

Arkansas Medical Marijuana Cultivation License

Request for Application

Overview

The Arkansas Medical Marijuana Commission (hereinafter referred to as “commission”) is responsible for awarding licenses for the operation of medical marijuana cultivation facilities pursuant to Amendment 98 of the Constitution of the State of Arkansas of 1874, The Medical Marijuana Amendment of 2016. Cultivation facilities will be authorized to grow and possess usable marijuana in an amount reasonably necessary to meet the demand for and needs of qualifying patients as determined by the commission with the assistance of the Arkansas Department of Health.

Number of Licenses

The commission anticipates issuing five (5) cultivation facility licenses at this time. The commission reserves the right to award fewer than five (5) licenses if an insufficient number of qualified applicants submit applications prior to the deadline.

Application Timeline

June 20, 2017	Publication of notice that applications will be accepted
June 30, 2017	First day that applications will be accepted
September 18, 2017	Deadline for receipt of applications (4:30 PM CT)

Important Information

Submission Deadline

For an application to be considered:

- A complete response to the application must be hand delivered to the Arkansas Medical Marijuana Commission, care of Alcoholic Beverage Control Administration, 1515 W. 7th Street, Suite 503, Little Rock, Arkansas, on or before 4:30 pm on Monday, September 18, 2017. Each application will be time-stamped upon submission. The time-stamp shall serve as the official record of when the application was delivered to the Commission. Applications will be accepted between the hours of 8:00 a.m. and 4:30 p.m. from June 30, 2017, to September 18, 2017.
- After submission of a completed application, applicants will receive a payment voucher from ABC staff. Applicants must then present the voucher, along with the required fee, to the Office of the Cashier, by 4:30 p.m. on September 18, 2017. The cashier is located at:

DFA Revenue Division – Ledbetter Building
Cashier's Office
1819 West 7th Street, Room 1210
Little Rock, Ark.

Note: The Cashier's Office is located on the west side of the Ledbetter Building, and is not located in the same building as ABC. Use the west entrance. Upon entry, the Cashier's Office is through a door on the right.

PAYMENT MUST BE MADE IN FULL. PARTIAL PAYMENTS WILL NOT BE ACCEPTED.

Modifications to Applications

Applicants may modify a submitted application at any time prior to the final submission deadline. Modifications shall be accompanied by a cover letter explaining the purpose of the modification. The applicant bears sole responsibility for ensuring an application is completed, received and time-stamped on or before the submission deadline. Modifications to applications after the submission deadline will not be accepted.

Communications with the Arkansas Medical Marijuana Commission

As of June 20, 2017, all questions concerning applications shall be submitted in writing to the email address: mmcadmin@dfa.arkansas.gov. Questions and answers of a substantive nature will be posted on the commission's website: www.mmc.arkansas.gov.

Disqualification

The commission may disqualify any applicant for the following reasons:

- Failure to provide complete responses or information required by the application;
- Providing misleading, incorrect, false, or fraudulent information;
- Failure to pay all applicable fees as required prior to the payment deadline;
- Failure to post a performance bond upon notification that applicant has been selected for licensure prior to the posting deadline;
- An applicant, owner, board member, or officer has a background history that indicates the applicant does not have a reputable and responsible character or would pose a risk to health, safety, or welfare of the public or qualifying patients.
- Failure to conform with the requirements of Arkansas law, the application process as described below, or as otherwise determined by the commission.

Freedom of Information Act

Applicants should be aware that applications and all supporting materials are subject to the Arkansas Freedom of Information Act of 1967 (Ark. Code Ann. § 25-19-101, et seq.). Certain information is exempt from disclosure under the Act, including information that would give an advantage to competitors or bidders. Ark. Code Ann. § 25-19-105(b)(9)(A)) Applicants should specifically identify particular sentences, paragraphs, pages, sections, data, or other information which the applicant believes would provide an advantage to competitors or bidders and is therefore exempt from disclosure under FOIA. Each page containing such information must contain a footer notifying the commission that the material on the page is requested to be “Confidential” and redacted from any Freedom of Information request. In addition to declaring the material “Confidential”, and therefore exempt, the applicant must provide a sufficient explanation to justify the claimed exemption. Final determination of whether information shall be released pursuant to a FOIA request lies with the commission. The commission reserves the right to apply any FOIA exemption to information received by the applicant, whether requested or not.

