



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILIP D. MURPHY
Governor

P.O. BOX 216
TRENTON, N.J. 08625-0216

TAHESHA L. WAY
Lt. Governor

DIANNA HOUEYOU, *Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
SAMUEL DELGADO, *Commissioner*
CHARLES BARKER, *Commissioner*
CHRIS RIGGS, *Acting Executive Director*

NEW JERSEY

CANNABIS REGULATORY COMMISSION

DATE: THURSDAY, DECEMBER 12, 2024 PUBLIC MEETING
COMMENCING AT 11:00 A.M.

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NEW JERSEY
CANNABIS REGULATORY COMMISSION

DATE: THURSDAY, DECEMBER 12, 2024
COMMENCING AT 11:00 A.M.

1 COMMISSION MEMBERS PRESENT:

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3 DIANNA HOUEYOU, Chair

4 SAM DELGADO, Vice Chair

5 KRISTA G. NASH

6 MARIA DEL CID-KOSSO

7 CHARLES BARKER

8 DANIEL SAID, Secretary

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11 ADMINISTRATIVE LEADERSHIP PRESENT:

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13 CHRISTOPHER RIGGS, Acting Executive Director

14 DAVE TUASON, Chief Counsel

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1 REGISTERED SPEAKERS PRESENT:

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3 REGINALD GREEN

4 JOSHUA WING

5 OSCAR CARRILLO

6 ALAN TRZUSKOSKI

7 VINCENT MANN, CHIEF

8 RYAN CHASE

9 THOMAS NORCIA

10 JASON ROUSSELL

11 SAMUEL REICHBART

12 ANTONIO MESSINA

13 ALLISON SOBCZAK

14 MARY ANN DONOHUE-RYAN

15 ANDREA RAIBLE

16 AMI KACHALIA

17 BIANCA HYNES

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1 A P P E A R A N C E S:

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3 ROLL CALL:

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5 MEMBERS PRESENT:

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7 CHARLES BARKER, Commissioner

8 MARIA DEL CID-KOSSO, Commissioner

9 KRISTA G. NASH, Commissioner

10 SAM DELGADO, Vice Chair

11 DIANNA HOUEYOU, Chair

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1 CHAIR: Good morning, everyone.
2 (Inaudible). And welcome to the New Jersey Cannabis
3 Regulatory Commissions meeting for -- the last meeting
4 for calendar year 2024. The time is 11:15 and I call
5 this meeting to order. Mr. Said, can you please read
6 the notice of the meeting.

7 THE SECRETARY: Chairwoman, this is a
8 regularly scheduled meeting of the New Jersey Cannabis
9 Regulatory Commissions. Adequate notice of this
10 meeting has been provided in accordance with the
11 Senator Byron M. Baer Open Public Meetings Act.

12 Notice of the meeting was provided to the
13 Asbury Park Press, Bergen Record, Courier-Post, Star-
14 Ledger, and the Trenton Times on December 12th, 2023.
15 The agenda and information regarding the in-person
16 meeting and the ability to live stream was also posted
17 on CRC website. The meeting time and location has also
18 been posted on the website of the New Jersey Cannabis
19 Regulatory Commission and with the office of the
20 Secretary of the State.

21 CHAIR: Thank you. Can you please take a
22 call?

23 THE SECRETARY: Commissioner Barker.

24 COMM. CHARLES BARKER: Present.

25 THE SECRETARY: Commissioner Del Cid-

1 Kosso.

2 COMM. MARIA DEL CID-KOSSO: Present.

3 THE SECRETARY: Commissioner Nash.

4 COMM. KRISTA G. NASH: Present.

5 THE SECRETARY: Vice Chair Delgado.

6 VICE CHAIR: Present.

7 THE SECRETARY: Chairwoman Houenou.

8 CHAIR: Present.

9 THE SECRETARY: We now have a quorum. The
10 first order of business is for the commission to go
11 into executive session to discuss legal matters and
12 litigation and investigation updates. These are
13 discussions that are not shared with the public. We
14 believe the executive session should take about two
15 hours.

16 CHAIR: Thank you. Do I have a -- is
17 there a motion to go into executive session?

18 VICE CHAIR: Madam Chair, I move we go to
19 executive session?

20 COMM. DEL CID-KOSSO: Second.

21 CHAIR: Is there any discussion on this
22 motion? Hearing no discussion, all those in favor of
23 going into executive sessions say aye.

24 VICE CHAIR: Aye.

25 COMM. DEL CID-KOSSO: Aye.

1 COMM. NASH: Aye.

2 COMM. BARKER: Aye.

3 CHAIR: All those opposed say nay. Any
4 abstentions? Motion passes. So as Mr. Said noted, we
5 expect the executive session to last approximately two
6 hours. So we will -- some staff members will remain in
7 the room but they will not be able to answer any
8 questions about the agenda during that time. For those
9 -- for those folks who have joined us in person today
10 are welcome to leave, do whatever you need to do and
11 come back in about two hours for us to resume our open
12 public session.

