1 community, and of course that's going to require
2 some education on the part of the applicant to
3 demonstrate to that community that it's worthy of
4 having a permit granted in that area.

5 MR. REDIGER: Thank you.

6 MS. OBERDORF: Randy Miles.

7 MR. MILES: Good morning. Thank you for
8 being here. Randy, R-a-n-d-y. Miles, M-i-l-e-s.
9 I have two questions. If a company applies for
10 cultivation centers in more than one district,
11 does that affect the likelihood of being
12 successfully chosen in any one district?

13 In other words, the group I represent
14 imagines that there are so many applications for
15 cultivation centers, and if one applies in three
16 districts, well, they're a great applicant but
17 we're only going to give them one, should that
18 applicant be prioritizing his applications to say
19 well, if you're only going to give me one I'd
20 like to ask for this District first and second or
21 third?

22 And then my second question is, if an
23 applicant decides to hire an out of state
24 contractor, a quality vendor, for example, in the

1 kitchen, say in the MIP areas, do the workers in
2 that kitchen, can they be employed by the, that
3 outside vendor, or do they have to be employed by
4 the applicant? And then what is the level of
5 disclosure on that applicant?

6 MR. MORGAN: I'll take the first --

7 MR. MILES: I mean on the contractor, the
8 outside vendor you're bringing in.

9 MR. MORGAN: For the first question,
10 everybody in the room is probably familiar that
11 we are allowing up to three licenses for, or
12 permits, for successful cultivation centers, and
13 up to five dispensary licenses in Illinois.

14 We received a lot of feedback as we were
15 developing the program and drafting the rules and
16 structure of the program in terms of whether to
17 have any limits and allow, if we have one
18 applicant who is just far, far above everybody
19 else, to get all 21 cultivation center permits,
20 etc., versus limiting it to just one.

21 We considered a lot of those comments but
22 its core, our priority was that the State had the
23 ability to select an applicant for more than one
24 registration if they were just that high of a

1 caliber of an applicant. So in other words, if
2 there is somebody who is just head and shoulders
3 above everybody else as an applicant they could
4 get up to three cultivation centers and up to
5 five registrations for dispensary.

6 So we wanted the State to have the
7 flexibility based on what we see in the
8 applications, but we conversely wanted to limit
9 that to protect the competitive nature of the
10 market, and that's why we limited it to three and
11 five. And then for the second part of the
12 question --

13 MR. WATSON: I think if you're talking
14 about people who are going to be involved in
15 production within the facility, I think they're
16 going to have to be registered as cultivation
17 center agents which is going to require a
18 background check, just like any other employee.

19 I'm not sure I have an opinion on how you
20 want to structure that, but we want to know who's
21 going to be handling any of the product in there.

22 MR. MILES: Yeah. What I was really
23 getting at is, if you hire a vendor, say from
24 Colorado, that produces MIP's and they come under

1 an agreement to run your kitchen for you because
2 they know it all, have it all, would their
3 employees, could they still work for that vendor
4 or do they have to work for now the Illinois
5 company, the new applicant?

6 MR. MORGAN: At minimum, those
7 individuals would have to register with those
8 Departments as agents.

9 MR. MILES: Okay. Thank you.

10 MS. OBERDORF: David Hays.

11 MR. HAYS: David Hays. D-a-v-i-d.
12 H-a-y-s. My question's on section, rule,
13 Section 510, the testing. In that section we
14 talk about the testing being done at the
15 laboratory. In other sections they talk about
16 the cannabis being taken to the lab itself. My
17 question is, where is it going to be tested?

18 MR. MORGAN: While Ray's looking through
19 that, I'll take a first stab which is that the
20 very nature that we require independent labs, the
21 presumption is that those are off site and that
22 that testing would be transported. So that's my
23 understanding. Ray will soon find this
24 provision, but the impression is that, and the

1 implication is that the testing of the product
2 will happen off site.

3 MR. HAYS: Okay.

4 MR. MORGAN: It doesn't mean it couldn't
5 also happen on-site. We've heard some feedback
6 from those who would like to have on-site, have
7 their own labs in-house. There's nothing that
8 prohibits that. It does require an independent
9 lab test though; is that right, Ray?

10 MR. WATSON: The independent lab testing
11 is for the purpose of labeling so that the
12 patients are getting what they believe they're
13 getting. And it's, in the Department of Ag we
14 kind of compare it to when we check the labels on
15 fertilizer, and we kind of modeled it after that
16 program.

17 If a farmer is buying fertilizer that's
18 got a label on it we can test it in our own lab
19 to see if that product that's being delivered is
20 consistent with what the label is. We, in this
21 case, have an independent lab certify what the
22 product contains, whether it's a level of THC or
23 CBD's, and then that allows you to label it and
24 then the patient can rely on that rather than

1 simply being something you did in your own
2 facility. So I believe we intended the testing
3 to be at that independent lab. We will not be,
4 we'll have our own lab much like we do for
5 fertilizers, as I described, where we will be
6 random checking to see if the product is
7 consistent with those labels.

8 MR. HAYS: The second question, please.
9 We're talking about the applications being
10 submitted in September. I don't know what the Ag
11 Department or the other Departments' time frame
12 is, but it seems to me that we may be getting
13 into winter when these things are awarded and,
14 but yet we've got a six-month buildout scale, or
15 build out schedule.

16 So my question is, are the Departments
17 looking at extending that if that happens and the
18 permits are awarded in the middle of winter and
19 you can't start your construction process?

20 MR. MORGAN: Are you asking, which part
21 are you asking?

22 MR. HAYS: I'm asking if the schedule,
23 the buildout schedule, might be extended or if
24 you're anticipating that the permitting is going

1 to take into the spring so that won't be a
2 problem?

3 MR. MORGAN: We would not be changing
4 that requirement, though the rules do explicitly
5 provide the opportunity for a waiver from the
6 Director of the Department of Agriculture, and I
7 believe that's one of the specifically mentioned
8 sections. But overall we are expecting that the
9 applicants are able to stay within that six-month
10 timetable.

11 MR. HAYS: Okay. Thank you.

12 MR. MORGAN: Thanks.

13 MS. OBERDORF: Okay. Caprice Sweatt,
14 Sweatt.

15 MS. SWEATT: Hi, how are you? Hi. My
16 name's Caprice Sweatt. C-a-p-r-i-c-e,
17 S-w-e-a-t-t. Essentially I have a couple of
18 questions. One of my first questions, my big
19 concern is, obviously everyone that's here
20 looking at applications for a dispensary or
21 cultivation, there's a lot on the line
22 financially for all of us.

23 Most of us are putting every resource we
24 have together to do this. One of my concerns is

1 the physicians. Where is their protection? Do
2 they have protection? What I'm seeing in
3 Illinois is doctors are going to be hesitant to
4 write prescriptions, I'm convinced of that.

5 And what I'm worried about is the fact
6 that the amount of money that we're required to
7 put up and what it will take for the start-up of
8 these businesses, that if physicians are only
9 able or they're scared and won't, and I realize
10 that comes in education, but are physicians
11 protected in some way? That's one of my
12 questions.

13 MS. OBERDORF: So I'll start by talking
14 about the physicians, and I think that one very
15 important distinction, and we purposefully wrote
16 both the Act and the rules this way, is that the
17 physicians will not be prescribing medical
18 cannabis.

19 MS. SWEATT: Okay.

20 MS. OBERDORF: They will be certifying
21 patients saying that they have a debilitating
22 medical condition and that they would benefit
23 from the use.

24 MS. SWEATT: Okay. So it's more of a

1 recommendation then versus an actual
2 prescription?

3 MS. OBERDORF: That's correct, it is not
4 a prescription.

5 MS. SWEATT: Okay. All right. I know in
6 Colorado in the beginning of their medical
7 marijuana start-up there were concerns and
8 several doctors lost their license to provide
9 medical care, which is unfortunate. Some of them
10 deserved it, some didn't.

11 But I'm just wondering, is there any
12 protection, will the State be looking at the
13 physicians' recommendations I guess? I mean, is
14 that policed by someone, overseen by your
15 Department, or where does that come in?

16 MS. OBERDORF: So in terms of the
17 physicians, the Department of Public Health, we
18 will be reviewing each --

19 MS. SWEATT: Okay.

20 MS. OBERDORF: -- physician written
21 certification. I wouldn't say we'd be policing
22 though.

23 MS. SWEATT: Okay.

24 MS. OBERDORF: All of the physicians will

1 be under the requirements that are given by the
2 Illinois Department of Financial and Professional
3 Regulation, and that's regardless of whether or
4 not they're certifying for the use of medical
5 cannabis.

6 MS. SWEATT: Okay. Perfect. All right.

7 MS. OBERDORF: One more thing.

8 MS. SWEATT: Okay.

9 MR. MORGAN: The Statute does provide a
10 rebuttable presumption for and on behalf of
11 physicians --

12 MS. SWEATT: Uh-huh.

13 MR. MORGAN: -- that they're not subject
14 to arrest. I'm just reading from the Statute.

15 MS. SWEATT: Right.

16 MR. MORGAN: Arrest, prosecution or
17 penalty. And that includes any medical
18 disciplinary board action. So that's State
19 based, of course, --

20 MS. SWEATT: Okay.

21 MR. MORGAN: -- for a State license.

22 MS. SWEATT: Right.

23 MR. MORGAN: But there is Statutory
24 protection for them --

1 MS. SWEATT: Okay.

2 MR. MORGAN: -- as a physician.

3 MS. SWEATT: Okay. Because obviously we
4 have to go hand in hand with this, you know, the
5 medical community and then the entrepreneurs that
6 are taking on the big financial burden that we're
7 going to get this started up. And so that was
8 one concern.

9 And then really briefly, one of the other
10 questions I have is I've heard, and I think I
11 read somewhere, that the dispensaries and
12 cultivation centers up towards Cook County,
13 obviously Chicago, they're going to be awarded
14 something like 36 of the licenses; is that
15 correct? And what about the rest of the state?
16 Where does that leave everyone else?