Scoring and Awarding of Licenses

Only applications which meet the requirements of AMMC Rules, Sections IV.4 and IV.5 will be subject to further review and merit scoring by the commission. Applications which fail to meet the requirements of Section IV.4 and IV.5 will be rejected. The commission will only begin scoring the merit criteria portion of all applications at the close of the application period. The commissioners will receive only a copy the narrative and addenda submitted in response to “Section E. Merit Criteria”. Each commissioner’s copy will be redacted to remove personal and identifying information. Redactions will be performed by commission staff.

Each commissioner will evaluate each application and award merit points based on the information provided by the applicant. The entire merit portion of the application is worth a total of one hundred (100) points. The distribution of possible points is described in Section E of the application. Points shall be totaled for each application, and the applications ranked from highest total score to lowest total score. Each applicant will be notified of their respective score and their respective ranking among all applicants for the license in question. The five (5) highest ranking applicants, equal to the amount of the available licenses, shall have the first opportunity to submit the required license fee and post the performance bond required by the AMMC Rules. Applicants shall have seven (7) days from the date of initial notification to pay the license fee and post the required bond. Applicants who miss this deadline will forfeit their application, and opportunity to pay the required license fee and bond will be offered to the next highest scoring applicant.

In the event two applicants with overlapping ownership interests are among the highest ranking, the lower ranking application will be rejected. For example, if an individual owns interests in both the highest scoring and the second-highest scoring applications, only the highest scoring will be offered an opportunity to obtain a license. The second-highest application will be rejected, and any additional available licenses will be made available to other, lower-scoring applicants.

Instructions for Completing the Application

- Familiarize yourself with the following:
 - Amendment 98 of the Constitution of the State of Arkansas of 1874;
 - Rules and Regulations Governing the Application For, Issuance, and Renewal of Licenses for Medical Marijuana Cultivation Facilities and Dispensaries in Arkansas;
 - Rules and Regulations Governing the Oversight of Medical Marijuana Cultivation Facilities and Dispensaries by the Alcoholic Beverage Control Division; and
 - Rules and Regulations Governing Medical Marijuana Registration, Testing, and Labeling in Arkansas.
- Provide complete responses to the General Application Form and provide required attachments, if necessary.
- The applicant and all owners, officers, and board members affiliated with the proposed cultivation facility are each required to complete a Disclosure Statement, and attach any required forms of proof specified in the application. Copies of items required to show proof of age, citizenship, and residency will be accepted; however, the Commission reserves the right to require applicants to produce an original document for inspection.
- The applicant and all owners, officers, and board members affiliated with the proposed cultivation facility are required to complete an application for a Criminal History Check by the Arkansas State Police. Results from the Criminal History Check must be included with the application packet when it is submitted to the Commission.
- The applicant and all owners, officers, and board members affiliated with the proposed cultivation facility are required to submit to a Criminal History Check by the Federal Bureau of Investigation. NOTE: This portion of the application process will not be completed until AFTER the application packet has been submitted to the Commission.
- Provide complete information required by Property Ownership Form
- Provide complete information required by School and Church disclosure form.
- Provide a complete Proof of Zoning Compliance Form

- Provide complete and comprehensive responses to all information requested in the Merit Portion of the application. NOTE: Applicant's response to the merit portion of the application, Section E., shall be limited to a twenty-five (25) page summary, which clearly addresses the requirements of Schedules 1, 2, 3, 4, and if applicable, Schedules 5, 6, and 7. The applicant may also include any exhibits necessary to bolster his or her application. The exhibits will not be included in the 25-page limit. Any exhibits must be clearly identified and referenced in the narrative. The narrative response shall be submitted on single-sided pages in 12 pt. Times New Roman, single spaced, with 1" margins. Summaries with greater than 25 pages will be rejected and will not be processed.
- ALL RESPONSES, ATTACHMENTS, AND EXHIBITS PRODUCED IN RESPONSE TO ANY PORTION OF THE APPLICATION MUST INCLUDE A HEADER REFERENCING THE ITEM NUMBER AND SUBPART TO WHICH IT APPLIES.

Proof of Assets Requirement

- Provide proof of assets or a surety bond in the amount of \$1,000,000, and proof of at least \$500,000 in liquid assets.

