
From: Andrew Behringer <andrewb@nationalcannabisparty.org>
Sent: Monday, November 15, 2021 9:10 AM
To: CCB Meetings
Subject: Public Comment for 11/16 CCB meeting

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Hello,

My name is Andrew Behringer, Director of Policy and Advocacy/Federal Lobbyist, for the National Cannabis Party.

I will be virtually attending the CCB meeting tomorrow and would like to add a public comment if still possible. Please find my comment below to be used for public record.

PUBLIC STATEMENT:

NAME: C. Andrew Behringer

I am the Director of Policy and Advocacy/Federal Lobbyist, for the National Cannabis Party. NCP is the first FEC approved National Political Committee, dedicated to the plant and the people.

Federal Legalization is coming fast, and Nevada has a very crucial part to play in assisting with policy creation on a State level, that can be utilized and expanded on a Federal level.



Andrew Behringer

Director of Policy and Advocacy

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THE INDUSTRY BELONGS TO THE PEOPLE!

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November 15, 2021

Hon. Michael Douglas, Chair
Nevada Cannabis Compliance Board
555 E. Washington Ave., Ste. 4200
Las Vegas, NV 89101

Dear Chair Douglas:

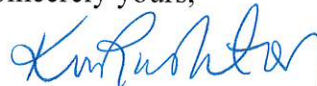
This letter is respectfully submitted in support of the proposed changes to Nevada Cannabis Compliance Regulations ("NCCR") 11.015 previously filed by RSR Analytical Laboratories ("RSR").

Please find attached hereto and identified as Exhibit 1 a copy of the current regulation (11.015). Also, attached is Exhibit 2, which contains a copy of the changes to NCCR 11.015 as proposed by CCB Staff. Lastly, attached hereto and identified as Exhibit 3 are regulation amendments proposed by RSR, which set forth the obligation of both cultivators and independent testing labs to maintain impartiality relative to the testing of cannabis as well as standards which demonstrate a lack of impartiality.

Furthermore, the proposed language, which derives from Nevada Gaming Commission ("NGC") Regulations 14.390, 14.395 and 14.420, provides notice to the cannabis industry of certain acts, relative to the testing of cannabis, that constitute an unsuitable method of operation.

As always, RSR appreciates the Board's review and consideration of the proposed regulation amendments to NCCR 11.015 as contained in Exhibit 3 and respectfully request that the draft language be included in the Board's materials and be made available to the public at the November 16, 2021, CCB meeting.

Sincerely yours,



Kimberly Maxson Rushton, Esq.

Enclosures

cc: T. Klimas, Ex. Director
R. Richardson, RSR
R. Rushton, RSR

RSR Analytical Laboratories

EXHIBIT 1

Current NCCR 11.015

11.015 Requirements for testing facility to handle, test or analyze cannabis.

1. A cannabis testing facility shall not handle, test or analyze cannabis unless:
 - (a) The cannabis testing facility has been issued a license;
 - (b) The cannabis testing facility is independent from all other persons involved in the cannabis industry in Nevada; and
 - (c) No person with a direct or indirect interest in the cannabis testing facility has a direct or indirect financial interest in:
 - (1) A cannabis sales facility;
 - (2) A cannabis product manufacturing facility;
 - (3) A cannabis cultivation facility;
 - (4) A cannabis distributor;
 - (5) A provider of health care who provides or has provided written documentation for the issuance of registry identification cards or letters of approval; or
 - (6) Any other entity that may benefit from the cultivation, manufacture, dispensing, sale, purchase or use of cannabis or cannabis products.
2. A cannabis testing facility is not required to use a cannabis distributor to collect or move samples for testing.