17 MS. CARLSON: So the dispensaries were
18 allocated geographically with particular
19 attention also on population density. The City
20 of Chicago I believe has 13. Cook County has I
21 think between 10 and 15. Counties outside of
22 Cook County but north by 80 have about another
23 20. And then the rest are ISP districts outside
24 of the Chicagoland area, and there's about 20

1 there.

2 MS. SWEATT: Okay.

3 MS. CARLSON: So they are looking at
4 geographically and by population density.

5 MS. SWEATT: Okay. All right. Thank you
6 very much. I think that answers it. Thank you,
7 guys. I really appreciate your time today.

8 MS. OBERDORF: Andrew Barr I think is
9 what the last name begins.

10 MR. ROSENZWEIG: It's Andrew, Andy,
11 A-n-d-r-e-w. Rosenzweig, R-o-s-e-n-z-w-e-i-g. I
12 just have two quick questions. The first one's
13 real easy. When will they start allowing live
14 scan for cultivation in Illinois for
15 fingerprinting?

16 MR. MORGAN: You're asking whether or not
17 you can currently go to a live scan vendor if you
18 are --

19 MR. ROSENZWEIG: They are not allowing it
20 at the moment. We're curious if you know when.

21 MR. MORGAN: We'll address that. We're
22 in the process of doing that at the moment in
23 terms of all the agencies having live scan
24 applications. Probably in the next week or two

1 you'll see on our website the documentation
2 necessary for an application for dispensary or
3 cultivation center that an applicant or board
4 member, et cetera, who's going to have to go
5 through live scan.

6 MR. ROSENZWEIG: Okay. Thank you. My
7 second part is in regards to Section 1000.430,
8 sub part E, the regarding of transport of
9 cannabis. In the application it states name of
10 firm contracted to transport and provide security
11 of the shipment, but then in the rules it states
12 the cultivation center shall staff all transport
13 and motor vehicles with a minimum of two
14 employees; at least one delivery team member
15 shall remain with the motor vehicle at all times.
16 That sounds like two different things.

17 MR. WATSON: It does.

18 MR. MORGAN: I think the intent there was
19 that we wanted to, it's less requirement than it
20 is if it applies. Certainly the requirement in
21 the rule would apply in terms of having the two
22 registered agents with transport at all times.

23 But we also expect, we expect that some
24 applicants will still have contractors maintain

1 the transport.

2 MR. ROSENZWEIG: All right. Thank you.

3 MR. MORGAN: So they're not quite the
4 same thing but they're not necessarily
5 inconsistent. I think the second part is not a
6 requirement but the requirement is for having two
7 registered agents transporting.

8 MR. ROSENZWEIG: Okay. Thank you.

9 MR. MORGAN: Thanks.

10 MS. OBERDORF: Frank Hubbell.

11 MR. HUBBELL: Frank Hubbell, F-r-a-n-k,
12 H-u-b-b-e-l-l. I'm a Mapleton Village Trustee
13 and a vacant factory next door is being
14 considered as a production site. I'm leaning
15 toward it would be generally beneficial to the
16 village.

17 A background, some background information
18 leading to my question is, I worked for 35 years
19 as a certified addictions counselor in
20 Pennsylvania, Indiana, Illinois and Iowa. I
21 taught the subject at the college level and I
22 subsequently do guest lecturing at Bradley in the
23 Sociology and Social Work Department, and I
24 taught the subject for a year at the college

1 level at Teikyo Marycrest University. I saw as a
2 clinician over those 35 years probably over 100
3 young men who said or vowed in their youth I'll
4 never be like dad. Their father had a disease of
5 alcoholism and they experienced the hell of that
6 situation.

7 And the young men that made that vow kept
8 their word and they never drank. And along came
9 marijuana, and they bought into the pothead
10 malarkey it's nature's drug, it's safe, no one
11 ever died from it.

12 And they had a genetic predisposition
13 toward chemical dependency and they became
14 hooked, and they were just as hooked as dad was
15 hooked on his alcohol. And it was just as
16 deleterious and just as destructive in their life
17 as the alcohol had been in their father's life.

18 And my question is, how is that matter
19 being addressed with this, with this legislation
20 and program?

21 MS. OBERDORF: So one of the ways that
22 the Department of Public Health is working on
23 educating everyone is through having materials
24 that will be available on our website talking

1 about addiction in general both to cannabis
2 specifically and also to other prescription
3 drugs. We're also requiring physicians when they
4 certify patients for the use of cannabis to talk
5 with them about the benefits and risks.

6 So to go over things such as becoming
7 dependent, proper usage, that type of a thing.
8 So those are a few of the ways, but it's
9 something that was in mind when the Statute
10 itself was written and trying to recognize that
11 with this medicine as with others there is always
12 the potential for abuse.

13 MR. MORGAN: Thank you for coming, Mr.
14 Hubbell. On top of that, and Laura is absolutely
15 right, the, both the Agriculture and DFPR
16 applications have bonus points and additional
17 credit for those applicants that have a substance
18 abuse prevention plan, again, designed
19 specifically to that point of addiction in the
20 community and the ways in which this program can
21 help reduce that.

22 MR. HUBBELL: Thank you for that
23 information. It helps me with making my final
24 decision as to when to support or not support the

1 plant next door. Thank you.

2 MR. MORGAN: Thank you for coming.

3 MS. OBERDORF: Ryan, I think the last
4 name starts with an S.

5 RYAN S.: Pass.

6 MS. OBERDORF: Pass? Eric Sweatt.

7 MR. SWEATT: Good morning. My name is
8 Eric Sweatt. E-r-i-c, S-w-e-a-t-t. And I was
9 just, a lot of my questions, a few of them were
10 already answered but I just had this one. I'm
11 just wondering if there's any possibility because
12 from what I understand everybody needs to be
13 fingerprinted no later than this Thursday, and
14 then they have 30 days after that to do all their
15 application.

16 That's just kind of fast even though this
17 program has been going slow, so I kind of like
18 that but I'm wondering at the same time, for some
19 of the places that won't be applying maybe, or if
20 you guys plan on doing any kind of extension?

21 MS. OBERDORF: So I'll address the
22 fingerprinting requirements for qualifying
23 patients and their designated caregivers. We do
24 have that fingerprint consent form available now,

1 but there's no closing period. So patients can
2 continue to get fingerprinted. We encourage them
3 to do so. That form's available. We're happy to
4 answer any questions about the process itself,
5 but basically you need to take that form to your
6 live scan vendor.

7 Once they fill in some of their
8 information about the facility you're using you
9 will submit that form to the Department of Public
10 Health with your application, so you're available
11 to do that now through whenever you're applying.

12 MR. SWEATT: But that's up 'til Thursday
13 because we have 30 days, correct? We had to have
14 our fingerprints done 30 days prior to the
15 application, and the application is due on the
16 22nd or something like that, right?

17 MS. OBERDORF: So there's open periods
18 for the patient and caregiver applications. If
19 your last name begins with A through L you may
20 apply starting September 2nd through October
21 31st.

22 MR. SWEATT: Okay.

23 MS. OBERDORF: So it's an open
24 application period, so you do not have to have

1 your fingerprints completed by that certain date.
2 And if you're unable to complete your application
3 before then, we'll be accepting applications year
4 round beginning January 1st, 2015.

5 MR. SWEATT: Okay. All right.

6 MS. OBERDORF: And then I'll let them
7 speak to the cultivation centers and
8 dispensaries.

9 MR. SWEATT: Okay.

10 MR. WATSON: Okay. I think it's no
11 sooner than 30 days before, not at least 30 days
12 before.

13 MR. SWEATT: Okay. All right.

14 MR. WATSON: What we want is to have the
15 most recent information possible, so we want that
16 application in no more than 30 days prior to
17 submitting the application --

18 MR. SWEATT: Okay.

19 MR. WATSON: -- so we'll have the most
20 updated information.

21 MR. SWEATT: I also read that you guys
22 aren't going to know when you're going to be able
23 to make the decisions because you don't know how
24 much people, how many people are going to apply.

1 Do you have like a guesstimate or a goal that you
2 want to have at least the first person to know
3 and then how are we going to know who you chose?

4 A two-part question.

5 MR. MORGAN: Sir, those are really good
6 questions. The first one, you know, we have them
7 and I've been saying that it does depend on the
8 volume of applications. It really does, in the
9 sense that if there's five times as many
10 applications, or five times less, it's going to
11 take us time to get through those applications.
12 That's why we've been targeting early spring
13 of 2015 --

14 MR. SWEATT: Okay.

15 MR. MORGAN: -- to get this program up
16 and running as quickly as we can, but it will be
17 depending on how many applications we receive or
18 dispensaries, and even more so for cultivation
19 centers.

20 MR. SWEATT: Okay.

21 MR. MORGAN: The second part of your
22 question is also really important about notifying
23 the patients specifically where the dispensaries
24 are going to be located.

1 MR. SWEATT: Right.

2 MS. OBERDORF: So what we're asking for
3 patients to do is on their application they will
4 be selecting the zone in which they think they
5 will receive cannabis, so Bridget described those
6 briefly, but there will be different geographic
7 regions. And then once the centers are up and
8 running the Department of Public Health will be
9 contacting patients so that they may select their
10 dispensary.

11 MR. SWEATT: Okay.

12 MS. OBERDORF: And we will also have a
13 form available that patients may change their
14 dispensary.

15 MR. SWEATT: Okay. Also, you said that
16 there was going to be about 20 dispensaries south
17 of I-80, and I'm just wondering, knowing all the
18 23 other medical marijuana states that are legal,
19 in Colorado in particular, they, and it's been
20 14 years I believe since they have made it legal,
21 especially in the last seven, eight years that
22 they have really grown, but my concern is
23 wondering if we're going to get 20 down here and
24 it's just the beginning. Is there, and when is,

1 are you guys going to say we can allow more
2 dispensaries because pretty soon that's going to,
3 as more people come and it gets bigger, you're
4 going to have to have more dispensaries and
5 farms?