Instructions for Submitting the Application

- Hand-Deliver completed application packets to:

Arkansas Medical Marijuana Commission
 c/o Arkansas Alcoholic Beverage Control
 1515 W. 7th Street, Suite 503
 Little Rock, Arkansas 72201
 (501) 682-1105

- Application packets must include the following:
 - An original and two paper copies of the completed application forms, responses, and addenda;
 - An electronic copy of the completed application forms, responses, and addenda in Adobe Portable Document Format (PDF). PDF documents shall be submitted on a Compact Disk (CD), Digital Video Disk (DVD), portable "flash" or "thumb" drive, or on other electronic media that may be commonly used for transporting digital information. Please label CDs, DVDs or external drives with the name of the applicant. PDF documents will not be accepted by email;
 - If the applicant has identified potential information as "confidential" and exempt from disclosure under the Arkansas Freedom of Information Act, the applicant should submit a PDF document using one of the forms of electronic media listed above with the proposed redactions marked but not applied.
 - Proof of assets or a surety bond in the amount of \$1,000,000, and proof of at least \$500,000 in liquid assets; and
 - Background results from the Arkansas State Police for the applicant and all owners, officers, and board members affiliated with the proposed cultivation facility.

- NOTE: Applicants will receive fingerprint cards and instructions for completing the background check by the Federal Bureau of Investigation upon submission of a complete application to the Commission.
- Application packets which do not include all listed items or are otherwise incomplete will not be accepted by ABC staff.

Instructions for Submitting the Application Fee

- Upon submission of a complete application packet to the Medical Marijuana Commission, the applicant will receive a payment voucher for the application fee of \$15,000.
- The voucher must be delivered along with the entire application fee to:

DFA Revenue Division – Ledbetter Building
Cashier’s Office
1819 West 7th Street, Room 1210
Little Rock, Ark.

NOTE: The Cashier’s Office is located on the west side of the Ledbetter Building. Use the west entrance. Upon entry, the Cashier’s Office is through a door on the right.

- PAYMENT MUST BE MADE IN FULL. PARTIAL PAYMENTS WILL NOT BE ACCEPTED.

APPLICATION FOR MEDICAL MARIJUANA CULTIVATION FACILITY

SECTION A. GENERAL INFORMATION

1. Name of Applicant (Must be a natural person.)

2. Business Name _____

Fictitious Trade Name (if any) _____

Business Mailing Address _____

Business telephone number _____

3. Business entity type _____

Date of business formation or incorporation _____

State(s) of Incorporation _____

Registered Agent Name _____

Registered Agent Address _____

4. List all owners, stockholders, shareholders, members, officers, and board members of the proposed cultivation facility. Identify the nature of the individual’s or corporation’s affiliation with the proposed cultivation facility and the percentage of ownership, if any. NOTE: Please make sure that 100% of the ownership interest in the proposed cultivation facility is accounted for in this section. (Attach any necessary additional pages to this form. Include a header on any attachments. The header for this response should include “Section A. Number 4.”)

5. County of Proposed Location _____

6. City of Proposed Location (If inside city limits) _____

7. Has the applicant or business entity filed, or does the applicant or business entity intend to file an additional application for a cultivation facility license, under the same or a different name at a different location? If so, please provide the location(s) and any other name under which the application(s) will be made.

8. Is the Applicant or any owner, stockholder, shareholder, officer, or board member in any way affiliated with any other applicant(s) for

dispensaries/cultivation centers? If yes, please identify the individual and the name of the proposed cultivation facility or dispensary, and briefly describe the nature of the relationship.

Certification

I, _____, certify that the information provided in this form and its attachments is complete and accurate. I understand that any misstatement or concealment of fact may be grounds for refusal of application or revocation of license if later disclosed.

Signed this _____ day of _____, _____.

Signature of Applicant

Subscribed and sworn to before me this _____ day of _____,
_____.

Notary Public

My Commission Expires: _____

APPLICATION FOR MEDICAL MARIJUANA CULTIVATION FACILITY

SECTION B. Applicant, Owner, Officer, or Board Member Disclosure Statement

Identify your affiliation with the proposed cultivation facility (Applicant, Owner, Officer, Board Member?) Include your percentage of equity ownership in the facility, if any.

Affiliation: _____

Percentage of Equity Ownership: _____

Legal Name

*In addition to the information below, you are required to provide supporting documents to prove your legal name. See Section B, Appendix 1 for acceptable forms of proof.

Last Name _____

First Name _____

Middle Name _____

Maiden Name (if applicable) _____

Alias(es) or former names _____

SSN _____

Date of Birth

*In addition to providing your date of birth, you are required to provide supporting documents to prove your date of birth. See Section B, Appendix 2 for acceptable forms of proof.