RSR Analytical Laboratories

EXHIBIT 2

Staff Proposed Changes to NCCR 11.015

11.015 Requirements for testing facility to handle, test or analyze cannabis. 1. A cannabis independent testing laboratory~~facility~~ shall not handle, test or analyze cannabis unless:

- (a) The cannabis independent testing laboratory~~facility~~ has been issued a license;
- (b) The cannabis independent testing laboratory~~facility~~ is independent from all other persons involved in the cannabis industry in Nevada; and

(c) No person with a direct or indirect interest in the cannabis independent testing laboratory~~facility~~ has a direct or indirect financial interest in:

- (1) A cannabis sales facility;
- (2) A cannabis production ~~manufacturing~~ facility;
- (3) A cannabis cultivation facility;
- (4) A cannabis distributor;
- (5) A provider of health care who provides or has provided written documentation for the issuance of registry identification cards or letters of approval; or
- (6) Any other entity that may benefit from the cultivation, manufacture, dispensing, sale, purchase or use of cannabis or cannabis products.

2. A cannabis independent testing laboratory shall implement business practices which are structured and managed so as to safeguard impartiality in testing including:

(a) A testing laboratory may not offer a different fee schedule or waive payment in the event of failing or otherwise undesirable test results; and

(b) Refunds, rebates or any other return of payment in the form of alternate compensation is not permitted for the reason of failing or otherwise undesirable test results.

3. A cannabis independent testing laboratory~~facility~~ is not required to use a cannabis distributor to collect or move samples for testing.

RSR Analytical Laboratories

EXHIBIT 3

RSR's Proposed Changes to NCCR 11.015

Proposed Changes to NCCR 11.015(2) –(6)

Submitted on behalf of RSR Analytical Laboratory

(2) To be considered independent from a cultivator, producer and/or dispensary, an independent testing laboratory, including its employees, management, directors, owners:

- (a) Must not have a financial or other interest, direct or otherwise, in a cannabis establishment doing business in Nevada;
- (b) Must not participate, consult, or otherwise be involved in the cultivation or production of cannabis; and
- (c) Must not have any other interest in or involvement with a cannabis cultivator, producer and/or dispensary that could cause the independent testing laboratory to act in a manner that is not impartial.

(3) An independent testing laboratory is not required to use a cannabis distributor to collect or transfer samples for testing.

(4) The restrictions denoted in subsection 2 are not intended to limit an independent testing laboratory, or the above listed individuals, from providing consulting services to a cultivation establishment, production establishment and/or dispensary, provided that such services do not directly or indirectly indicate, suggest, or imply how to cultivate or produce cannabis.

(5) If a registered independent testing laboratory hires a person who was previously employed by, or performed any work for, a cultivator, producer and/or dispensary within one year prior to the person's date of employment with the independent testing laboratory, the independent testing laboratory shall not permit that person to perform any tests for which the person had any involvement with, whatsoever, while the person was employed by the cultivator, producer and/or dispensary for a period of one year from the person's date of employment with the independent testing laboratory.

(6) A cultivator, producer or dispensary shall not:

- (a) Attempt, directly or indirectly, to improperly influence an independent testing laboratory, or any of its employees, management, or owners, regarding any sample currently being tested by the laboratory
- (b) Engage in any transaction with an independent testing laboratory it is utilizing, has utilized, or intends to utilize to test cannabis, which would require the independent testing laboratory to participate, consult, or otherwise be involved in the cultivation or production of cannabis. This restriction is not intended to limit a cultivator, producer or dispensary from engaging an independent testing laboratory to provide consulting or research and development services, provided that such services do not directly or indirectly indicate, suggest, or imply how to cultivate or produce cannabis.

From: August Bonacci <august.bonacci@slu.edu>
Sent: Monday, November 15, 2021 7:22 PM
To: CCB Meetings
Subject: Public comment for CCB's board meeting November 16, 2021

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear CCB,

Assembly Bill 466 requires the State Treasurer to establish a closed-loop framework within the state to address marijuana-related banking issues. In January 2021, Multichain Ventures was awarded a contract to establish that framework, which it describes as a tokenized financial ecosystem.

I understand that establishing the banking solution is the responsibility of the State Treasurer's Office, but I am curious if the CCB can provide any updates regarding AB 466.

August Bonacci

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August Bonacci // [LinkedIn](#)
Founder, Cannabis Law Society
J.D. Candidate, 2022
Saint Louis University School of Law