6 MR. MORGAN: The Statute limited the
7 State on, so the law that was passed gives the
8 State the ability to issue up to 60 dispensaries
9 in Illinois. Because of that limit DFPR and
10 Bridget and her team tried to spread those as
11 geographically, based on population, as we could,
12 to limit the distance any single individual or
13 caretaker would have to travel.

14 60, of course, is still a limit. We are
15 a larger state. But any discussions about
16 expanding the dispensary numbers or cultivation
17 center numbers would come through legislation --

18 MR. SWEATT: All right.

19 MR. MORGAN: -- so we'd refer you to the
20 Legislature.

21 MR. SWEATT: Okay. All right. Good
22 enough. Thank you very much.

23 MR. MORGAN: Thank you.

24 MS. OBERDORF: Marie Dancu.

1 MS. DANCU: Hi. My name is Marie Dancu.
2 M-a-r-i-e, D-a-n-c-u. Okay. I just have two
3 really quick questions. One is, if you could
4 define further who is considered a producer
5 backer, particularly in the indirect financial
6 interest? Direct financial interest is pretty
7 explanatory.

8 MR. WATSON: Well, I guess the easiest is
9 just simply go to the rules. Producer backer
10 means any person, including any legal entity with
11 a direct or indirect financial interest in the
12 applicant. So we're going to want to know who
13 stands to gain from this operation.

14 Is there someone in the background that
15 we may not be, or that we may be concerned with
16 their background. With their background. Maybe
17 they have a criminal background. Maybe they have
18 some other concerns that we may have. We want to
19 know who they are, so.

20 MS. DANCU: As far as the indirect
21 financial interest, is that somebody with a
22 compensation agreement? Is that somebody who
23 you're, a fiduciary who you're contracted with?
24 Can you define the indirect interest a little

1 further?

2 MR. WATSON: I don't think I'm going to
3 try to be too specific. It, again, let's err on
4 the side of disclosing as much as you can, and in
5 those cases I would disclose if I was you. But,
6 again, we don't want to have someone disqualified
7 because we find that there's someone that has
8 not, that there is, has an interest and there has
9 been no disclosure.

10 We may, we may disqualify on that basis
11 so, so I would, I would encourage as full a
12 disclosure as possible because we want to know as
13 much as we can about the people that stand to
14 gain.

15 MS. DANCU: Will there be a limit to the
16 number of pages that you'll allow for this
17 application? Yeah.

18 MR. MORGAN: So we will be providing more
19 information in the next few weeks about exactly
20 what the application will require in terms of
21 mechanics, such as page limits, what has to be
22 mailed in versus what could be uploaded, done
23 online, sent in electronically. So those are
24 things we're going to be providing more

1 clarification for in the coming weeks.

2 MS. DANCU: Okay. My last question has
3 to do with Section 1000.100, item C-22. It talks
4 about that you have to provide documentation
5 acceptable to the Department. That pretty much
6 indemnifies the State. Is that the surety bond
7 you're talking about or is this additional proof
8 of insurance that we have to provide?

9 MR. WATSON: I'm thinking I've got it.

10 MS. DANCU: I'm thinking of like --

11 MR. WATSON: Oh, no. I'm sorry.

12 MS. DANCU: I'm looking at the JCAR
13 rules.

14 MR. WATSON: I think you're, are you
15 looking, what was it, D-22?

16 MS. DANCU: Yeah.

17 MR. WATSON: No. It's, it's D-22.

18 MS. DANCU: Okay. I'm sorry.

19 MR. WATSON: Documentation acceptable to
20 the Department that the individual or entity
21 filing the application will be able to obtain
22 insurance sufficient to indemnify and hold
23 harmless the State and its officers and employees
24 as required in Section 1000.50B 4B. So we're

1 looking for some sort of commitment from an
2 insurance company that you would be able to
3 obtain that insurance.

4 MS. DANCU: That's in addition to the
5 surety bond?

6 MR. WATSON: Yes.

7 MS. DANCU: Okay. Is there any dollar
8 limitation on that? Or, I mean, what is the
9 amount that holds that you, officers --

10 MR. WATSON: There's nothing in the
11 rules --

12 MS. DANCU: -- holds harmless?

13 MR. WATSON: There's nothing in the rule
14 specifying the dollar amount, and perhaps that's
15 something we should have addressed. But let's,
16 why don't we address that in frequently asked
17 questions?

18 MS. DANCU: That would be wonderful.
19 Thank you so much.

20 MR. MORGAN: Thanks.

21 MS. OBERDORF: Terry Blair, Jr.

22 MR. BLAIR: Hello. I'm going to be a
23 patient, and my first name's Terry. T-e-r-r-y.
24 Last name Blair, B-l-a-i-r. I'm a junior. My

1 question is, I found everything on the website
2 that specified on the 2nd I was, my last name
3 starts with a B, I can start applying. There's a
4 certification letter, certification form that
5 goes to your doctor which he mails off.

6 Now, the other, the other one for the
7 application itself, is that going to be a mail-in
8 or is it going to be actually online where you
9 can forward it online?

10 MS. OBERDORF: So for the patient
11 application you can do either one. We'll have an
12 online application and you may also mail in the
13 application. It's your choice.

14 MR. BLAIR: Okay. And then the next
15 quick question is, for the process for the
16 fingerprinting and the background check, is that
17 all going to be, will you be able to know where
18 to go to get this done at?

19 MS. OBERDORF: Yes. So for
20 fingerprinting, in the patient application
21 there's actually a link to a website and it takes
22 you over to the Department of Financial and
23 Professional Regulation and there's a list of
24 live scan vendors.

1 MR. BLAIR: So that will, that will be on

2 the --

3 MS. OBERDORF: On the patient

4 application.

5 MR. BLAIR: That you bring up when it's,

6 it will specify all that stuff on there?

7 MS. OBERDORF: Yes, that's correct. It

8 will specify where you may go to get

9 fingerprinting done.

10 MR. BLAIR: Okay.

11 MS. OBERDORF: And so what it will do is

12 it will link you to a different website, and then

13 on that website it will have kind of by county,

14 geographically all the different places you may

15 go to get fingerprinted. And so we're just

16 encouraging you to call before you go just to

17 make sure, you know, they're open and etc.

18 MR. BLAIR: To make sure you're not

19 driving all the way there and there's, because

20 they may have some different hours?

21 MS. OBERDORF: Correct. And then there's

22 a form that you bring with you which is on our

23 website.

24 MR. BLAIR: It's on the website?

1 MS. OBERDORF: It's a fingerprint --

2 MR. BLAIR: You just print up and you
3 just take it with you and everything?

4 MS. OBERDORF: Correct.

5 MR. BLAIR: One more quick one. The
6 doctor-wise that's prescribing you this, okay,
7 now, the doctor gives you the certification that
8 says what you have and everything. Okay. Now,
9 is it your job to go find another doctor that
10 will prescribe that, the medical marijuana to
11 you? Is that how that works?

12 Now, is there a list of doctors that will
13 be available for you to go make appointments to
14 go see, or what's actually the process on that?

15 MS. OBERDORF: So for the physician
16 written certification, all you need to do is take
17 that physician form to your current treating
18 physician and they will certify you as having
19 your debilitating medical condition, and also
20 that you would benefit from medical cannabis.

21 And from there you don't need any
22 additional physician certification. When it
23 comes to actually receiving the cannabis, you'll
24 be going to the dispensaries.

1 MR. BLAIR: Okay.

2 MS. OBERDORF: And the dispensaries will
3 be providing that to you. They'll also be able
4 to educate you on different strains, dosage, that
5 type of a thing.

6 MR. BLAIR: Okay. So let me make it real
7 quick here. So the doctor gives certification.
8 He mails that off then. So then he can, the
9 doctor actually prescribes you that or does,
10 that's what my question is. Does another doctor
11 have to prescribe that to you?

12 MS. OBERDORF: So no one prescribes the
13 medical cannabis. All we need is a --

14 MR. BLAIR: Oh, it's certification.

15 MS. OBERDORF: -- certification.
16 Correct. Yes. So that's the only physician
17 requirement, that one form.

18 MR. BLAIR: So when it says you can have
19 up to so much, that is pretty much how much you
20 can actually go get at the dispensary, is that
21 what that is?

22 MS. OBERDORF: That's correct.

23 MR. BLAIR: Thank you.

24 MS. OBERDORF: So normally it's two and a

1 half ounces every 14 days. And if your physician
2 thinks you need more then there's a specific
3 section where they can write in the amount.

4 MR. BLAIR: So right now for me, just
5 wait until September 2nd to get the process
6 going?

7 MS. OBERDORF: That's correct, yes.
8 Beginning September 2nd because you have a last
9 name with B you'll be able to apply.

10 MR. BLAIR: Thank you, all.

11 MR. MORGAN: Thank you.

12 MS. OBERDORF: Thank you.

13 MS. CARLSON: Thank you.

14 MR. MORGAN: Also, for any other patients
15 who are interested, or people that are assisting
16 patients, there's going to be a toll free number
17 through the Department of Public Health and also
18 we'll be fielding emails, phone calls, letters,
19 answering as much information, so anybody who at
20 any point has any questions, DPH will be ready to
21 answer those.

22 MS. OBERDORF: And this is also the time
23 for me to point out, I should have started to
24 tell you about Tina sitting over there. She'll

1 be helping, she's a nurse. She'll be managing
2 our registry, so we're also both more than happy
3 to talk to anyone. Like Bob said, there's a lot
4 of ways to get in touch with us. Patricia
5 Spencer? Patricia Spencer? Okay. Michael
6 Henson?

7 MR. HENSON: I'll pass for now.

8 MS. OBERDORF: Reverend Kay Berry.

9 Reverend Kay Berry? Ryan Deemer?

10 MR. DEEMER: Hello. Ryan Deemer.

11 R-y-a-n, D-e-e-m-e-r. We've heard some
12 discussions, and possibly even from one of our
13 local State reps, that there's going to be a
14 change to the distance requirement of where the
15 cultivation centers and dispensaries need to be
16 as far as from residential areas or whatnot. Is
17 there any truth to that, or is it still going to
18 be the 2500 feet for cultivation centers?