Date of Birth _____

Contact Information

Mailing Address _____

Phone Number (primary contact number) _____

Email Address _____

Residency

Are you an Arkansas resident? _____

If you are not an Arkansas resident, please identify your primary place of residence.

Have you been an Arkansas resident for the past seven (7) years? _____

If you answered “yes” to the question above, in addition to providing the information requested below, you are required to provide supporting documents to prove your residency for the past seven (7) years. See Section B, Appendix 3 for acceptable forms of proof.

Provide the address of your primary residence(s) for the past seven (7) years. Identify the dates (month and year) you resided at each listed location:

Tax Liability

Do you have any outstanding tax delinquencies owed to the State of Arkansas: _____

If you answered “yes” to the previous question, please explain the nature of any delinquencies:

Other Financial Liabilities

Are you a party to any legal proceedings where damages, fines, or civil penalties may reasonably be expected to exceed \$500,000 above any insurance coverage available to cover the claim?

If the answer to the above question is “yes”, attach a statement describing the litigation, including the title and docket number of the litigation, the name and location of the court in which it is pending, the identity of all parties to the litigation, the general nature of the claims being made and the impact an unfavorable opinion may have on your ability to finance and operate the proposed cultivation facility. Any documents submitted in response to this requirement must be labeled with “Section B, Other Financial Liabilities”.

Regulatory History

Have you, or has any entity over which you exercised management or control, ever had any fines or other penalties over \$10,000 assessed by any regulatory agency? _____.

If the answer above is “yes”, attach a statement providing the details of such fines or penalties. Any documents submitted in response to this requirement must be labeled with “Section B, Regulatory History”.

Professional Licensure

Do you presently hold any type of professional license? _____

If yes, identify the type of license and license number _____

Is the license in good standing? _____

Certification

I, _____, certify that the information provided in this form and its attachments is complete and accurate. I understand that any misstatement or concealment of fact may be grounds for refusal of application or revocation of license if later disclosed.

Signed this _____ day of _____, _____.

Signature of Applicant, Owner, Officer, or Board Member

Subscribed and sworn to before me this _____ day of _____,
_____.

Notary Public

My Commission Expires: _____

APPLICATION FOR MEDICAL MARIJUANA CULTIVATION FACILITY

SECTION B. Applicant, Owner, Officer, or Board Member Disclosure Statement

APPENDIX 1 – ESTABLISH LEGAL NAME

Any person submitting a Disclosure Statement must present at least one (1) of the source documents listed below to prove his or her legal name. You may provide legible copies of the original documents. The Medical Marijuana Commission reserves the right to request and review the original of any document submitted by copy. Any documents submitted in response to this requirement must be labeled with “Section B, Appendix 1”.

1. Certified copy of a birth certificate or marriage certificate filed with a state office of vital statistics or equivalent agency in the individual’s state of birth or marriage;
2. Valid, unexpired U.S. passport or U.S. passport card;
3. Consular report of birth abroad Form FS-240, DS-1350 or FS-545 issued by the U.S. Commission of State;
4. Valid, unexpired permanent resident card (Form I-551) issued by the Commission of Homeland Security (DHS) or the U.S. Citizenship and Immigration Services (USCIS);
5. Unexpired employment authorization document issued by the Commission of Homeland Security, Form I-766 or Form I-688B;
6. Unexpired foreign passport with the following: a valid, unexpired U.S. visa affixed, and an approved I-94 form documenting the applicant’s most recent admittance into the United States or a Commission of Homeland Security admittance stamp on the passport;
7. Certificate of naturalization issued by Commission of Homeland Security, Form N-550 or Form N-570;
8. Certificate of citizenship, Form N-560 or Form N-561, issued by Commission of Homeland Security;
9. Court-issued, certified copy of a divorce decree; or
10. Certified copy of a legal change of name order.

APPLICATION FOR MEDICAL MARIJUANA CULTIVATION FACILITY

SECTION B. Applicant, Owner, Officer, or Board Member Disclosure Statement **APPENDIX 2 – ESTABLISH DATE OF BIRTH**

Any person submitting a Disclosure Statement must present at least one (1) of the source documents listed below and a copy of his or her valid, unexpired driver's license or government issued photo identification card to prove his or her date of birth. You may provide legible copies of the original documents. The Medical Marijuana Commission reserves the right to request and review the original of any document submitted by copy. Any documents submitted in response to this requirement must be labeled with "Section B, Appendix 2".