13 So we can expect to resume the public
14 session of this meeting, the public portion, we'll say
15 -- we'll do 1:20 p.m. Thanks, everyone.

16 (Executive Session Break)

17 CHAIR: We are back. The time is 1:26.
18 And we will resume the public portion of this meeting.
19 Mr. Said, can you please discuss the next agenda item?

20 THE SECRETARY: Next up on the agenda is
21 approving the minutes of both the Commissions open and
22 executive sessions held on October 17th and October 30.
23 The minutes have been shared with the members of the
24 Commission prior to this meeting.

25 CHAIR: Thank you. If there are no edits

1 or questions about the meeting minutes for October 17th
2 and October 30, I'll ask for a motion.

3 COMM. DEL CID-KOSSO: So move Madam Chair.

4 CHAIR: Commissioner Del Cid-Kosso moves
5 to adopt the meeting minutes for October 17th and
6 October 30th. Is there a second?

7 COMM. NASH: Second.

8 CHAIR: Seconded by Commissioner Nash. Is
9 there any discussion on this motion? Hearing no
10 discussion. All those in favor say aye.

11 COMM. DEL CID-KOSSO: Aye.

12 VICE CHAIR: Aye.

13 COMM. NASH: Aye.

14 VICE CHAIR: Aye.

15 COMM. BARKER: Aye.

16 CHAIR: Those oppose say nay. Any
17 abstentions? The motion passes.

18 THE SECRETARY: The next item on the
19 agenda is the chair's report.

20 CHAIR: Right. So we have reached the end
21 -- our last board meeting for the year 2024. At the
22 beginning of the year, I shared the board's priorities
23 for this year. So I will take the opportunity to -- to
24 provide the board and the public an update on where we
25 are on some of these priorities. And I'm happy to

1 report that many of our priorities for the year have
2 been completed, or will be completed by the end of
3 today's meeting.

4 Our agency budget has -- was increased
5 over the last year by approximately \$1 million, about 5
6 percent. We've had an increase of about 15 percent in
7 staff. Our Office of Compliance and Enforcement team
8 continues to grow. And additional training undertaken
9 by that unit this year has enabled staff -- has
10 enhanced staff's ability to detect regulatory
11 violations. So thank Director Urbish's leadership of
12 the Office of Compliance and Investigations there.

13 In October the board approved the New
14 Jersey Institute of Technology to perform an
15 independent study of the commission. And so Vice Chair
16 Delgado and I on the audit committee, we'll be working
17 to get that study underway. We also conducted
18 roundtables to identify opportunities for improvements.

19 We have -- three of our committees held
20 roundtables to hear from patients, medical and adult
21 use operators, sister agencies, and advocacy groups to
22 explore challenges and opportunities in expanding
23 registered patient benefits, and whether to expand
24 business operations across the state. Findings from
25 these round tables will be used to shape our vision for

1 the future of New Jersey's medicinal and adult use
2 cannabis industries.

3 So thank you to everyone who participated
4 in those round tables. That feedback was tremendously
5 valuable. We did establish the ad hoc committee to
6 recommend updates to our bylaws. And bylaws committee
7 has finished their evaluation, and they'll be providing
8 a report on their findings today.

9 We solicited industry feedback on the
10 licensing process. The permitting and licensing
11 committee held a statewide listening session, and three
12 focus groups to gather stakeholder input on the
13 application and licensing process. Thank you again to
14 all the members of the public and the regulated
15 community who participated in those conversations. We
16 are required to -- one of our other priorities was to
17 get caught up -- fully caught up on our required annual
18 reports. So later today, we'll vote on the adult use
19 cannabis annual report for 2022 and 2023.

20 If approved, we will then be fully caught
21 up on our annual reports. We do still have left to
22 complete, but we've made significant progress on
23 recommending improvements to the license and renewal
24 process. So the permitting and licensing committee is
25 planning to present its findings to the board early

1 next year on the license and renewal -- I'm sorry.
2 license and permit renewal process.

3 Our product safety packaging and labeling
4 committee is in the process of reviewing customer
5 complaints to identify any safety concerns and provide
6 any input -- I'm sorry, providing recommendations to
7 the board from there. And we are -- we've made
8 significant progress in updating our medical cannabis
9 regulations.

10 Our legal team has done yeoman's work to
11 create an additional draft of our rule proposal
12 updating the medicinal cannabis regulations. Right now
13 the draft is at more than 400 pages. So when we're
14 working to get the document in a good place for the
15 board's review. So I want to give a special thanks to
16 our regulatory officer, Noah Mamber, and chief counsel,
17 Dave Tuason for the time and the energy that they
18 poured into getting this first draft together.