19 MR. MORGAN: There have been a number of
20 attempts in the Legislature to modify the
21 distance requirements of cultivation centers and
22 dispensaries. None of those Legislative
23 initiatives were successful. There was an
24 attempt to veto session a year ago in the winter

1 and also again this spring of 2014. There are
2 ongoing conversations about that. At this point
3 we are moving forward and operating under the law
4 as written.

5 MR. DEEMER: Okay.

6 MR. MORGAN: But I do think there's
7 continued interest to see how this plays out in
8 terms of the distance requirements.

9 MR. DEEMER: So there's, you need to have
10 a building that's going to be 2500 feet? No, no
11 backup plan for anywhere closer? Because we've
12 had buildings in other cities that don't fit the
13 requirements, but the local government wants to
14 be part of it, but they don't have anything?

15 MR. MORGAN: Right. Given that the
16 Legislature won't reconvene --

17 MR. DEEMER: Okay.

18 MR. MORGAN: -- until November for veto
19 session, you should definitely operate under the
20 current law.

21 MR. DEEMER: Okay. Thank you.

22 MR. MORGAN: Thank you.

23 MS. OBERDORF: David Iter, or Itrek?

24 MR. ITER: I'll pass.

1 MS. OBERDORF: Pat Reinbacher?

2 MS. REINBACHER: I'm going to try not to
3 touch this microphone, I'm not mechanically
4 inclined, okay? We've had issues with this.

5 MS. OBERDORF: Okay.

6 MS. REINBACHER: My name is Patricia
7 Reinbacher. That's P-a-t-r-i-c-i-a.

8 MR. WATSON: Can you speak into the
9 microphone?

10 MS. REINBACHER: Patricia,
11 P-a-t-r-i-c-i-a. And Reinbacher,
12 R-e-i-n-b-a-c-h-e-r. My big concern is zoning.
13 I have the map of where they're trying to locate,
14 and I'll hand this up so you can see. See the
15 woods? See the Department of Natural Resources?
16 See the homes below where the proposed cannabis
17 processing center is going to be?

18 And all that water flows directly down to
19 Route 26 through our property into the Illinois
20 River. So we're concerned with the wastewater.
21 We don't know what the topog -- I don't know if
22 you put it into, in your mind, of where these
23 locations are going to be, how the topo is. You
24 know, my main concern is who's going to be

1 concerned about that. If they're going to plan
2 on putting up a 55,000 square foot building,
3 where is that runoff going to go? You know, we
4 have people here that are trying to organic
5 farming. If you took it right out to this
6 location it's definitely not a location for this
7 plant.

8 But yet, your zoning ordinance, your
9 zoning right now states it could go there, but no
10 one wants it there. So that's my one question,
11 what we can do about that, because we're ruining
12 our agricultural area there for our farmers.

13 MR. MORGAN: Obviously, everyone in the
14 room is able to see the map. It is a satellite
15 image of Marshall County in --

16 MS. REINBACHER: Lacon.

17 MR. MORGAN: -- Lacon Township. The
18 question of runoff, it's a good one. It's one
19 we've considered. These are agricultural-type
20 facilities. There are, generally speaking, the
21 zoning requirements are local
22 municipality-specific.

23 So any new farming industry, even if it
24 were not medical cannabis, would still be subject

1 to both State and local requirements for runoff,
2 environmental impact, any other number of things
3 that Ray and the Department of Agriculture and
4 the Department of Natural Resources, Illinois
5 EPA, a number of other agencies that would be
6 involved.

7 That is one of the reasons why we added
8 environmental plans in the bonus points for those
9 that are coming up with creative ways and
10 successful, potential ways to reduce the impact
11 on the environment.

12 MR. WATSON: Part of the application for
13 the cultivation plant talks about disposal of
14 waste materials, and that would certainly include
15 any wastewater as well because we're going to
16 want to know how that's going to be handled, so I
17 don't know if that answers your question but
18 we're certainly, certainly going to want to know
19 about that in the application. And there's also
20 going to be a water flow diagram that they'll be
21 including, so --

22 MS. REINBACHER: See, at this point we
23 have many ravines there, so when we have high
24 rain it comes, it pours through everybody's

1 property and we have, the ravine starts
2 collapsing, and this is an issue with that. You
3 know, a 55,000 square foot building, not counting
4 what they're going to put on the ground in
5 asphalt and concrete, who's doing the, who's
6 doing the storm water calculations on this? Is
7 that required?

8 MR. WATSON: So what you're talking about
9 is, is you're concerned not so much with the
10 wastewater from the production but the
11 displacement of the water by construction of the
12 building itself?

13 MS. REINBACHER: Well, it's both, sir.

14 MR. WATSON: Okay.

15 MS. REINBACHER: Because --

16 MR. WATSON: So --

17 MS. REINBACHER: Excuse me. Because
18 right now we don't have, internet service is iffy
19 out there. So when you're talking security, you
20 know, you're talking a small little department
21 here, maybe two police officers. We're concerned
22 about that, and we're concerned about who's going
23 to take care of our property when we have
24 somebody else coming through our land to get up

1 there and do something there? You know, it's a
2 scary thing here for us.

3 MR. WATSON: Is there zoning in that
4 area?

5 MS. REINBACHER: We have, it's ag zoning,
6 okay? And I understand that, and they're saying
7 all this is going to go under agriculture. To
8 me, and to anybody else who lives in Lacon, we
9 consider this processing or manufacturing. It
10 should have gone into a commercial zone, not
11 here.

12 And if you have time today I wish you'd
13 take a ride out there and go on that road and see
14 what's there, and it's just not the location for
15 this.

16 MR. WATSON: Are they going through a
17 process before, with the County Board?

18 MS. REINBACHER: Yes. They're trying to
19 do a special use permit here.

20 MR. WATSON: Okay.

21 MS. REINBACHER: And it's not --

22 MR. WATSON: And I assume you'll have an
23 opportunity to speak there?

24 MS. REINBACHER: We will.

1 MR. WATSON: Okay.

2 MS. REINBACHER: But still, you know.

3 MR. MORGAN: The rules and the way that
4 we have structured this specifically maintains
5 zoning jurisdiction for the local municipalities.
6 Every community is different. Every community
7 has different ideas of the appropriate locations
8 for these, and also the appropriate way to
9 incorporate this into the community.

10 And I think the issues you're raising are
11 important ones that local municipalities are
12 considering right now and I think your voice
13 would be important for them to hear.

14 MS. REINBACHER: Well, we have two out of
15 seven Board members approved it and they think
16 it's wonderful. They sent letters out already
17 so, and we didn't even have our special use
18 permit meeting yet, so they're pretty well set in
19 stone in what they're doing. That's why I'm
20 here. So it's like what else can we do to try to
21 stop that?

22 MR. MORGAN: Yeah. I don't, we wouldn't
23 comment on a specific town or county's approach
24 to this in terms of zoning, but I think you're

1 pursuing the process of participating here, but
2 more importantly with your local community the
3 way it's designed to.

4 MS. REINBACHER: Uh-huh. Thank you.

5 MR. MORGAN: Thank you.

6 MS. OBERDORF: Dan Linn.

7 MR. LINN: First name Dan, D-a-n. Last
8 name Linn, L-i-n-n. Thank you all for being here
9 and putting on these two halls. I'll just ask
10 one quick question, I know there's other people
11 that have questions. On the FAQ it says it's
12 going to release stats for how many people apply
13 for dispensaries and cultivation centers.

14 What is the timeline on the releasing of
15 that data? And then will there also be
16 statistics on how many patients applied?

17 MR. MORGAN: That's a good question. We
18 haven't really sorted specifically out, sorted
19 out specifically when we would provide, and
20 precisely what we'd provide. Part of the
21 question is we don't want to provide information
22 until the application window closes.

23 At that point I envision we would provide
24 rough numbers within the different regions that

1 in terms of applications we do receive for the
2 patients. Again, it's going to depend on, we
3 have a window of two months for the first wave.
4 I imagine it will probably ramp up September
5 going into October.

6 So we'll be trying to provide as much
7 information as we can as we find out exactly who
8 and how many are applying for those respective
9 areas. So I think it's going to be as we go is
10 the best answer I can give you right now.

11 MR. LINN: Okay. As long as it's
12 available so that we can make the pilot program
13 permanent. Thank you for your time.

14 MR. MORGAN: Well, I also think the
15 Statute requires us to provide a report to the
16 General Assembly every September that lists the
17 number of patients that apply as well as the
18 number of applicants for the respective licenses,
19 so that is something we will be providing at
20 least annually. I think we fully expect it to be
21 much more frequently than that.

22 MR. LINN: Okay. Thank you.

23 MR. MORGAN: Thanks.

24 MS. OBERDORF: Kenyata Beverly?

1 MS. BEVERLY: I'll waive.

2 MS. OBERDORF: Scott Sollenger?

3 MR. SOLLENGER: Pass.

4 MS. OBERDORF: Guy Beauregard.

5 MR. BEAUREGARD: Beauregard.

6 MS. OBERDORF: Beauregard.

7 MR. BEAUREGARD: Hi. Guy Beauregard.

8 It's G-u-y, B-e-a-u-r-e-g-a-r-d, with Herbal
9 Remedies, Adams County. Hi. Thank you for
10 holding this. My question, we're applying for a
11 cultivation center and a dispensary, and the
12 question we're trying to put together are bylaws
13 and we want to get some clarity on a few of the
14 regulations.

15 The first one had to do with agents. We
16 didn't see anything about the timeline for
17 agents. Could we enter application, writing it
18 up? Would we, at what point can we apply for the
19 agent in charge? Is it before the application
20 process? After? Can we get certified before?

21 The second part of the question is, with
22 regards to testing, I think it's 510 or 500, it
23 says that we're not supposed to sample the
24 material, or have the material sampled by the

1 approved lab prior to natural processing. And we
2 didn't know whether that meant drying or curing
3 or possibly trimming. At what point do we have
4 to request the sampling be done?