1. Certified copy of a birth certificate or marriage certificate filed with a state office of vital statistics or equivalent agency in the individual's state of birth or marriage;
2. Valid, unexpired U.S. passport or U.S. passport card;
3. Consular report of birth abroad Form FS-240, DS-1350 or FS-545 issued by the U.S. Commission of State;
4. Valid, unexpired permanent resident card (Form I-551) issued by the Commission of Homeland Security (DHS) or the U.S. Citizenship and Immigration Services (USCIS);
5. Unexpired employment authorization document issued by the Commission of Homeland Security, Form I-766 or Form I-688B;
6. Unexpired foreign passport with the following: a valid, unexpired U.S. visa affixed, and an approved I-94 form documenting the applicant's most recent admittance into the United States or a Commission of Homeland Security admittance stamp on the passport;
7. Certificate of naturalization issued by Commission of Homeland Security, Form N-550 or Form N-570;
8. Certificate of citizenship, Form N-560 or Form N-561, issued by Commission of Homeland Security;
9. Court-issued, certified copy of a divorce decree; or
10. Certified copy of a legal change of name order.

APPLICATION FOR MEDICAL MARIJUANA CULTIVATION FACILITY

SECTION B. Applicant, Owner, Officer, or Board Member Disclosure Statement APPENDIX 3 – ESTABLISH SEVEN YEARS OF RESIDENCY IN ARKANSAS

Any person submitting a Disclosure Statement and declaring at least seven (7) years of residency in Arkansas must present at least two (2) of the source documents listed below. You may provide legible copies of the original documents. The Medical Marijuana Commission reserves the right to request and review the original of any document submitted by copy. Any documents submitted in response to this requirement must be labeled with “Section B, Appendix 3”.

1. Arkansas tax return Form AR1000 for each of the seven years preceding the application without schedules, worksheets, or attachments, and redacted to remove all financial information and all but the last four digits of the individual’s social security number;
2. Evidence of voter registration for the seven years preceding the application;
3. Ownership, lease, or rental documents for place of primary domicile for the seven (7) years preceding the application;
4. Billing statements including utility bills for the seven (7) years preceding the application; or
5. Vehicle registration for the seven (7) years preceding the application.

APPLICATION FOR MEDICAL MARIJUANA CULTIVATION FACILITY

SECTION C. PROPERTY INFORMATION

Part 1. PROOF OF AUTHORIZATION TO OCCUPY PROPERTY

(Attach any necessary additional pages to this form. Include a header on any attachments. The header for this response should include “Section C. Part 1.”)

If the property on which the proposed cultivation facility is located, or will be located, is owned by the applicant/entity, submit:

- Confirmation of land ownership;
- Identification of any and all mortgagees and perfected lienholders;
- If applicable, verification of notification to any and all mortgagees and perfected lienholders that the property is to be used as a medical marijuana cultivation facility; and
- Consent thereto by any mortgagees and perfected lienholders.

If the property of the proposed cultivation facility is leased by the applicant/entity, submit:

- A copy of the lease;
- Confirmation of land ownership;
- Identification of any mortgagees and perfected lienholders;
- A written statement from property owner or landlord certifying consent for a medical marijuana cultivation facility to be operated on the premises; and
- If applicable, verification of notification by the property owner to any and all mortgagees and perfected lienholders that the property is to be used as a medical marijuana cultivation facility and consent thereto by any mortgagees and perfected lienholders.

If the property is not owned or currently leased by the applicant/entity, submit:

- A written statement from the property owner or landlord certifying consent for the applicant/entity to lease or purchase the land for the purpose of operating a medical marijuana cultivation facility;
- If applicable, verification of notification by the property owner to any and all mortgagees and perfected lienholders that the property is to be used as a medical marijuana cultivation facility; and
- Consent thereto by any mortgagees and perfected lienholders.

Part 2. PROOF THAT PROPOSED LOCATION IS AT LEAST 3000 FEET FROM THE NEAREST PUBLIC OR PRIVATE SCHOOL, CHURCH, OR DAYCARE. (Attach any necessary additional pages to this form. Include a header on any attachments. The header for this response should include “Section C. Part 2.”)

APPLICATION FOR MEDICAL MARIJUANA CULTIVATION FACILITY

SECTION D. COMPLIANCE WITH LOCAL ZONING RESTRICTIONS

Applicants for cultivation facilities must certify that the proposed cultivation facility will comply with any zoning restrictions enacted by the city, town, or county in which the facility is located.