19 I also want to thank the entire NJ-CRC
20 team, both staff and the board members alike for their
21 dedication to our stated priorities. And also thank
22 you for your responsiveness. I know I can be a
23 stickler for staying on task so that we reach our
24 goals. But your willingness to tackle this work head
25 on is the reason why we've been able to complete so

1 many of these priorities. So thank you to everyone for
2 their work (inaudible). That's it for the chair's
3 report.

4 I'm happy to -- to say that we've made --
5 that we have actually been able to -- to really
6 complete and bring to a -- bring across the finish
7 line. A lot of (inaudible) priorities and a lot of our
8 hard work is paying off in making our agency more
9 transparent, stronger, and more efficient. So thank
10 you. And that concludes the year's report. And if
11 there are no questions, then I will turn it over to Mr.
12 Said for next item on the agenda.

13 THE SECRETARY: The next item on the
14 agenda is the executive director's report.

15 DIR. CHRISTOPHER RIGGS: So before I get
16 into some of the numbers and the data that we provided
17 in the report, I also want to thank everyone on board
18 and staff for all the accomplishments that we've had
19 this year. The hardworking dedication shows that New
20 Jersey can be the premier cannabis market on the east
21 coast. I can now predict that we will reach \$1 billion
22 in sales for this year. So that is a great milestone.

23 And it is all the hard work policies and
24 priorities that staff and board have collaborated on
25 and put in place. So I do want to echo same things

1 that Chairwoman Houenou had said. With priorities
2 we're getting there. We're going to continue to work
3 towards all of our goals, and we will be having
4 priorities set for 2025 with an effort to reach them.
5 Next slide, please.

6 So the update on dispensary openings.
7 Right now we have more than 190 medical and
8 recreational dispensaries open in all 21 counties.
9 There's a list on the right-hand side of the new
10 recreational-only dispensaries. You'll see we have
11 some in the northern region, some more central and some
12 more of the south. So we're getting more openings
13 every day. Please make sure you check the website for
14 these overlooks.

15 Now, for licensing update. Total licenses
16 approved as of November 25th, 2024. There's a total of
17 2,805 applications that have been submitted through our
18 licensing portal. A little over 2,100 of those
19 applications have been approved. There are 115
20 applications that are under review on our office of
21 licensing. We have 361 applications are pending
22 resubmission following cure. If you are one of those
23 361 applications that has an outstanding cure, please
24 submit the required information that has been requested
25 of you so that we can move your application through the

1 process.

2 And there are 180 applications that are
3 currently under review with our office of compliance
4 and investigation. Licensing update. Total
5 recreational licenses that have been approved as of
6 November 25th, 2024. We have a little over 1,500
7 conditional license that have been approved by the
8 board. Almost 400 conditional-to-annual conversions,
9 220 annual licenses and 80 expanded ATCs. Which is a
10 grand total of 338 total operating licenses AU and
11 permits in medical.

12 Today application's up for consideration.
13 We have 87 permit renewals for medical applications, 25
14 conditional applications, 19 conditional-to-annual
15 conversion applications, 10 annual applications, and 21
16 annual renewal applications that will be up for
17 consideration.

18 And as always, we'll update on patient
19 numbers. The current patient enrollment as of December
20 9th, 2024. There's a little over 66,000 patients in
21 the registry. We have a little 4,461 caregivers that
22 are registered currently. And a little over 1,500
23 doctors that are part of the program. And that will be
24 my update. Back to you, Madam Chair.

25 CHAIR: Thank you very much, Director

1 Riggs. Are there any questions from the board for
2 Director Riggs? Hearing none. And we will move on.

3 THE SECRETARY: The next item on the
4 agenda are the committee reports.

5 CHAIR: Yes. And so here we've got our Ad
6 Hoc Bylaws Committee to provide a report on their
7 findings after a review of our agency bylaws.
8 Commissioner Nash.

9 COMM. NASH: Vice Chair Delgado and I sit
10 on the Ad Hoc Bylaws Committee. And we were tasked
11 with taking a look at the bylaws that were adopted in
12 January 2022 and made some -- making some
13 recommendations to those bylaws. The bylaws govern the
14 activities of the commission and serve to define its
15 basic organizational structure, determine which staff,
16 committee, or commission members to have authority and
17 decision-making responsibilities, and how those
18 responsibilities should be carried out.

19 And so to ensure that the bylaws reflect
20 the current authorities, responsibilities, and
21 organizational structure of the commission, it is
22 necessary to amend the previously adopted bylaws. As
23 such, the bylaws committee is recommending the
24 following. Section 2.2. Powers and duties and
25 functions related to personal-use cannabis. We're

1 recommending just that the bylaws are updated to mirror
2 the CREAMM Act.

3 In Section 3.01. Commission Members. The
4 CREAMM Act defines -- specifically defines the
5 commission members as members, commission members, and
6 then it defines executive director and staff. So we
7 wanted to make sure that our bylaws were accurately
8 reflecting the definitions in the CREAMM Act.
9 Currently the board is referred to as the Board of
10 Directors. So I just wanted to go back to the accuracy
11 of the CREAMM Act.

