

Nevada Cannabis Advisory Commission

Meeting Minutes August 15, 2023

The Nevada Cannabis Advisory Commission held a meeting at 700 East Warm Springs Road, Las Vegas, Nevada on August 15, 2023, at 10:00am

Members Present:

Tyler Klimas, Chair
Emily Berthelot
Mitchell Britten
Garrison Carrafield
Shellie Hughes

Braly Joy
Lori Rogich
Shane Terry
Chaohsuing Tung

Chair Klimas called the meeting to order at 10:02 a.m.

Members Britten, Carrafield, Hughes, Joy, Rogich, Terry, and Tung attended in person. Member Berthelot appeared via Zoom. First Assistant Attorney General Craig Newby attended on behalf of Attorney General Ford. Director Togliatti and Dr. Spirtos were absent.

Instructions on how to provide public comment via telephone were read into the record.

I. **Public Comment**

No public comment was provided.

II. **Introduction of New Members (for discussion only)**

Chair Klimas welcomed the new members and congratulated them on their appointments. He stated that this was a second, new, iteration of the Commission and he took a moment to thank the previous iteration for their work creating a framework for consumption lounges. Chair Klimas also thanked CCB staff members for their work with the Commission. He asked all new commission members to introduce themselves.

Dr. Emily Berthelot is an associate professor of criminal justice at the University of Nevada, Reno. Her research focuses on disproportionate minority contact with the criminal justice system. She felt her research and work made her a good fit for the Commission.

Mitch Britten is a managing partner in Thrive Cannabis Marketplace. He has been in the industry for 13 years, starting in Colorado, and is looking forward to providing his expertise to the Commission.

Garrison Carrafield has been in the cannabis industry since 2008 and has been in Nevada for the last four years. He has managed a variety of facilities, including dispensaries and cultivations. He is mainly focused on operations.

Braly Joy has been in the cannabis industry in Nevada since 2014, and recently moved to direct operations at GB Sciences after working in a family business. He is excited to be a part of the commission and put in some good work.

Lori Rogich is the owner of Rogich Law and a proud graduate of Rutgers University. She is married with three children. She has been in the cannabis industry since 2014. Her focus is on regulatory compliance and licensing. She has a variety of clients, including one who was able to secure 20 licenses in the State. She has established strong working relationships with regulators and local municipalities. She thanked Governor Lombardo for his appointment, and she looks forward to working with everyone and bringing her experience and skills to help maintain the stability and safety of the product.

Shane Terry is the founder and CEO of Tap Root Labs. As a veteran, he has represented some veteran communities. He has also been involved in small businesses in the Arts District. He was the previous president of the Nevada Dispensary Association, now Nevada Cannabis Association. He is looking forward to working with the Commission members.

Dr. Chaohsuing Tung is a lab director at one of the ten labs in Nevada. He got involved in the industry in 2014 and has put a lot of effort into formulating how to test cannabis to ensure public safety.

Craig Newby is the First Assistant Attorney General who appeared on behalf of the Attorney General Ford. He stated that AG Ford wanted to convey his support for the Commission. He appreciates the hard work that everyone has agreed to do and offered the Attorney Generals office as a resource for the Commission.

Executive Director Shellie Hughes oversees the Department of Taxation. She was Chief Deputy when cannabis first came under Taxation. She stated that their (Taxation's) role has narrowed in the industry, and she is happy to be there.

Chair Klimas is the Executive Director of the Cannabis Compliance Board, who was first appointed in 2019. He noted that the CCB recently celebrated their third anniversary. He is honored to chair the Commission as part of his duties and is looking forward to the work ahead.

III. Establishment of New Subcommittees (for discussion only)

Chair Klimas gave a brief overview of the subcommittee structure, stating that they were smaller and more focused and where most of the work is done for the Commission. Once the subcommittees' work is completed, it is brought back to the larger Commission for consideration. He gave a history of past subcommittees work on consumption lounges.

Chair Klimas continued that the primary role of the CAC is to advise the CCB, the governor, and the legislature.

Chair Klimas added that legislation passed in the previous session provided some tasks that the CAC needs to complete. The first subcommittee is the on the Descheduling of cannabis, which is a product of SB 277. The Bill mandates that the CAC study the potential effects on State laws and regulation if cannabis were to be moved from Schedule I in the Controlled Substances Act (CSA), on a State of federal level. They will examine how it could affect the market, taxes, interstate commerce,

etc., and how the State can prepare. The Bill asks that a report be submitted to the legislature by March 1st of 2024. Once the Subcommittee has completed their draft of report, the larger CAC will review and finalize the report for submission.

The next subcommittee is on Public Safety and the Illicit Market. Part of their duties come from SB328, which includes drafting a regulatory framework for civil penalties for unlicensed cannabis activities that the CCB may impose. They will also suggest procedures for referring matters to the appropriate stakeholders. Chair Klimas thanked the Attorney General's office and the Department of Public Safety for providing members who are key partners. Outside of regulation, the subcommittee will investigate steps to mitigate the illicit market.

The Market Participation subcommittee will review and make recommendations for greater participation in the cannabis industry from women, minority, veteran, and LGBTQ-owned businesses, as well as local agriculture. They will create and provide recommendations for a pilot program which identifies opportunities for emerging small cannabis businesses. They will also identify what it means to be an emerging business in terms of size and income. Chair Klimas thanked Member Terry for chairing the subcommittee and feels he is well positioned to lead some conversations.

Chair Klimas mentioned that the CCB has contracted a third party to perform a study of the Nevada cannabis market and illicit market, and he feels the information from that study will be helpful for all the subcommittees, especially Market Participation.

Chair Klimas stated that these three are just the preliminary subcommittees and there is the possibility of more in the future as needed.

First Assistant AG Newby asked what the timeline was for the party conducting the market study to provide product for the subcommittees. Chair Klimas stated that the vendor was given a six-month timeline, and that the study should commence within the next 30 to 60-days. Ideally, the CCB would have the report by April, but certainly by the second quarter of 2024. He continued that a marketplace study is something they'd like to regularly conduct to have an up to date analysis of the market.

IV. Future Meetings (for discussion only)

Chair Klimas repeated that the body will meet when there is something to discuss and/or deliberate. The subcommittees will meet sooner at the discretion of their chairs. He anticipates the CAC meeting again before the end of the year or shortly after to discuss the product coming out of the Descheduling subcommittee, whose report is due March 1st of next year.

Member Terry, chair of the Market Participation subcommittee, asked if the chairs and members had been announced for the other two subcommittees. Chair Klimas responded that all members of the CAC have been placed on subcommittees, but there were still spots to fill. Once those appointments were confirmed, the information would be made public.

Member Joy asked if there was still availability for positions. Chair Klimas stated that he's reached out to potential members, but he values input from the CAC on membership if they'd like to make recommendations. CAC members are free to participate in any of the subcommittee meetings, which

the subcommittee and Chair would appreciate. Meeting notices are all public and everyone has the ability to participate whether in person or electronically.

V. **Public Comment**

Dan thanked the CAC for their work and stated that medical home growers should be allowed more cannabis possession.

Christina Ulman, president of the Chamber of Cannabis, described her organization and extended herself and her group as resource for the CAC's subcommittees. She stated that the Chamber touches every sector of the industry, they respect the plant, and they're excited for the work the CAC will do. She thanked the CCB for executing the meeting.

VI. **Adjournment**

The meeting was adjourned at 10:28 a.m.