Has the city, town, or county where the proposed cultivation facility is to be located enacted any zoning restrictions for medical marijuana cultivation facilities?

If you answered, “yes” to the question above, identify all restrictions and list the corresponding ordinance.

Certification

I, _____, certify that if a license is awarded by the Medical Marijuana Commission, the cultivation facility to be located at: _____, will be operated in compliance with the zoning restrictions listed on Page 1 of this form.

Signed this _____ day of _____, _____.

Signature of Applicant

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

APPLICATION FOR MEDICAL MARIJUANA CULTIVATION FACILITY

SECTION E. MERIT CRITERIA

Page Limitation: Applicant's response to the merit portion of the application, Section E., shall be limited to a twenty-five (25) page summary, which clearly addresses the requirements of Schedules 1, 2, 3, 4, and if applicable, Schedules 5, 6, and 7. The applicant may also include any clearly identified exhibits the applicant would like to attach to bolster his or her application. The exhibits will not be included in the 25-page limit. Any exhibits must be clearly referenced in the narrative. The narrative response shall be submitted in 12 pt. Times New Roman, single spaced, with 1" margins. Summaries with greater than 25 pages will be rejected and will not be processed.

Schedule 1 – Qualifications of Applicant

Section 9(b)(i)

(10 points)

The Commission will evaluate the education and business experience of each applicant. Points will be awarded based on each applicant's demonstration of the requisite education, knowledge, and experience to operate a medical marijuana cultivation facility. Applicants should describe, in detail, any experience the applicant considers relevant to demonstrate qualifications required to operate a medical marijuana cultivation facility. Experience, if any, in the following should be specifically identified:

- Regulated Industries
- Agriculture or horticulture
- Commercial manufacturing
- Creating and implementing a business plan
- Creating and implementing a financial plan
- Experience with secure inventory tracking and control
- Experience with the cultivation and production of medical marijuana
- Experience as an owner or manager of a business that requires twenty-four hour security and monitoring

Schedule 2 – Ability to Operate a Cultivation Facility in Compliance with Applicable Laws, Rules, and Regulations

Section 9(b)(ii)

(50 points)

Schedule 2a. (14 points) The Commission will evaluate the applicant's ability to manufacture approved medical marijuana products, each with a consistent cannabinoid profile and each able to pass the required quality control testing standards established by the Arkansas Department of Health. Points will be awarded based on the applicant's demonstration of a working knowledge of medical marijuana cultivation as well as experience with and proposed procedures for testing and quality control. Applicants should include any information relevant to testing and quality control. Applicants should specifically address the following:

- A detailed plan for producing sufficient quantities of approved medical marijuana products to meet the needs of individuals with qualifying medical conditions. Applicants should include:
 - Estimated number of immature and mature medical marijuana plants to be grown by the facility at any given time.
 - The types of medical marijuana strains that will be grown by the facility in the first year of production.
 - List all usable marijuana products, including extracts, concentrates, oils, and edibles the facility intends to produce in its first year of operation.
- Description of cultivation procedures to be implemented in the facility. Descriptions should include the following:
 - Grow mediums
 - Use of pesticides or other chemicals to aid in the cultivation of medical marijuana
 - Types of areas to be used in the cultivation of plants at various stages of growth.
- Description of any manufacturing or processing procedures to be implemented in the facility. Description should include procedures to be implemented for the manufacturing and processing of any medical marijuana extracts, concentrates, or edibles.
- A detailed plan for testing the following:
 - Potency of marijuana (measurements for THC, THCA, CBD, and CBDA)
 - Microbiological contaminants
 - Pesticides
 - Solvents
 - Water activity and moisture content
 - Metals
- A detailed plan for the prevention of cross contamination of plants.
- A detailed plan for the disposal of waste products and unusable medical marijuana consistent with the rules of the Arkansas Alcoholic Beverage Control.