12 In Section 3.12, Delegation of Authority.
13 This allows the commission members to delegate
14 authority to other commission members, or commission
15 staff or even the standing committees who might have
16 more relative experience of the topic at hand. Also, a
17 forum. Previously that the enabling statute allowed
18 for a simple majority of those present to vote on
19 action, and we redefined it to specify that it must be
20 three.

21 In Section 4.05, we removed proxy voting
22 since agencies need statutory authority for proxy
23 voting, and the Commission statute lacks that. And
24 lastly, the Standing Committees. So we have several
25 like the audit committee and we are now adding

1 responsibility of developing and improving the
2 commission's annual budget which was previously handed
3 by the -- handled by the office of the executive
4 director.

5 We also have a Public Engagement
6 Committee. And so there was just adding more
7 definition to -- and responsibility to the language of
8 the bylaws that will include developing public
9 awareness campaigns. And lastly, we have a Product
10 Safety Packaging Labeling Committee. And we are
11 working on testing guidance and we are just including
12 that we are developing that testing guidance and
13 putting that in the bylaws. And that is all I have.
14 Vice Chair Delgado, is there anything you'd like to
15 add?

16 VICE CHAIR: No, I don't. Thank you.

17 COMM. NASH: Chairwoman, back to you.

18 CHAIR: Thank you very much, Commissioner
19 Nash. And thank you to your committee by Vice Chair
20 Delgado for the thorough review of agency bylaws and
21 presenting these findings. Are there any questions
22 from the board? Hearing no further -- no questions,
23 we'll move on.

24 THE SECRETARY: And the next item on the
25 agenda is the consideration of public noticing and

1 publications.

2 CHAIR: We'll start with the social equity
3 excise fee and the adjustment of the fee for calendar
4 year 2025. Director Riggs, I'll turn this over to you.

5 DIR. RIGGS: Thank you, Madam Chair. The
6 social equity excise fee in accordance with the
7 regulations at 17.30-3.2 requires that if the average
8 retail price is an ounce of usable cannabis in the
9 calendar year is least 250, but the less than 350, the
10 excess fee shall be \$30 per ounce of usable cannabis
11 and \$8 per ounce of unusable cannabis sold for purpose
12 of manufacturing. Right now current average statewide
13 retail price of cannabis is \$330.68 cents per ounce.
14 It falls within that range, and therefore is
15 recommended at \$30 per ounce be set for the social
16 equity excise fee. Thank you.

17 CHAIR: Thank you, Director Riggs. Are
18 there any questions for Director Riggs? Hearing no
19 questions, is there a motion on this matter?

20 VICE CHAIR: Madam Chair, I'll have a
21 motion to make.

22 CHAIR: (Inaudible).

23 VICE CHAIR: Yes. Raising the social
24 equity excise fee may seem like a quick solution to
25 funding social equity in issues, but the broad

14 COMM. NASH: Seconded.

25 DIR. RIGGS: That's correct. A little bit

1 about 40 percent.

2 CHAIR: A little about 40 percent. Okay.
3 And so what would that mean if we were to impose no
4 excise fee on the cannabis that is used for the focus
5 of manufacturing?

6 DIR. RIGGS: It would be similar to the
7 SEEF that is set now, where we do not have any
8 different (inaudible).

9 CHAIR: Thank you. Just any further
10 discussion on this matter -- on this motion?

11 COMM. BARKER: Yes, Madam Chair, briefly.

12 CHAIR: Commissioner Barker.

13 COMM. BARKER: Thank you, Madam Chair.

14 Thank you for those remarks, Commissioner Delgado. I
15 also want to thank the industry and the stakeholders
16 for your patience as we've been working on this
17 important matter. As Commissioner Delgado stated,
18 we've been trying to strike a balance, especially at
19 this early stage in the industry. And it has not been
20 easy to come to this decision.

21 We spoke to stakeholders, and this seems
22 to be fair at this stage of where we are in the New
23 Jersey Cannabis Marketplace. We did talk to
24 stakeholders who supported the idea of (inaudible) but
25 after talking to a legal counsel and our DAG, they

1 didn't feel like that was something that we could do at
2 this time. Even those that seemed like it could yield
3 the results and the intention that this legalization
4 came to achieve.

5 So have to hope that the CRC and the
6 legislation -- and or the legislation can revisit that
7 approach in the near future. We're hoping that the CRC
8 can collaborate more with the governor's office, the
9 legislature going forward regarding where the social
10 equity investments can be made with tax revenue and
11 fee. And we hope that tax revenue is going towards new
12 creative program and not just existing programming that
13 already is funded in the budget.

14 And the last -- one more thing I'll just
15 touch on. We hope that the industry responds in kind.
16 We hope prices continue to decrease significantly. We
17 know during -- still has some of the highest cannabis
18 prices in nation compared to other identical or similar
19 cannabis product in other states. And so we hope that
20 our major companies can control the market and supply.
21 We hope they're able to provide even more affordable
22 prices to patients, wholesalers, and to customers.

