
From: Bob Summers <bsummers@nvbotanical.com>
Sent: Saturday, October 10, 2020 11:49 AM
To: CCB Regulations
Subject: Public Comment

To whom it may concern at CCB:

Please address the issues with accela. This website has not been an effective tool for cannabis industry professionals. The time that it takes to receive an answer for any request on this website is not conducive to running a business. Agent cards take over a month to process at times, leaving employees out of work, which negatively impacts both cannabis businesses and employed individuals who can not work during the extensive time period between agent card expiration and temporary card receipt. Other requests similarly take excessive time to process. CCB should have a limit on the time period wherein they may accept or deny an accela submittal, and when by default that submittal is assumed approved, as it was when the health and tax departments were in charge of cannabis businesses.

Accountability for consistent interpretation of regulations needs to be addressed. The recent complaints and fines seem to have no consistent pattern. Businesses need to understand both the regulations and the consequences in order to function effectively and efficiently. It is unfair to seemingly define regulations on a case per case basis and attach undeterminable consequences to unforeseeable violations.

Timely and Complete Communications. Emails sent to CCB email addresses go unanswered forever. Requests for approvals that are unanswered and have been followed up with emails go unanswered. Prior to CCB taking jurisdiction of cannabis business there was an ability to communicate with state employees. This is not the case now. As an industry we have worked hard to remain compliant, but it is becoming increasingly difficult given the inability to communicate issues and receive answers. There needs to be accountability on the regulations side.

I appreciate your time, and I hope that together we can bring about positive changes to the CCB regulatory process.

Thank you

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October 11, 2020

Via Email Only

Cannabis Compliance Board
555 E. Washington Ave., Suite 4100
Las Vegas, NV 89101
regulations@ccb.nv.gov

Re: Comment on Proposed Amendment and/or Additions to Nevada Cannabis Compliance Board Regulations (NCCR)

To Whom It May Concern:

This public comment on the proposed amendment and/or additions to Nevada Cannabis Compliance Board Regulations (NCCR) is being provided by Curaleaf Holdings, Inc. and Curaleaf Inc. ("Curaleaf"). Curaleaf holds interest in several cannabis licenses in the state of Nevada. Curaleaf provides comment and respectfully suggests that the Board amend proposed section 5.127 and the issue of agent cards, specifically with regards to the following:

- The requirement for agent cards as it applies to shareholders of publicly traded companies should be specifically addressed in 5.127.
- The requirement to obtain an agent card for shareholders of a publicly traded company should be limited to shareholders with voting rights and voting interest that equates to more than five percent interest in the cannabis license. Furthermore, it should be limited to only shareholders with voting rights and voting interest that equates to more than five percent interest in the cannabis license for ninety (90) consecutive days. This should be completed as there is a possibility that a shareholder may possess 5% interest for a day or two due to the way shares are traded and to impose the requirement for an agent card because the individual held 5% interest for a very limited period is burdensome. This is especially true as the identity of the shareholder may be unknown to the publicly traded company and the company has no ability to force an individual to go through the agent card process, especially if their identity and contact information is unknown to the publicly traded company.
- 5.127(2)(b) requires the publicly traded company to provide an explanation of why it cannot through reasonable cost and effort provide a list of all beneficial shareholders as a part of its required annual disclosures. This requirement simply is burdensome because a publicly traded company is unable to provide information on objecting beneficial owners and therefore quite simply cannot provide the requested list of all beneficial owners regardless of cost and effort. Therefore, the requirement for this annual explanation should be removed.
- 5.127(2)(b) also requires the company identify all shareholders with 5% interest in the establishment, but if the shareholder individually does not disclose that information and take affirmative actions to report his or her ownership, the publicly traded company will have no way of knowing the identity of the shareholder. Therefore, the requirement

should be changed to state all shareholders holding 5% or more in the establishment that are known to the publicly traded company should be disclosed.

Curaleaf appreciates the time and effort the Cannabis Compliance Board and the consideration of the challenges publicly traded companies face. Curaleaf recognizes the hard work that has been put in to developing the proposed regulation 5.127, but kindly requests that the proposed changes and additions, specifically with relation to agent card requirements, be considered.

CURALEAF, INC.

Lesley S. Gordon, Esq.

Lesley S. Gordon, Esq.
Licensing and Regulatory Affairs



October 11, 2020

Cannabis Compliance Board
555 E. Washington Avenue, Suite 5100
Las Vegas, NV 89101

Subject: Comments on Proposed Changes to Nevada Cannabis Compliance Board Regulations (NCCR) 5 and 6

Dear Members of the Cannabis Compliance Board,

On behalf of the members of the Nevada Dispensary Association (NDA), thank you for considering these written comments to the revised proposed changes to NCCR 5 and 6.

Proposed 5.127

The NDA appreciates the revisions the CCB made to the proposed regulations in response to public comment, as those revisions will help publicly traded companies comply with the disclosure requirements.

We recommend minor revisions to proposed regulation 5.127(2)(b) and request that the CCB consider language to allow the list of owners to be provided confidentially.

As we stated in our previous comments, because of the nature of ownership of shares in a publicly traded company, these companies are not able to provide a complete list of all beneficial owners. We therefore recommend deleting the language requiring that the disclosure must state that a list of beneficial owners could not be obtained through reasonable cost and effort. In the alternative, the section could be edited to only request a list of non-objecting beneficial owners.