Schedule 2b. (8 points) The Commission will evaluate the applicant's ability to comply with the construction specifications for cultivation facilities described in the Arkansas Alcoholic Beverage Control's rules for Medical Marijuana. Points will be awarded based on the applicant's proposed plans for construction or renovation of the cultivation facility, if required, to ensure the production of medical-grade marijuana in a safe and secure environment. Applicants should include any relevant information and specifically address the following:

- Describe the material used or to be used in the construction of the foundation, exterior walls, and the roof of the facility.
- Describe proposed plans to ensure that cultivation and processing activities cannot be and will not be perceptible from the structure in terms of:
 - Common visual observation;
 - Odors, smell, fragrances, or other olfactory stimulus;
 - Light pollution, glare, or brightness;
 - Adequate ventilation to prevent mold; and
 - Noise
- Provide a blueprint or drawing of the cultivation facility. Identify the total square footage of the facility. Identify the primary entrance to the facility. Identify each point of ingress and egress to the facility. Identify all restricted or limited access areas within the facility. Label all areas of the facility to be used for cultivation. Identify storage areas and any other defined areas within the facility, and label the areas according to their purpose.
- For each area of the facility utilized for any stage of medical marijuana cultivation, identify the following for each area:
 - Specific stage of cultivation that will occur in the area;
 - Square footage of the individual area; and
 - Maximum planned canopy height for medical marijuana grown in the individual area.
- Provide a plot plan of the cultivation facility drawn to a reasonable scale. The plot plan must show all of the following: All public roads accessible by the facility, all private roads within the facility, and all uses of adjacent property.
- Provide color photos of the exterior portions of the facility, or a color photo of any proposed site for the construction of a facility. For existing structures, applicants should submit at least four photos depicting the front, rear, and sides of the building. If the facility has not been constructed, applicants should submit a color photo of the proposed site.

Schedule 2c. (9 points) The Commission will evaluate the applicant's ability to comply with the security and storage requirements for cultivation facilities described in the Arkansas Alcoholic Beverage Control's rules for Medical Marijuana. Points will be awarded based on the applicant's demonstration of a plan that will deter and prevent both unauthorized entrance into the facility and theft and diversion of medical marijuana. Applicants should include any relevant information and specifically address the following:

- Identify the type of alarm system to be used within the facility and around the perimeter of the facility.
- Identify the type of video surveillance system to be used in the facility and around the perimeter of the facility.
- Identify any other means of security or surveillance. If an outside contractor will be used for security, please provide the name, address, and phone number of the contractor.
- Provide a retention plan for security and surveillance system records.
- Describe any additional plans or methods for security or the prevention of diversion of medical marijuana.
- Provide a proposed plan for the storage of harvested medical marijuana.

Schedule 2d. (10 points) The Commission will evaluate the applicant's ability to comply with the requirements for packaging medical marijuana established by the Arkansas Alcoholic Beverage Control Administration and the requirements for labeling medical marijuana established by the Arkansas Department of Health. Points will be awarded based on the applicant's ability to provide adequate packaging and labeling of medical marijuana.

- Describe the types of packaging to be used for the products produced by the cultivation facility. Provide any photos or diagrams that may be useful in understanding the packaging. Packaging should not only include the product-level packaging; but also, packaging and containers that will be used for transporting medical marijuana to dispensaries.
- Describe the methods of labeling to be used by the cultivation facility. Provide any photos or samples that may be useful in describing the labels. Labeling should not only include product-level labeling, but also, labeling of containers and packaging to be used in transporting medical marijuana to dispensaries.
- Describe the process for weighing, packaging, and preparing medical marijuana for transport to marijuana to dispensaries.

Schedule 2e. (9 points) The Commission will evaluate the applicant's ability to comply with the requirements of the Alcoholic Beverage Control Administration for the transportation of medical marijuana products. Points will be awarded based on the applicant's demonstration of a plan to reduce the risk of diversion, loss or theft of medical marijuana during transport. Applicants should describe containers and vehicles to be used for transportation of medical marijuana, as well as, any other information relevant to the applicant's plan for transport.

Schedule 3 – Operations Plan

Section 9(b)(iii)

(20 points)

An applicant must be ready, willing, and able to properly carry out the activities of a medical marijuana cultivation facility. The Commission will award points based on the applicant's ability to demonstrate compliance with this requirement. Applicants shall submit the following:

- (16 Points) Business plan for operating a cultivation facility on a long term basis. The plan should include, but not be limited to the following:
 - Detailed description of the estimated amount of capital and debt commitment for the proposed cultivation center. Estimates should include a breakdown of amounts needed for start-up, as well as, long term stability.
 - Proposed staffing requirements, hiring criteria for staff, daily operations schedules.
- (4 Points) Estimated timeline for opening the cultivation facility and beginning production.