23 We hope that new cultivators, who we are
24 concerned about, we hope that they're able to afford
25 and potentially absorb the fee, and still maintain

1 competitive margins for their business. And
2 Commissioner Delgado stated we have work -- we have to
3 work together to make this marketplace as equitable and
4 beneficial as possible, especially for those
5 (inaudible). And we're hoping that this is the step in
6 the right direction. Thank you.

7 And I want to add that, Madam Chair,
8 because I know we just talked to Executive Director
9 Riggs. What is the -- is there likelihood that we
10 would be challenged on the unusable cannabis? That's
11 part of my concern because it didn't seem to be
12 statutorily mandated. Could you speak to that? If we
13 were to -- as unusable fee charge, where would that
14 leave us in terms of a potential challenge?

15 CHAIR: Thank you, Commissioner Barker.
16 So the -- as to the specific question seeking legal
17 advice, I think that would need to happen in executive
18 -- in a close to executive session.

19 COMM. BARKER: Okay.

20 CHAIR: I'm happy to -- happy to for us to
21 adjourn if you -- to go into an executive -- a brief
22 executive session if you feel that we need to be
23 clarity on this legal question.

24 COMM. BARKER: I wouldn't want to make
25 that decision by myself. It's a group decision. I'm

1 okay with that. I think I'm fine if it's something
2 that can't be articulated right now and the group --
3 because I want to be respectful of everybody's time. I
4 know we already did a two-hour executive session. And
5 so I just wanted to receive that answer because it
6 would be able to help make the decision. But
7 (inaudible) to the group to see if that be true.

8 CHAIR: Unless there are other
9 commissioners who feel that they need to get some
10 additional insight into the legal question from our
11 legal counsel, I think we'll move forward.

12 COMM. BARKER: Okay.

13 CHAIR: And so, is there any further
14 discussion on this motion?

15 COMM. NASH: Yes.

16 CHAIR: Commissioner Nash.

17 COMM. NASH: Thank you. So some might
18 think that this market in New Jersey is mature, and
19 I've tend to disagree. To levy a \$30 excise fee on
20 this new growing industry would decimate some
21 businesses. And certainly don't want to undo what
22 these businesses have worked so hard to create. But at
23 the same time, I want to recognize the importance of
24 funding programs through the social equity excise fee
25 that enrich the lives of communities -- or certain

1 communities.

2 And I know that the balance is prop of the
3 SEEF, fund is around 4 billion, I believe. Which in
4 state government does not sound like a lot. But I come
5 from the non-profit world, and I think that we can get
6 creative here and recognize that, you know, a non-
7 profit -- a local nonprofit whose founders work in the
8 communities and know their communities and are trusted
9 but may not have a lobbyist who can't afford it.

10 A 10,000, 50,000, \$100,000 grant really
11 can go a long way. You can buy supplies, you can hire
12 someone, you can create a reading program. So there is
13 a lot we can do with the money that's already in the
14 account. And just a heads up that we will be hosting
15 again the hearings that inform these appropriations,
16 that we summarize in a report and send to the
17 legislature and the governor's office. So we hope that
18 you can join in again this year. Thank you. Madam
19 Chair.

20 CHAIR: Thank you, Commissioner Nash.
21 Commissioner Del Cid-Kosso.

22 COMM. DEL CID-KOSSO: Thank you, Madam
23 Chair. This is definitely a hard decision to make for
24 sure. At the last board meeting I was proposing \$10.
25 And after having had conversations with different

1 stakeholders, the Property and Licensing Committee
2 hosted different round tables now on the seat
3 specifically, but on other issues. But this was
4 definitely brought up as an issue to many applicants
5 and licensees.

6 So with that I do appreciate everyone's
7 feedback from the stakeholders and for making your
8 voices heard. One thing that Commissioner Barker did
9 mention that I would like to also emphasize is that we
10 are going to continue to keep an eye on pricing. We
11 want to make sure that medical cannabis specifically
12 and most importantly, the prices remain down and keep
13 decreasing because our patients deserve that, they
14 deserve the best. And then at the same time, adult
15 use.

16 So we'll keep also an eye on the cost for
17 that. So hopefully our partners and licensees work
18 with us in that regard. Thank you, Madam Chair.

19 CHAIR: Thank you, Commissioner Del Cid-
20 Kosso. I believe there's also a need for us to make
21 sure that we are re-implementing the deadline in our
22 regulations. But before we -- before we go forward is
23 I had asked Director Riggs for information about the
24 unusable cannabis. So I think Vice Chair Delgado had -
25 - his motion is -- would include no fee on unusable

1 cannabis to the purpose of manufacturing. Am I
2 correct?