5 MS. CARLSON: So during the application
6 phase we request resumes and information on all
7 principal officers. And we also are requesting a
8 resume and information on your agent in charge.
9 Any of the dispensary agents, just your employees
10 that would be working at a registered dispensary
11 are not, it's not required now, and fingerprint
12 checks are not required now.

13 Just starting out during the application
14 phase we want to know principal officers and
15 agents are really the persons who have the
16 day-to-day oversight of your dispensary.

17 MR. BEAUREGARD: Okay. Thank you.

18 MS. CARLSON: Sure.

19 MR. WATSON: And I think what you're
20 referring to with regard to the testing is 510A.

21 MR. BEAUREGARD: Okay.

22 MR. WATSON: Immediately prior to
23 manufacturing or natural processing of any
24 cannabis or cannabis infused product or packaging

1 cannabis for sale to a dispensary, each batch
2 must be made available to cultivation centers or
3 employees of the approved laboratory to select a
4 random sample which would be tested. So that
5 would mean once it's ready, once you've harvested
6 it, and before you begin processing.

7 MR. BEAUREGARD: But the one line that I
8 was concerned about was the natural processing.
9 If I cut the plant, that's an unnatural act. If
10 I dry it that's a natural act. If I grind it
11 that would, I would consider that certainly
12 before I package it in terms of when I would
13 request the testing.

14 MR. WATSON: The definition of natural
15 processing, we'll get back to that. We tried to
16 cover everything so.

17 MR. BEAUREGARD: Yeah. Sure. Somebody
18 might have missed that detail.

19 MR. WATSON: Yeah. Natural processing or
20 naturally produced means the preparation or
21 harvesting of cannabis without significantly
22 changing its physical form. And back in the
23 testing section it talks about prior to
24 packaging. So I guess I would be, for the

1 Smoke-all (phonetic) product that you're going to
2 be packaging and shipping off to the dispensary
3 for smoking, it certainly has to be made
4 available for testing prior to the packaging. So
5 I wouldn't be too concerned about it. I think
6 that's something that we can address once you
7 begin, begin the production.

8 MR. BEAUREGARD: Uh-huh.

9 MR. WATSON: We're going to have our
10 inspectors in about once a week, and so you'll
11 have a lot of contact with us --

12 MR. BEAUREGARD: Okay.

13 MR. WATSON: -- about steps like this.
14 And since this is a pilot project, you know,
15 things, things could evolve as we go along. I
16 mean, we're going to run into bumps in the road,
17 things that we didn't anticipate. But once we
18 get to select through the selection process and
19 we have people in production, we're, the
20 Department's going to be working with those
21 people to make them as successful as possible
22 trying to get through this process. We're all
23 learning as we're going along, so.

24 MR. BEAUREGARD: Okay. That will help me

1 do the application for the cultivation center.
2 The next part, if I have a little bit left of the
3 three minutes, I'm a little concerned about the
4 testing lab, knowing that these independent
5 testing labs have to come to our location. And I
6 looked on the FAQ site, I didn't see anything
7 about applications being available for these
8 independent labs.

9 I could see where we would start out we
10 have 20 growers, one centralized department of Ag
11 lab, and everyone screaming for testing and there
12 might be a couple week lag time. Is there any
13 way that's being addressed?

14 MR. WATSON: We're working on it.

15 MR. BEAUREGARD: Okay. I have concerns
16 about having a back load of 500 pounds of
17 cannabis and possibly getting in trouble with
18 that, but thank you for seeing it and addressing
19 it.

20 MR. MORGAN: That is a question that came
21 up last week and that is something that is on our
22 to do list for the Department of Agriculture in
23 terms of providing more clarification and
24 guidance in applications for those that are

1 interested in being an independent lab. We
2 appreciate the comment of the importance of
3 having independent labs available prior and long
4 prior to the initial start date.

5 MR. BEAUREGARD: And, if possible, if
6 there's any way to include the testing procedure
7 we're going to have an in-house controlled
8 processing lab and make sure our HPLC will match
9 the requestor required HPLC process. Does that
10 make sense? Is that something to include --

11 MR. MORGAN: I'm not sure we would get to
12 that type of specificity, but that's something we
13 can consider.

14 MR. BEAUREGARD: If at some point that
15 could be made available I'd be very interested in
16 making sure our numbers match your numbers and
17 that we're controlling it on the same basis.
18 Thank you very much for your time.

19 MR. MORGAN: Thank you.

20 MS. OBERDORF: Neil McQueeney?

21 MR. MCQUEENEY: I have no questions.

22 MR. MORGAN: I want to thank everybody
23 for waiving and passing if they have already
24 asked questions at the previous hearing. At this

1 point we've got through everybody who either
2 passed or who has asked their question and signed
3 out indicating they wanted to ask. So why don't
4 we take a five-minute break at this point and
5 come back in and we will go back again through
6 those that passed.

7 And, also, if anybody who hasn't signed
8 up, please sign up out front if you do have any
9 questions you want to ask.

10 (Break taken at this time.)

11 MR. MORGAN: All right. We'll just come
12 back together here. Just do a time check, we are
13 at 10 minutes to 1:00. At this point we're going
14 to try and wrap it up by about 1:30 for
15 everybody. I think everyone's got a late lunch
16 in mind. There's some fine local establishments
17 that we could all visit.

18 Again, we appreciate everybody who was
19 very patient and helpful by allowing those who
20 had not had a chance to speak to do so. At this
21 point we'll go through again those that passed
22 and we'll just take what comes and we'll try and
23 wrap everything up by 1:30.

24 MS. OBERDORF: Robert Spencer? Jeremy

1 Segabouch? Danny Highlander?

2 MR. HIGHLANDER: Pass.

3 MS. OBERDORF: Rick Ketley? Steve Hall?

4 MR. HALL: Pass.

5 MR. MORGAN: Like I said, we'll try to
6 wrap up by 1:00 here.

7 MS. OBERDORF: Roger Klemmer? David
8 Iter?

9 MR. ITTEL: Ittel.

10 MS. OBERDORF: Ittel.

11 MR. ITTEL: I was going to keep it to
12 one, but since we're moving right along maybe
13 two.

14 MR. MORGAN: That's fine.

15 MR. ITTEL: All right. It's David,
16 D-a-v-i-d. Ittel, I-t-t-e-l. And this is about
17 the Department of Ag Administrative Rules at the
18 very end, specifically EPA registered things used
19 either as a fungicide or an insecticide. And in
20 some cases some of your, the items on there are
21 multiple use and in some cases are used in a
22 horticultural way that has nothing to do with
23 pest control or disease control.

24 So if you have a product that's EPA

1 registered and you have the same product that's
2 not, and you're following the labels on that, is
3 that going to be okay? I can give you an
4 example.

5 MR. MORGAN: Yeah, go ahead, give an
6 example.

7 MR. ITTEL: Monopotassium phosphate,
8 under M at the very end.

9 MR. WATSON: Okay.

10 MR. ITTEL: That's a fertilizer. In the
11 case that you're referring to it there it's a
12 fungicide. But there's another use as a buffer
13 to hold pH within solution, so it has multiple
14 uses in cultivation, and as a fertilizer it's
15 huge.

16 So if it is listed for the vegetative
17 use, I can see where you wouldn't be able to use
18 the EPA registered version later, but you
19 certainly should be allowed to use a non EPA
20 registered use during flowering.

21 MR. WATSON: The, one of the main
22 concerns we've had with this whole pesticide area
23 is that there are no approved uses for any
24 chemicals on marijuana because --

1 MR. ITTEL: I have one.

2 MR. WATSON: Okay. I'm sure you do. But
3 marijuana, as we all know, --

4 MR. ITTEL: Yeah.

5 MR. WATSON: -- at Federal, is a
6 Federally illegal product, so we don't have USDA
7 approval --

8 MR. ITTEL: Uh-huh.

9 MR. WATSON: -- for the use of any of
10 these. So we have had to come up with this list
11 based upon, and I believe we based it upon uses
12 that are being made in the State of Washington.

13 MR. ITTEL: All right.

14 MR. WATSON: We are relying on our
15 scientific people here --

16 MR. ITTEL: Uh-huh.

17 MR. WATSON: -- to give us this list, and
18 right now the Rules are very specific as to what
19 these individual items can be used for.

20 MR. ITTEL: Uh-huh.

21 MR. WATSON: And I would recommend
22 strongly staying within the Rules.

23 MR. ITTEL: Well, I would think that you
24 would be staying within the Rules as long as you

1 don't use the EPA registered product and you're
2 not trying to control a disease or a pest.
3 You're just trying to feed the plants, because
4 monopotassium phosphate is a core ingredient for
5 fertilizer.

6 MR. WATSON: Well, as I stated in
7 Collinsville, we are looking for people to give
8 us their cultivation plan, and they are free to
9 give us whatever their plan is. And the Rules
10 are out there. We can read them. If you
11 disagree with the Rules, then that's something
12 that we can address and we can perhaps change
13 things later on with regard to individual
14 items --

15 MR. ITTEL: Okay.

16 MR. WATSON: -- and individual products.
17 But for right now this, these are the uses that
18 they will be approved for, and we're not going to
19 be changing those. If we do it's going to be by
20 way of the administrative process --

21 MR. ITTEL: All right.

22 MR. WATSON: -- for rule making. And we
23 frankly, at the beginning there was strong
24 discussion about not allowing any pesticide

1 use --

2 MR. ITTEL: Uh-huh.

3 MR. WATSON: -- because there are no
4 pesticides approved for use on marijuana for the
5 reason I discussed.

6 MR. ITTEL: Industrial hemp there are
7 some.

8 MR. WATSON: This is not industrial hemp
9 however.

10 MR. ITTEL: Well, it's still cannabis
11 sativa so, you know, it's --

12 MR. WATSON: Well, we're operating under
13 the Rules --

14 MR. ITTEL: Yeah.

15 MR. WATSON: -- that we believe apply.

16 MR. ITTEL: That's fine.

17 MR. WATSON: And so if we were going to
18 make changes to the rules there is a process to
19 do that, but these are the chemicals and the
20 pesticides that we are going to allow for the
21 specific uses as listed. If your plan involves
22 using them in a different manner, that's
23 something that we will be taking into account
24 when we're scoring. So I would be very careful

1 about making a plan that goes outside the rules.
2 You may disagree with the rules but they're
3 there, and we're going to, we're going to abide
4 by them.