Schedule 4 – Financial Disclosure

Section 9(b)(iv)

(10 points)

Applicants must prove financial stability and access to financial resources. The Commission will award points based on the applicant's ability to demonstrate financial stability. Applicants shall provide the following:

- Legal sources of finances immediately available to begin operating a cultivation facility.
- Disclosure of bankruptcy filings by the applicant or entities owned or operated by the applicants.
- Credit histories for the applicant and owners of the entity.
- Summary of financial statements for businesses previously or currently owned or operated by the applicant owners of the entity.
- Any other information that may be necessary to prove financial stability.

Bonus Merit Section

Schedule 5 – Affiliation with a Medical Doctor, Doctor of Osteopathy, or Doctor of Pharmacy

**Section 9(c)(i)
(2.5 points)**

Applicants are not required to affiliate with a medical doctor, doctor of osteopathy, or doctor of pharmacy; however, the Commission will award bonus points to those applicants with an affiliation with one of the identified medical professionals. If the cultivation facility will be affiliated with a medical doctor, doctor of osteopathy, or doctor of pharmacy, please provide the name, title, and degree of affiliation with the cultivation facility for each identified medical professional.

Schedule 6 – Economic Impact and Diversity

**Section 9(c)(ii)
(5 points)**

Schedule 6a. (2.5 points) The Commission will award points to applicants based on projected economic impact. Applicants do not need to provide information for this section. Instead, applications will be scored based on the prosperity ranking of the county in which the cultivation facility plans to operate, as determined by the Arkansas Economic Development Commission. The Economic Development Commission has assigned each county to one of four tiers of prosperity. Counties identified as being in the first tier are the most prosperous in the state. Counties identified as being in the fourth tier are the least prosperous. Applicants locating in Tier 1 counties will receive no points, 0.5 points for locating in Tier 2 counties, 1.5 points for locating in Tier 3 counties, and 2.5 points for locating in Tier 4 counties.

Counties located in Tier 1 are as follows: Baxter, Benton, Boone, Carroll, Craighead, Faulkner, Garland, Grant, Greene, Lonoke, Madison, Pulaski, Saline, Sebastian and Washington

Counties located in Tier 2 are as follows: Arkansas, Clark, Cleburne, Cleveland, Crawford, Conway, Cross, Franklin, Howard, Hot Spring, Independence, Johnson, Little River, Logan, Miller, Perry, Pope, Prairie, White and Yell

Counties located in Tier 3 are as follows: Calhoun, Clay, Columbia, Crittenden, Drew, Fulton, Hempstead, Lawrence, Marion, Nevada, Newton, Pike, Polk, Poinsett, Randolph, Sevier, Scott, Union, Van Buren

Counties located in Tier 4 are as follows: Ashley, Bradley, Chicot, Dallas, Desha, Izard, Jackson, Jefferson, Lafayette, Lee, Lincoln, Mississippi, Monroe, Montgomery, Ouachita, Phillips, St. Francis, Searcy, Sharp, Stone and Woodruff

Schedule 6b. (2.5 points) The Commission will award bonus points to applicants based on the projected the diversity of the cultivation facility's ownership. Applicants should include information including, but not limited to the following:

- At least 51% ownership in the cultivation facility by a minority group as defined in Ark. Code Ann. § 15-4-303;
- At least 51% ownership in the cultivation facility by veterans; or
- At least 51% ownership in the cultivation facility by women.

Schedule 7 – Community Benefit

Section 9(c)(iii)

(2.5 points)

Schedule 7a. The Commission will award bonus points for substance abuse plans to be implemented by an applicant if they are awarded a cultivation facility license. If an applicant intends to implement a substance abuse plan, the applicant should provide a detailed description of the plans that will be undertaken to combat substance abuse in Arkansas. If the plan includes working with existing substance abuse programs, please identify those programs.

Schedule 7b. The Commission will award bonus points for compassionate care plans to be implemented by an applicant if they are awarded a cultivation facility license. If the applicant intends to collaborate with a dispensary and offer a compassionate care plan for qualified patients, please provide a detailed explanation of the plan.

Schedule 7c. The Commission will award bonus points for medical marijuana research plans, education plans, and plans to promote patient and public safety. Please describe, in detail, any plans the applicant will undertake if awarded a cultivation facility license for the purpose of research, education, or patient and public safety.

Schedule 7d. The Commission will award bonus points based on the percentage of ownership in the cultivation facility by Arkansas residents. Please identify the percentage of ownership in the proposed cultivation facility held by Arkansas residents.