3 VICE CHAIR: Correct.

4 CHAIR: Okay. I want to make sure I have
5 that correct.

6 CHIEF COUNSEL TUASON: So I just want to clarify
7 that. So how our SEEF currently stands is a dollar 24
8 for usable or unusable cannabis that is used in the
9 product. So if it is being used, then it would be a
10 dollar 24 regardless. The motion as it stands now --

11 DIR. RIGGS: Would not apply to the
12 unusable.

13 VICE CHAIR: -- would not apply to
14 unusable portion of things. So if the board would want
15 to consider redoing another motion on those grounds?

16 VICE CHAIR: I'll stand on my motion.

17 CHAIR: So thank you to both of you. So
18 with that clarity, then I'll re-ask the question about
19 what the impact would have -- what the impact of this
20 motion would have on the products that are -- sorry,
21 the unusable cannabis that is used for the purposes of
22 manufacturing. Like what the -- ultimately this would
23 result in an increased fee on flower but we would then
24 see no -- no excise fee that is actually generated --
25 no revenue from the excise fee generated for about 40

1 percent of the items that are sold, is that right?

2 DIR. RIGGS: That's correct.

3 VICE CHAIR:: We never had an excise fee
4 on the (inaudible).

5 CHAIR: If you could please silence your
6 cell phones. Thank you. Vice Chair Delgado does that
7 -- I want to just confirm before we move forward that
8 does not impact or change your position or your desire?

9 VICE CHAIR: Let's put it to the board.

10 CHAIR: I'm sorry?

11 VICE CHAIR: Let's put it to the board.

12 CHAIR: Well, the motion currently on the
13 floor is to waive NJ-AC 17:30-3.4C, and set the social
14 equity excise fee at \$2.50 on usable cannabis, and no
15 fee on unusable cannabis for the purpose of
16 manufacturing is currently on the floor. Vice Chair
17 Delgado, are you suggesting that we -- that there may
18 be interest in amending the underlying motion?

19 VICE CHAIR: I have no interest in
20 amending. The (inaudible) commission doesn't make
21 (inaudible).

22 CHAIR: Understood. Thank you for --
23 thank you for clarifying that for me. I think that
24 because we currently do set the excise fee on usable
25 and unusable cannabis, I think it would behoove the

1 agency to make sure that any excise fee that is
2 imposed, it continues to be applied for both usable and
3 unusable cannabis for the purpose of manufacturing.
4 Especially, given the substantial portion of the market
5 that is being -- that does represent cannabis use for
6 the purposes of manufacturing.

7 I think the -- I'm not so sure that the
8 slight increase to \$2.50 on just the usable cannabis
9 would be reasonable enough to eliminate the fee
10 entirely for our unusable cannabis that is used for
11 manufacturing. So with that, I would -- I will make a
12 motion to amend the underlying motion so that the new
13 social equity excise fee that is being proposed by Vice
14 Chair Delgado of \$2.50 is applied to both usable and
15 unusable cannabis to continue consistency and making
16 sure that both are -- all cannabis that is ultimately
17 being used is subject to the fee.

18 VICE CHAIR: (Inaudible).

19 CHAIR: Do you have a question?

20 VICE CHAIR: Yeah, I do. Is it -- is it
21 unusable cannabis for the purpose of manufacturing
22 really useable cannabis? You're using it for
23 something?

24 CHAIR: Functionally, yes, but these --
25 the terms are precise and the distinction is important,

1 especially -- so it's written out in our regulations
2 the distinction between usable cannabis and unusable
3 cannabis, and unusable cannabis is that -- the parts that
4 are ultimately converted into our concentrates and our
5 extracts.

6 So functionally, yes, you're absolutely
7 right Vice Chair Delgado, all these cannabis is being
8 used -- it is being used. However, under regulations
9 the terminology is precise and so might not -- it might
10 be a misnomer, but it is important. And the
11 unusable cannabis does play an important role,
12 particularly here when it comes to products and for the
13 application of the excise fee. Does that -- does that
14 answer your question?

15 COMM. BARKER: Thank you.

16 CHAIR: And I'm happy to invite our
17 Director Riggs --

18 DIR. RIGGS: (Inaudible).

19 CHAIR: So I've moved to amend the
20 underlying motion naturally. So I will repeat that.
21 The motion is to amend the underlying motion such that
22 -- so that the social equity excise fee that is imposed
23 of \$2.50 applies to both usable and unusable cannabis.
24 I also believe we need to rescind the waiver of Rule
25 3.4D. So this is from resolution 2024-297. This is

1 the waiver that we -- that we adopted to remove that
2 November 1st deadline from our regulations.

3 I believe that should -- now that we are
4 ready to actually impose a fee for calendar of 2025, I
5 believe we need to put that deadline back into our
6 rules, back into effect so that our friends at the
7 Department of the Treasury can have the leeway that
8 they need to actually set up to collect the excise fee.