Proposed 5.127(2)(b)

(b) An updated list of all beneficial owners regardless of amount or type of ownership. If a list of all beneficial owners cannot be obtained through reasonable cost and/or effort, the publicly traded company must provide an updated list of all non-objecting beneficial owners having an ownership interest in the cannabis establishment as of the record date disclosed to the CCB under 5.127(1)., and explain why it cannot obtain a full list of all beneficial owners through reasonable cost and effort;

Or:

(b) An updated list of all [non-objecting] beneficial owners regardless of amount or type of ownership. If a list of all beneficial owners cannot be obtained through reasonable cost and/or effort, the publicly traded company must provide an updated list of all non-objecting beneficial owners having an ownership interest in the cannabis establishment as of the record date disclosed to the CCB under 5.127(1)[. If a list cannot be obtained, the publicly traded company must] and explain why it cannot obtain a full list of all-[non-objecting] beneficial owners through reasonable cost and effort[.]



Additionally, members have raised concerns about confidentiality of the shareholder lists. While typically a list of non-objecting beneficial owners would not be confidential, small investors in the cannabis industry may be sensitive to the release of their information. We submit the following proposed language to maintain the confidentiality of shareholders of less than 5% of public companies:

Proposed 5.127(2)(c)

[(c) Any and all information disclosed to the Board or CCB staff pursuant to this Section 5.127(2) shall be regarded as confidential information that shall not be released or otherwise disclosed unless approved by the licensee. Licensees shall have the option of providing the requested list of non-objecting beneficial owners to the Board, or make the list available for inspection at a location mutually agreed upon.]

Proposed 6.072

The NDA strongly supports proposed regulation 6.072. We believe that the entire industry benefits from comprehensive education and training in best practices.

Thank you for your time and consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Martin".

Layke Martin, Esq.
Nevada Dispensary Association



ATTORNEYS AT LAW

VIA E-MAIL ONLY

October 12, 2020

Cannabis Compliance Board
Email: regulations@ccb.nv.gov

Re: Public Comments to Workshop Agenda and Revised Proposed Changes

Dear Cannabis Compliance Board:

I am writing on behalf of GreenMart of Nevada NLV, LLC ("GreenMart").

GreenMart proposes that the time period in section 5.127(1) be increased from 7 days to 30 days, which aligns with 5.127(2) and is more reasonable. Ideally, I think 5.127(1) should be deleted in its entirety, but I assume that will be a difficult sell.

Additionally, GreenMart proposes having sections 5.127(2)(a) and 5.127(2)(b) read as follows:

- a. An updated list of all officers and board members, and an updated list of all **non-objecting beneficial** owners with an ownership interest over five (5) percent as of the record date disclosed to the CCB under 5.127(1) above, whether voting or beneficial interest including a valid and current name and address of each person disclosed;
- b. An updated list of all ~~beneficial owners regardless of amount or type of ownership. If a list of all beneficial owners cannot be obtained through reasonable cost and/or effort, the publicly traded company must provide an updated list of all~~ non-objecting beneficial owners having an ownership interest in the cannabis establishment as of the record date disclosed to the CCB under 5.127(1), ~~and explain why it cannot obtain a full list of all beneficial owners through reasonable cost and effort;~~

Publicly traded companies can only identify non-objecting beneficial owners who do not object to being identified. Those who object to being identified or hold the shares through trading accounts can never be identified without extremely unreasonable cost or effort.

Thank you for your consideration.

Sincerely,

Margaret A. McLetchie

Margaret A. McLetchie

cc: file

From: Leighton Koehler <lkoehler@planet13lasvegas.com>
Sent: Monday, October 12, 2020 10:31 AM
To: CCB Regulations
Subject: NCCR 6.072: Licensee MM Development Company, Inc. dba Planet 13 - Short Supplement to brief comment to Reg. 6.

Dear CCB:

As a follow-up to the October 5, 2020 memorandum MM Development Company, Inc. ("MMDC") sent to CCB commenting on the proposed regulation updates, MMDC again encourages CCB to consider the business impact caused by agent card and training delays may cause, and to permit new-hires to attend formal and on-the-job training for a period of up to 30 days while the agent card application is in process.

The proposed language submitted as an addition to Regulation 6.072 by MM Development Company, Inc. was modeled on the visitor log concept listed in Regulation 6.070. For purposes of the public comment record, we again submit our proposed addition to Regulation 6.072:

[7. In furtherance of paragraphs (1) through (6) in this Regulation 6.072, a cannabis establishment may permit the person identified as a prospective employee or prospective volunteer within the cannabis establishment for up to twenty-eight (28) days while the cannabis establishment agent application is being assembled and completed. The prospective employee or volunteer must be entered into a trainee log maintained by the cannabis establishment and obtain a trainee identification badge from a cannabis establishment agent before entering the premises of the cannabis establishment. A prospective employee or prospective volunteer: (a) Must be escorted and monitored by a cannabis establishment agent at all times he or she is on the premises of the cannabis establishment; (b) Must visibly display his or her trainee identification badge at all times he or she is on the premises of the cannabis establishment; (c) Must not handle any cannabis or money whatsoever; and (d) Must return the visitor identification badge.]

This recommendation allows the company to complete the administrative actions necessary – onboarding new employee, assisting with completion of agent card submittals, and extensive training.

This Regulation 6.072 addition is submitted because 6.070 prohibits employees from using the visitor log. Reg. 6.070(6) states:

"6. Each regular, seasonal or temporary employee of, volunteer or person who provides labor as a cannabis establishment agent at a cannabis establishment must obtain a cannabis establishment agent registration card pursuant to the provisions of NRS 678B and may not be authorized to be 45 on the premises of the cannabis establishment by obtaining a visitor identification badge pursuant to the provisions of this section."

LEIGHTON KOEHLER

GENERAL COUNSEL

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