



April 25, 2013

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**APR 26 2013**

DEPT OF CONSUMER PROTECTION  
OFFICE OF THE COMMISSIONER

Commissioner William M. Rubenstien  
Department of Consumer Protection  
Room 103, State Office Building  
165 Capitol Avenue  
Hartford, CT 06106

Dear Mr. Rubenstien,

As a potential applicant for the medical marijuana growers permit, I respectfully submit the following comments regarding the Palliative Use of Marijuana. Our comments are as followings:

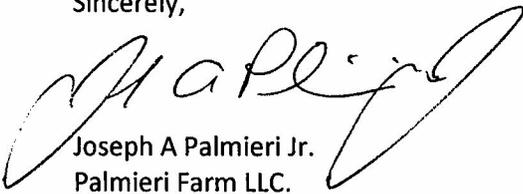
- 1. Sec.21a-408-20 Producer Selection: Sub paragraph C, Section 1, Part A:** The physical distances from a school in this section are not quantified, however, in section 21 a-408-52 it refers to 1,000 feet. We suggest the distance be reviewed on a case by case basis. A follow up suggestion would be that the producer cannot have any exterior signage or illustrations of product that would advertise the use of Marijuana, thus lessening the impact on the neighborhood.
- 2. Sec.21a-408-20 Producer Selection: Sub paragraph C, Section 1, Part C, Section 7:** With regards to the two million dollars (\$2,000,000) escrow language, we suggest that this fund could be satisfied by a payment/performance bond secured by the producer. This would create a separation that would protect the funds from federal seizure. Bonding could still be required to secure the producer's fixed assets. The goal of preventing unqualified applicants could be realized while still retaining the benefits of the bond. Bonding could also be utilized in the event of abandonment of a facility by a producer to pay all expenses to remove and "close" the operation from that location. Further, Connecticut should consider adding language for allowances for crop loss due to natural disaster, disease, or other unforeseen situations.
- 3. Sec.21a-408-20 Producer Selection: Sub Paragraph C, Section1, Part C, Sec 8:** We suggest adding language that addresses delays caused by local municipalities that could prevent the producer from opening. For example, even locations that are in an area zoned for pharmaceutical manufacturing may still face a lengthy municipal zoning process. In the event of such a delay caused by municipal permitting, we suggest an extension period to include waiving time related penalties.
- 4. Sec.21a-408-24 Licenses, Permits, And Registrations of Producers Sub Paragraph b:** We suggest the first term for a producer be extended to eighteen (18) months to allow time for a complete grow cycle and the generation of revenue. Another suggestion would be to start the 1st year production clock after facility construction is completed. Further, language can be added to require construction be complete six (6) months after all municipal building permits are received.

5. **Sec.21a-408-52 Operation of a production facility: Sub paragraph d:** With regard to the "1,000 foot rule": Imposing this restriction on a producer could be problematic because most of the producers will be utilizing buildings of former manufacturing facilities in CT. It should be evaluated on a case-by-case basis and should consider security plans, exterior signage and the like. Refer to #1 above. Connecticut is an industrialized state that would welcome healthy businesses back to former, now vacant, industrial buildings. Further, many industrial areas in Connecticut are geographically dense and would be sensitive to a broad-sweeping "1,000 foot rule."
6. **Sec.21a-408-52 Operation of a production facility: Sub paragraph e:** This section does not allow for production delays in the event of a disaster and/or local/municipal interference. Any entity pursuing a production facility will realize tremendous upfront costs. The void in return on investment should not be compounded by the loss of the escrow account or bond. Delays could be managed by allowing a payment/performance bond to be posted.
7. **Sec. 21a-408-53 Minimum requirements for the storage and handling of marijuana by procedures: Sub paragraph d: section 2.** We suggest adding, "Each production facility should be equipped with a backup generator that, at a minimum, would maintain the security systems of the facility." This would ensure continuity of video and surveillance records.

Should you have any questions regarding this submittal, please contact me at (203) 650-2255.

Thank you for your time and consideration.

Sincerely,



Joseph A Palmieri Jr.  
Palmieri Farm LLC.