9 Again, my motion is to amend the
10 underlying motion so that the underlying motion becomes
11 to waive NJ-AC 17:30-3.4C, and set the social equity
12 excise fee at \$2.50 on unusable -- I'm sorry, on usable
13 and unusable cannabis, and rescind the waiver of NJ-AC
14 17:30-34D, specifically to the November 1st deadline.
15 Is there a second on this motion to amend the
16 underlying motion?

17 COMM. DEL CID-KOSSO: Second, Madam Chair.

18 CHAIR: Motion has been seconded. Is
19 there any discussion -- further discussion on this
20 motion to amend the underlying motion? Okay. No
21 further discussion. So on the motion to amend the
22 underlying motion such that the new motion becomes to
23 waive NJ-AC 17:3.4C, and set the social equity excise
24 fee at \$2.50 for usable and unusable cannabis, and to
25 rescind the waiver of rule -- I'm sorry, of NJ-AC

1 17:30-3.4D, putting the November 1st deadline in our
2 regulations back into effect.

3 Mr. Said, can you please call the vote on
4 this motion to amend the underlying motion.

5 THE SECRETARY: Commissioner Barker?

6 COMM. BARKER: Abstain.

7 THE SECRETARY: Commissioner Del Cid-
8 Kosso?

9 COMM. DEL CID-KOSSO: Yes.

10 THE SECRETARY: Commissioner Nash?

11 COMM. NASH: Yes.

12 THE SECRETARY: Vice Chair Delgado?

13 VICE CHAIR: Yes.

14 THE SECRETARY: Chairwoman Houenou?

15 CHAIR: Yes.

16 THE SECRETARY: The motion passes.

17 CHAIR: All right. So now we have -- the
18 underlying motion has now become to waive the -- to
19 waive NJ-AC 17:30-3.4C, set the excise social -- sorry,
20 set the social equity excise fee at \$2.50 on usable
21 cannabis and unusable cannabis, and rescind the waiver
22 of NJ 17:30-3.4D to re-impose November 1st deadline for
23 setting the social equity excise fee. Is there any
24 further discussion on this now amended motion? Hearing
25 none. On the amended motion, Mr. Said, can you please

1 call the vote?

2 THE SECRETARY: Commissioner Barker?

3 COMM. BARKER: Abstain.

4 THE SECRETARY: Commissioner Del Cid-
5 Kosso?

6 COMM. DEL CID-KOSSO: Yes.

7 THE SECRETARY: Commissioner Nash?

8 COMM. NASH: Yes.

9 THE SECRETARY: Vice Chair Delgado?

10 VICE CHAIR: Yes.

11 THE SECRETARY: Chairwoman Houenou?

12 CHAIR: Yes.

13 THE SECRETARY: The motion passes. The
14 next item up for consideration is the Notice of
15 Application Acceptance Cannabis Consumption areas.

16 CHAIR: Thank you. Director Riggs the
17 floor is yours.

18 DIR. RIGGS: I'm going to kick it over to
19 Chief Counsel Tuason.

20 CHIEF COUNSEL DAVE TUASON: So on January
21 17th, the Commission approved a Notice of Adoption for
22 Consumption Area Rules. What's at stake here is the
23 notice of application addendum for consumption areas,
24 which details what will -- how the Commission will be
25 accepting these types of applications. So all

1 applications for consumption area endorsement must be
2 submitted through the application portal, just similar
3 to how all of our applications are submitted.

4 They'll be reviewed in the order they were
5 submitted, subject to priority designation, which will
6 detail in the next slide. No established limit for
7 number of cannabis consumption areas statewide but
8 limits how many consumption area endorsements a
9 regulated entity may hold. So every entity can hold
10 one consumption area endorsement, and that the
11 Commission will maintain a website, a list of all
12 approved consumption areas in the state. Next slide,
13 please.

14 So the CRC will begin accepting
15 applications based on this schedule. January 2nd,
16 we'll start accepting applications from social equity
17 businesses only. April 2nd will be from diversily
18 owned, and July 2nd we will be accepting applications
19 from all the other applicants. Next slide, please?

20 And then the -- these are the requirements
21 for a consumption area endorsement. One thing to note
22 here is the municipal approval. We will be uploading
23 the form on our website so that there's a standardized
24 form for how our licensees can get that municipal
25 approval. Additionally, there's several standard --

1 standard operating procedures that must be submitted.

2 The detailed floor plans, the application
3 submission fee, and just want you to notice
4 municipalities are authorized under the statute to
5 authorize or prohibit the operation of a cannabis
6 consumption area. For those municipalities who do
7 approve consumption areas, we just wanna be -- remind
8 all municipalities that they should confirm ADA
9 compliance.

10 Next slide, please? So to be eligible for
11 consideration for final agency approval, a cannabis
12 consumption area endorsement must be deemed complete,
13 responsive to the -- the notice as well as the
14 regulations, have sort for approval and meet all the
15 qualifications that are in our regulations system of
16 use.