5 MR. ITTEL: The problem with that is that
6 on a fertilizer level there are very few
7 fertilizers that don't use that, especially in
8 hydroponics. It's a core ingredient.

9 MR. MORGAN: Yeah. I mean, I think Ray
10 did a great job of answering that question. And
11 given neither of us are scientists I think our
12 rules are going to stand as they are. There is
13 an opportunity to continue to improve.

14 MR. ITTEL: Should I go on to my second
15 question or?

16 MR. MORGAN: Oh, sure.

17 MR. ITTEL: Okay. This is more about the
18 waste processing. And there is, again with the
19 Administrative Rules a 50 percent mixing clause
20 in there. If it is composted on-site and reused
21 on-site as either incorporated into the potting
22 mix or put on as a top dress, would it still fall
23 under the 50 percent or can it, because it's not
24 leaving the facility being used as just a

1 composted form?

2 MR. MORGAN: I do believe we received
3 that in writing in an email. I'm not sure if it
4 was from you or another requester. So that's
5 something we're going to be looking to address in
6 FAQ --

7 MR. ITTEL: Okay.

8 MR. MORGAN: -- because that's not
9 covered in the rules, so that's a question we'll
10 look at.

11 MR. ITTEL: All right. Well, thank you.

12 MR. MORGAN: Thank you.

13 MS. OBERDORF: The organization Green
14 Thumb? Ryan S.

15 MR. SUMA: Hi. Ryan Suma. The first
16 name R-y-a-n. The last name is Suma, S-u-m-a.
17 As you discussed, the 2500 feet was a challenge,
18 especially on the cultivation side. What we've
19 run into is property owners that if they have a
20 building that suits the zoning requirement and
21 the distances, it's in their best interests to
22 pick as many horses in the race, so to speak.

23 So say there's a building in zone seven,
24 I want to give options to as many groups as we

1 can. Will buildings with multiple options for
2 multiple groups, will that be looked down upon by
3 the powers that be during the process or?

4 MR. WATSON: We actually had that
5 question come up from a municipality. And what
6 we told them was that we will be accepting
7 applications for the same location as long as
8 someone can demonstrate that they do have an
9 option on that property and that they will be
10 able to use it if they bring in the permit.

11 We will be considering that. I don't
12 believe we're going to be considering it
13 negatively if there are others, but we're going
14 to be looking at each individual application to
15 see if they have access to a facility where they
16 can make this product, and if that facility is
17 the best one out of the various applications we
18 receive.

19 And when you have say four or five people
20 with options on the same facility, then obviously
21 how they construct that facility or how they
22 finish it out with a security plan and with the
23 processing, we'll be looking very heavily towards
24 those kind of points to differentiate the

1 applications. But no, we don't have any problem
2 with the multiple applicants with the same
3 facility.

4 MR. SUMA: Do you guys have any
5 consideration, say if there's five groups and one
6 wins and there's four bad losers and they all sue
7 because they think they have rights to that
8 building? Has there been any thought to that?

9 MR. WATSON: We would hope that they
10 don't sue. Well, you know, this is a challenge
11 that any time you have a selection process like
12 this there's going to be a winner and some
13 losers, and we are challenged with choosing the
14 best application out there.

15 And because we want to get the product
16 out as quickly as possible, we want to get it out
17 in a safe manner and we want to get effective
18 medicine to the patients. And that is our focus.
19 If, if there are people who feel that the
20 selection process was unfair, there may be
21 lawsuits and we'll have to deal with them as they
22 come. But we're going to go forward with our
23 program as best we can.

24 MR. SUMA: Thank you.

1 MS. OBERDORF: Patricia Spencer? Michael

2 Henson?

3 MR. HENSON: Pass.

4 MS. OBERDORF: Reverend Kay Berry? Neil

5 McQueeney?

6 MR. MCQUEENEY: Still no.

7 MS. OBERDORF: Kenyatta Beverly.

8 MS. BEVERLY: Hello. Kenyatta,

9 K-e-n-y-a-t-t-a. Beverly, B-e-v-e-r-l-y. So

10 first off I present you with some hypothetical

11 facts. So if an applicant had several producer

12 backers and one of the producer backers is a

13 limited liability company and the members of the

14 LLC include four individuals and two Trusts, so

15 that's the situation we're dealing with.

16 Question one, can you provide

17 clarification as to the required financial

18 disclosure information which is found in

19 Section 1000.200? For the permit application we

20 need to submit the financial disclosure

21 information for the LLC, but do we also need to

22 submit the financial disclosure information for

23 the LLC members and two Trusts, or do we just

24 submit the information only for the LLC?

1 MR. WATSON: I was starting just to say
2 yes, but then you added on. But I would say yes,
3 please include the information as far down as it
4 goes.

5 MS. BEVERLY: Okay.

6 MR. WATSON: And I think creating
7 multiple layers of ownership and structuring,
8 we're still going to want to get to the bottom of
9 who is it that has the interest in the
10 facilities, so we can't have a corporation
11 comprised of LLC's, comprised of Trusts and then,
12 you know, oh, we're not going to disclose the
13 trustees or the beneficiaries, you know. No,
14 we're going to want to know those.

15 MS. BEVERLY: Okay. One more question.
16 Okay. So Section 1000.16Z, subsection 85, states
17 that a permit will be denied if one or more of
18 the principal officers or board members is under
19 21 years of age. However, that section does not
20 address the producer backers or investors.

21 Will the application be denied if a
22 producer backer, investor, includes a trust
23 beneficiary who is under 21 years of age and he
24 is not a principal officer or board member?

1 MR. MORGAN: Yeah, I think that's a very
2 good question and one that hasn't come up yet.
3 Off the top of my head there are a number of
4 different considerations we'd have to make.
5 We'll try and address that in the FAQ's.

6 MR. WATSON: Are you, just so that I
7 understand the question. And I'm trying to
8 consider a scenario where there might be someone
9 under 21. Would this be a beneficiary of a
10 Trust, for instance?

11 MS. BEVERLY: Yes.

12 MR. WATSON: Okay. So it's not, not a
13 group of 21 year olds or 19 year olds that want
14 to put together an LLC --

15 MS. BEVERLY: No.

16 MR. WATSON: -- and start their own
17 facility? Okay. Just in order for us to look
18 into it I think that would be helpful. All
19 right. Thank you.

20 MS. BEVERLY: Thank you.

21 MS. OBERDORF: Scott Sollinger?

22 MR. SOLLINGER: Pass.

23 MR. MORGAN: At that point -- oh, we have
24 an additional person who hasn't signed up?

1 MS. SWEATT: Yeah, I did sign up but I
2 have another question.

3 MR. MORGAN: Okay.

4 MS. SWEATT: Can I come up?

5 MR. MORGAN: Yeah, sure. I believe you
6 signed up because you asked a question previous.

7 MS. SWEATT: I did. I'm sorry.

8 MR. MORGAN: But come on up, that's fine.

9 MS. SWEATT: Again, I'm sorry. I just
10 had something else that hadn't been addressed
11 yet --

12 MR. MORGAN: That's no problem.

13 MS. SWEATT: -- that I have a question
14 about. And I won't take the mike off this time.

15 MS. OBERDORF: No, that's okay.

16 MS. SWEATT: The question I have is --

17 MR. MORGAN: Could you just repeat your
18 name?

19 MS. SWEATT: Yeah. Caprice,
20 C-a-p-r-i-c-e. Last name Sweatt, S-w-e-a-t-t.
21 My question is, for anyone with a financial
22 interest in a cultivation or dispensary center,
23 principals, board of directors, agents, anyone
24 with a financial backing, are there any, how do I

1 want to say this? Can any of them also be
2 patients or caregivers? Is there anything saying
3 that they can't? Is that a conflict of interest,
4 or is that stated anywhere?

5 MS. CARLSON: Did you, have you looked on
6 the site for that question for either DFPR
7 or --

8 MS. SWEATT: You know, I don't. I'm
9 sorry. But I thought I had read something about
10 it when I've done all my reading originally. But
11 I can't right, you know, recall. I know the
12 physicians cannot have an interest if they're
13 going to recommend, but I wasn't sure about
14 financial interest in a dispensary or cultivation
15 center.

16 MS. CARLSON: Melanie, do you have that?

17 MELANIE: I'll look for that.

18 MS. CARLSON: It's identified in our
19 rules.

20 MS. SWEATT: Okay. And I can check that
21 out later.

22 MS. CARLSON: And I know there's been
23 some confusion about it --

24 MS. SWEATT: Yeah.

1 MS. CARLSON: -- I think, you know, with
2 the Statute and the Rules.

3 MS. SWEATT: Right. And I can re-read on
4 that and investigate. I didn't know if you just
5 knew, you know, knew off the top of your head.
6 If not, that's fine. There's a lot to know, I
7 understand that.

8 MR. WATSON: I know generally, I mean, my
9 memory is that generally you cannot have a
10 registered patient working in the facility.

11 MS. SWEATT: Okay. Right.

12 MR. WATSON: And, but as far as the being
13 a benefactor I'm not aware, I'm not aware of the
14 specific language. We're looking it up.

15 MS. SWEATT: Okay.

16 MR. WATSON: And we can put that on the
17 frequently asked questions.

18 MS. SWEATT: That's fine too, because I
19 won't hold anything up, so that's great. All
20 right. Thank you very much.

21 MR. WATSON: Okay.

22 MS. CARLSON: I think at least for our
23 DFPR, principal officers can't be a qualified
24 patient or a designated caregiver, if I recall

1 correctly, but I think if you're just an agent
2 then you can be.

3 MELANIE: Yeah, that sounds right.

4 MR. MORGAN: We'll address that in our
5 FAQ's to make sure we have that covered.

6 MS. SWEATT: Okay. Thank you.

7 MR. MORGAN: I'm sorry. Sir?

8 MR. SOON: I didn't sign up. Can I --

9 MR. MORGAN: Here, come on up. Go one at
10 a time. Thanks. You just want to tell us your
11 name and spell it for us?

12 MR. SOON: Sure. My name is James Soon,
13 J-a-m-e-s, S-o-o-n. And I have a question. Is
14 there a provision for a community to, once an
15 application has been submitted, let's say that
16 they would rather not see a cultivation center in
17 their area, is there a provision for them to
18 attach something to the application for that, for
19 the people who are applying for that cultivation
20 center? Or I suppose it would apply for a
21 dispensary too.

22 MR. MORGAN: So the Community Benefits
23 Plan theoretically comes as both support and
24 opposition. My guess is the average applicant's

1 not going to include opposition letters. A
2 conflict of interest there. There have been a
3 number of communities that have expressed concern
4 about the program as a whole or a concern about
5 particular aspects or a concern about particular
6 applicants or a concern about particular
7 locations, so it gets a little specific.

8 The, I think each, both the Department of
9 Agriculture and the Department of Financial and
10 Professional Regulation will be accepting
11 community opposition letters and considering that
12 in the totality of their, of their reviews. But
13 it's not specifically considered in either rules
14 I believe.

15 So any community that does have any
16 specific opposition is something that could be
17 sent in to those agencies as they consider the
18 applicants.

19 MR. SOON: And then how would we know? I
20 would assume it would help you to know if there
21 was a specific site that was being referenced.
22 How do we communicate that to you? In other
23 words, we're looking at this site; is there an
24 application number we should reference or entity

1 or how do we do that?

2 MR. WATSON: I would say just give us as
3 much information as possible trying to, you know,
4 whatever you have so that we can try to identify
5 who the applicant might be or which application
6 your concern is with. I know that in one case we
7 received a letter in opposition and it, but it
8 was very general saying we just don't want this
9 in our area, and it didn't really specifically
10 focus on a particular location.

11 But I think you're more saying we don't
12 want it in our county. And I think the more
13 specific you can be the better. It will be
14 easier to tie it to an application.

15 MR. SOON: Okay. Thank you very much.

16 MS. CARLSON: Just to go back to the
17 previous question, I know we've been focusing a
18 lot on our administrative rules today. But in
19 the Statute, Medical Cannabis Program at Section
20 115F states that an application for a medical
21 cannabis dispensing organization registration
22 must be denied if any of the following conditions
23 are met, and then A7 is one or more principal
24 officer or board members is a registered,

1 qualified patient or a registered caregiver, so
2 my previous advice was correct.

3 MR. WATSON: And I don't recall, but I
4 believe it's a comparable section for cultivation
5 centers.

6 MR. MORGAN: Sir?

7 MR. ROTHERT: Good afternoon. My name is
8 Mark Rothert, M-a-r-k, R-o-t-h-e-r-t. I
9 apologize if you answered this question earlier,
10 I had to come in late.

11 MR. WATSON: No problem.

12 MR. ROTHERT: I'm here representing
13 Peoria County, and one of the questions we've
14 kind of run into is a setback for the cultivation
15 center requires a 2500-foot buffer zone, so to
16 speak, for daycares, schools. So on the daycare
17 specifically, are those, do those daycares have
18 to be registered with the State or can it be an
19 unlicensed or unregistered daycare that qualifies
20 to be in the buffer zone?

21 MR. WATSON: I thought this was one that
22 you had already handled, Bob. I have seen that
23 question. I don't know that I have an answer. I
24 think it's easy for us to locate the licensed

1 daycares. The unlicensed ones, I don't know how
2 you locate those. There may be, is there a
3 process that you're aware of?

4 MR. ROTHERT: Well, you just do a site
5 check and just look around and, you know, if I
6 see a daycare that's unlicensed on my list then
7 it's one operating without a license. So I'm
8 dealing with the circumstance where a property
9 would be ideal but for this unlicensed daycare.

10 MR. WATSON: Well, this is one of those
11 areas where I'm hesitant to give an answer
12 because inevitably I would be wrong. The, or
13 could be wrong. But that's something I think
14 we're going to have to address in FAQ's also.

15 MR. ROTHERT: Okay. I have another
16 question unrelated.

17 MR. WATSON: Yes.

18 MR. ROTHERT: So I believe the
19 Regulations state that, that cultivation centers,
20 for example, can be taxed or have an excise tax
21 or privilege tax assessed to them at the State
22 level, and that that State excise tax is in
23 addition to any local excise tax or privilege tax
24 that would be levied against the cultivation

1 center. However, in my research I have not found
2 the statutory authority to levy an excise or
3 privilege tax on a cultivation center at the
4 local level. Are you aware of anything that
5 permits that? And if not, is the State looking
6 to allow that for municipalities like other
7 states have?

8 MR. MORGAN: That's a really good
9 question for the Department of Revenue. They
10 have a website that is dedicated to that in
11 particular, but fortunately for everybody we
12 actually have some people in the audience that
13 are employees of the Department of Revenue, so I
14 don't just have to punt it. I can actually pass
15 it to somebody who would know the answer. And
16 this is Vasyl Markus with the Department of
17 Revenue.

18 MR. MARKUS: Vasyl, I'm sure it's
19 standard spelling. V-a-s-y-l. Markus,
20 M-a-r-k-u-s. We've talked on the phone I think.

21 MR. ROTHERT: We have I think.

22 MR. MARKUS: So the rule on local
23 taxation is that the law itself, the
24 Compassionate Use of Medical Cannabis Pilot

1 Project Act itself does not authorize
2 municipalities, local government, to impose any
3 new taxes. However, it also doesn't prohibit
4 municipalities or local governments from imposing
5 new taxes. Where you'd find your limitations on
6 authority and/or depending on what type of
7 government you are, your express authority to lay
8 taxes would be within the Illinois Municipal Code
9 or within the Illinois Counties Code.

10 And then you get broken down into whether
11 home rule or non home rule. The basic rule, the
12 one thing that all municipalities, all counties,
13 can do is place a new tax based on gross
14 receipts. So that's anything like a sales tax
15 percentages of gross receipts or sales. That's
16 just off the table regardless of what kind of
17 unit of government you are.

18 The other thing that's also very clear is
19 that for dispensing organizations the sales tax
20 that's charged at the dispensary for the sale at
21 retail is one percent. That's the Food and Drug
22 rate, and Illinois law prohibits local
23 governments from adding anything onto that with a
24 couple of exceptions dealing with RTA and the

1 Metro East Transit Authority. I think your
2 county is non home rule?

3 MR. ROTHERT: Correct.

4 MR. MORGAN: You're very limited.

5 Probably the one leeway that you have is, as with
6 any developer, you know, saying look, this new
7 institution, business, is going to impose
8 additional, requires us to provide additional
9 services and you're each in agreement to pay for
10 the services, but it's very limited with non home
11 rule municipalities.

12 And, again, that would be within the
13 Counties Code, and I have the site in my office.
14 I'll give you a call with it, but I don't have it
15 off the top of my head.

16 MR. ROTHERT: Great. Thank you.

17 MR. MORGAN: See, you guys didn't know we
18 had surprise guests in the audience. We have two
19 additional questions if we can start with the
20 gentleman behind him and then we'll come back to
21 you, sir.

22 MR. ESCHAUERTE: Mark, M-a-r-k.

23 Eschauerte, E-s-c-h-a-u-e-r-t-e. Just a question
24 with, regarding disclosure requirements. Sort of

1 a hypothetical. If you have, an applicant has an
2 entity that's aiding in the process of advice
3 regarding cultivation techniques, what particular
4 disclosure, is it just the disclosure that they
5 are an entity advising on the application or what
6 other levels of disclosure are required for that
7 kind of entity?

8 MS. CARLSON: Just the cultivation side?

9 MR. ROTHERT: Just the cultivation side,
10 yeah.

11 MR. WATSON: You know, the more layers we
12 build onto this the more difficult it becomes
13 because we get, it's difficult to identify then
14 who's really behind these processes. And we're,
15 again, I'm going to say the more disclosure the
16 better.

17 If you have, say, a company, I think it
18 would be helpful to know who that company is and
19 what kind of background they have, because I
20 don't want the Mexican Cartel coming in and
21 giving advice on cultivation centers and how they
22 should operate because they've been raising
23 marijuana in Mexico and, or Columbia or wherever.
24 We're going to want to know that. So it, again,

1 the general answer is if you're wondering whether
2 to disclose, disclose.

3 MR. ROTHERT: Well, I guess maybe, I'll
4 rephrase it if I could. If you have a
5 corporation or a legal entity in a state where it
6 currently has medical cannabis and they're,
7 you're using them as an advisor in the process of
8 the application to include, what should be part
9 of the security, the grow techniques, et cetera?

10 Disclosing the corporate entity, they're,
11 you know, providing good standing certificates
12 from the State. Is that sufficient or what level
13 of disclosure do you need to go beyond that?

14 MR. MORGAN: So --

15 MR. ROTHERT: It's a producer backer and
16 then you get the question that was raised earlier
17 of indirect or direct financial interest, and do
18 you need to get tax returns from those entities?

19 MR. MORGAN: So if we go under the
20 assumption that they do not have a financial
21 interest, maybe we'll start there. And, again, I
22 think Ray's point is we need the ability for,
23 let's say it's cultivation center in Colorado
24 that has run into problems with the regulators.

1 MR. ROTHERT: Sure.

2 MR. MORGAN: That's a specific situation
3 where if we add to your point the name and the
4 location which they have been operating, that
5 would most likely be enough for us to go back to
6 the regulators in a different state and confirm
7 the history of that organization and find out
8 what are the things we should be concerned about.

9 I mean, that's really the intention
10 behind that information as we look at the
11 character and fitness of our applicants so we can
12 identify who they are. It doesn't mean we need
13 birth certificates, but it does mean that we need
14 to be able to certainly identify who the
15 applicant is.

16 And, you know, you could provide, for
17 instance, for instance, going the other way with
18 that, you could provide a DBA information who we
19 might not know it's a doing business as name, so
20 we might not be able to identify who that company
21 and consulting firm is. That would not be
22 sufficient because in that case we can't then
23 follow-up with the respective regulators to find
24 out what we need to know.

1 MR. ROTHERT: Just one final thing. I
2 think in looking at the direct or indirect
3 financial interest, the receipt of a fee I think
4 is, is the assumption is that does not rise to
5 the level of having an entity become a producer
6 backer in definition or?

7 MR. MORGAN: You know, I think the
8 overall takeaway of that particular question
9 might be it's a case-by-case because it really,
10 there are a lot of different ways you can develop
11 a relationship and you could have a fee that
12 could be incredibly high and use that as a mask
13 for being a natural, in effect, producer backer.

14 So it's really going to be a case-by-case
15 basis. We don't want someone who oh, I'm just
16 taking a fee for my services of \$6 million a
17 year, and not that you would want that --

18 MR. ROTHERT: Sure.

19 MR. MORGAN: But that's an example of
20 what we need to be able to avoid.

21 MR. ROTHERT: Okay. Thank you.

22 MR. MORGAN: Thank you.

23 MR. REDIGER: This one will be quicker, I
24 promise.

1 MR. MORGAN: That's okay.

2 MR. REDIGER: It's Ben Rediger.

3 R-e-d-i-g-e-r. This one's related to dispensing
4 facilities. There's been a lot of talk about the
5 benefit to a stand-alone or a facility that
6 shares space. I have two questions.

7 One, is that an issue in the application
8 or should that be more clearly defined, like two
9 units, one unit's a law office and the other
10 one's the dispensing facility but it meets
11 requirements?

12 And within that facility there have been
13 questions about the restrooms, whether there
14 would be one as opposed to two, unisex, or if
15 that is an issue at all?

16 MS. CARLSON: To answer the second one
17 first, I'm sorry. To answer the second one
18 first, our rules don't consider, and our draft
19 application materials don't consider whether or
20 not the restroom is unisex or if you have two,
21 one for --

22 MR. REDIGER: With this many?

23 MS. CARLSON: No. I don't think that is,
24 that doesn't matter, no. And the second, the

1 other question was, regarded a stand-alone
2 building versus a building that was a multi-use
3 building. Provided that you are clearing the
4 local zoning hurdles and you've cleared the
5 Statutory and Administrative Rules zoning
6 hurdles, it's really up to the Applicant to
7 identify why they're the best applicant, why
8 they've selected the building they've selected,
9 and why it's the best use for patients and it's
10 ADA accessible or what's the criteria, whatever
11 it is, what makes you the best applicant. So
12 that's really up for each applicant to describe.

13 MR. REDIGER: Okay.

14 MR. MORGAN: Sir? And we're five minutes
15 away so we'll try and wrap these up quickly.

16 MR. LINN: Dan Linn. D-a-n, L-i-n-n. Is
17 there anything that expressly prohibits a
18 cultivation center from growing industrial hemp
19 and then selling it outside of the parameters of
20 the Medical Cannabis Pilot Program?

21 MR. MORGAN: As far as I know, industrial
22 hemp is still not permitted under the Department
23 of Agriculture's Statute or State law, so the
24 answer would be it's not permitted.

1 MR. LINN: Thank you.

2 MR. MORGAN: And I think one last
3 question. Come on up.

4 MS. DANCU: My question is -- oh. This
5 is Marie Dancu. M-a-r-i-e, D-a-n-c-u. My
6 questions are specific to the Illinois Department
7 of Revenue, so I don't know if you want me to ask
8 them now or if I can just talk to him.

9 MR. MORGAN: Go ahead and ask him.

10 MS. DANCU: Okay. The first one is, we
11 have been approached by different municipalities
12 and government entities to provide a host
13 agreement based on gross revenues, but now what
14 you just said would kind of conflict, so I want
15 to make sure that those are allowable.

16 MR. MARKUS: Well, that's actually a
17 really good question that I am not sure that it's
18 actually been litigated yet. So there is a
19 prohibition, a pretty direct prohibition in both
20 the County's Code and the Municipal Code that a
21 local government cannot tax based on gross
22 receipts.

23 So the question then would be is, would a
24 court consider that service agreement a tax or

1 not. Were I advising a municipality, and now I'm
2 not wearing a government --

3 MR. MORGAN: We wouldn't.

4 MS. CARLSON: We wouldn't.

5 MR. MARKUS: No. We wouldn't. Okay. I
6 would say it's a real problem.

7 MS. DANCU: Yeah. They're modeled after
8 the casino industry here in Illinois. That's --

9 MR. MARKUS: I'm not aware --

10 MS. DANCU: -- where we have the host
11 agreements similar to the casinos.

12 MR. MARKUS: I'm not aware that the
13 issue's been litigated, but that would be the
14 issue is whether or not a judge would consider
15 the service agreement looking more like a tax
16 versus an agreement for services.

17 MS. DANCU: But as far as IDR, you're
18 concerned, it would be acceptable, Illinois
19 Department of Revenue?

20 MR. MARKUS: We don't, we don't approve
21 these things.

22 MS. DANCU: Okay. So you don't approve
23 these then.

24 MR. MARKUS: It's all what a court will

1 decide.

2 MS. DANCU: Okay. My second question is
3 regarding the additional taxation on disposition
4 of an entity. Can you kind of explain to that
5 how the additional tax burden is going to be
6 calculated based for Illinois?

7 MR. MARKUS: Yes.

8 MS. DANCU: In addition to the Federal
9 taxation?

10 MR. MARKUS: Yes. So, the Compassionate
11 Use of Medical Cannabis Act imposes three taxes.
12 Well, actually it imposes two new ones and
13 clarifies the third one. So we talked about one
14 of them which is the sales tax at the dispensing
15 organization level.

16 You know, medical cannabis is going to be
17 considered for tax purposes as food and drugs,
18 one percent. With the exception of RTA medical
19 use, all that money gets transferred to the local
20 government.

21 There is a seven percent privilege tax on
22 the price per ounce on the cultivation centers,
23 and that is collected by the State and it goes
24 into the Compassionate Use of Medical Cannabis

1 Fund.

2 MS. DANCU: Is that going to be submitted
3 Monday by law like sales tax?

4 MR. MARKUS: And that is due on the
5 20th, --

6 MS. DANCU: Yes.

7 MR. MARKUS: -- yes, of each month. And
8 so anyone who's, you know, a potential licensee,
9 I want to remind you that, you know, you have to
10 register with the Department of Revenue just like
11 any business, wherein developing forms and
12 instructions for all of that. We're more than
13 happy to be helpful with that.

14 The third tax is a tax on the disposition
15 or resale of equipment of either a dispensing
16 organization or a cultivation center, and that's
17 what you were referring to.

18 MS. DANCU: Yes. And then does it also
19 apply to an ownership interest if, if one of the
20 owners, you know, were to sell their shares or
21 units and, I take it that would be a capital
22 transaction?

23 MR. MARKUS: I want to confirm before I
24 answer that question.

1 MS. DANCU: Okay.

2 MR. MARKUS: I do know that it applies to
3 equipment, and that's the intent of it was to
4 create a penalty for, you know, transferring
5 stuff between licensees. And that tax is half of
6 what your Federal tax would be for that gain. So
7 what you do is you go back to your, you know,
8 Federal taxes, whatever rate you happen to be in
9 and whatever, whatever status you are, corporate,
10 corporation, individual, LLC, and that you take,
11 you take your tax rate from there and multiply
12 that by the amount of the gain, and half of that
13 is then a --

14 MS. DANCU: An additional charge?

15 MR. MARKUS: -- surcharge that would show
16 up on your Illinois income taxes.

17 MS. DANCU: In addition to the Illinois
18 tax?

19 MR. MARKUS: In addition to the Illinois
20 tax, that's right. I should also add, you know,
21 we talked about local governments, the
22 Compassionate Use of Medical Cannabis Act. Also,
23 you know, you have to pay whatever taxes are
24 already on the books, but you can also have every

1 credit exception that's already on the books. So
2 in the tax world it doesn't change anything other
3 than imposing these three, two new taxes and
4 clarifying the one sales tax.

5 MR. MORGAN: Okay. Okay.

6 MS. DANCU: I'll address the rest of my
7 questions indirectly.

8 MR. MORGAN: Well, you know, I think
9 instead of doing it directly to Vasyl, that we
10 should, we will, the Department of Revenue has
11 its own email websites,
12 rev.medicalcannabis@illinois.gov.

13 If you'll, anyone in the room, feel free
14 to submit them to Revenue as we can maintain the
15 integrity of the questions that are asked so that
16 everyone gets a chance to see those answers.

17 We really appreciate everyone coming out
18 and bearing with us through this process. We do
19 have one more town hall meeting on Wednesday in
20 Chicago at Northeastern University. We look
21 forward to seeing some of you there, as well as
22 those of you who think of additional questions or
23 comments.

24 Each agency has its respective email

1 address set up. We're doing our best to answer
2 all of those questions quickly in preparation for
3 the applications, again, for patients,
4 cultivation centers, and dispensaries. Thank you
5 so much for coming out, and we hope you all have
6 a great day.

7 (Applause.)

8

9 (Hearing end time: 1:30 p.m.)

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CERTIFICATE OF REPORTER

I, Kathy L. Johnson, a Certified Court Reporter, and Notary Public within and for the State of Illinois, DO HEREBY CERTIFY that the testimony of all witnesses in the foregoing hearing were duly sworn to testify to the truth and nothing but the truth; that the testimony of said witnesses was taken by stenographic means by me to the best of my ability and thereafter reduced to print under my direction.

I further certify that I am neither attorney nor counsel for, nor related, nor employed by any of the parties to the action in which this deposition was taken; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially interested in this action.

Kathy Johnson
Notary Public within and
For the State of Illinois.

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