17 And then finally, from the next slide,
18 here are the -- the fees, the a-thousand dollars for
19 microbusinesses for the initial renewal fee and \$5,000
20 for a standard consumption area endorsement, and they
21 will be valid for one year, renewed annually. And with
22 that, I turn it back over to Madam Chair for a vote.

23 CHAIR: Thank you, (inaudible) counsel.
24 Are there any questions from the Board for Chief
25 Counsel Tuason? Commissioner Del Cid-Kosso?

1 COMM. DEL CID-KOSSO: No question, Madam
2 Chair, just wanna say that I do wanna thank Sam and --
3 and our chief counsel for making the following changes
4 to -- to this form and making sure that there is
5 language in there that, you know, these businesses have
6 a floor plan -- or an optional floor plan for dedicated
7 space within the cannabis consumption area that will be
8 utilized by patients only which is very critical, and
9 also to ensure that they work with the municipalities
10 to be ADA compliance, which is all those something that
11 we hear often from our medical patients that they do
12 need a lot of these resources.

13 And with that, I'll turn it back to you,
14 Madam Chair. Thank you.

15 CHAIR: Thank you, Commissioner Del Cid-
16 Kosso. Any further -- sorry, any additional comments
17 or questions for -- from the Board for Chief Counsel
18 Tuason? Hearing no questions, is there a motion on
19 this matter?

20 COMM. DEL CID-KOSSO: Madam Chair, I move
21 that we approve this resolution regarding notice of
22 application acceptance for our Cannabis consumption
23 area endorsement.

24 CHAIR: Moved by Commissioner Del Cid-
25 Kosso. Is there a second?

1 VICE CHAIR: I second.

2 CHAIR: Seconded by Vice Chair Delgado.

3 Is there any discussion on this motion? Hearing no
4 discussion, Mr. Said, can you please call the vote?

5 THE SECRETARY: Commissioner Barker?

6 COMM. BARKER: Abstain.

7 THE SECRETARY: Commissioner Del Cid-
8 Kosso?

9 COMM. DEL CID-KOSSO: Yes.

10 THE SECRETARY: Commissioner Nash?

11 COMM. NASH: Yes.

12 THE SECRETARY: Vice Chair Delgado?

13 VICE CHAIR: Yes.

14 THE SECRETARY: Chairwoman Houenou?

15 CHAIR: Yes.

16 THE SECRETARY: The motion passes. The
17 next item up for consideration is the annual report on
18 adult-use cannabis for 2022 and 2023.

19 CHAIR: Thank you very much. Director
20 Riggs, the floor is yours.

21 DIR. RIGGS: Thank you, Madam Chair. And
22 at the onset, we need to mention this now or we should
23 be all caught up if everything goes as planned on the
24 annual reports.

25 So for the annual report for adult-use

1 cannabis activities for 2022-2023, it's gonna summarize
2 all the regulate -- regulatory operational activities
3 related to the adult use Cannabis, including, you know,
4 the operational activities involved with the agency.
5 The CRC is required to report this to the governor and
6 the legislature annually, and we are doing that. The
7 reports don't contain any personal identifying
8 information, and they contain all the statutorily
9 required data such as the licenses that we issued, the
10 type of license that we issued, demographic data from
11 the Office of Diversity Inclusion, the -- the available
12 data based upon arrests -- cannabis related arrests, or
13 cannabis related vehicle stops, whatever data was
14 available, we have that in the reports.

15 So at this time, we recommend that this
16 report be adopted so that we can then send it over to
17 the Governor and Legislature, and then it can be
18 available. Thank you.

19 CHAIR: Thank you, Director Riggs. And I
20 know I have been the one who's been very critique in
21 putting pressure around to get this done. So thank you
22 to you and to our Director of the Office of Business
23 and Data Analytics for their tireless work in getting
24 this done.

25 Really happy that this is finally up for -

1 - for Board adoption and then we can move -- we can get
2 this completed. We've fully caught up on all of our
3 required annual reports and -- and move forward at a
4 regular annual pace. Any questions from the Board for
5 Director Riggs?

6 VICE CHAIR: Well, I just want echo as
7 part of the audit committee -- member of the audit
8 committee, I just wanna add a few statements. I know
9 the hard work and efforts that the staff put in these
10 annual reports. Thank you.

11 CHAIR: If there are no additional
12 questions, is there a motion on this matter?

13 COMM. NASH: Madam Chair, I move to
14 approve Commission's annual report on personal use
15 (inaudible).

16 VICE CHAIR: I second.

17 CHAIR: Moved by -- moved by Commissioner
18 Nash and seconded by Vice Chair Delgado. Is there any
19 discussion on this motion? Hearing no discussion, Mr.
20 Said, can you please call the vote?

21 THE SECRETARY: Commissioner Barker?

22 COMM. BARKER: Abstain.

23 THE SECRETARY: Commissioner Del Cid-
24 Kosso?

25 COMM. DEL CID-KOSSO: Yes.

1 THE SECRETARY: Commissioner Nash?

2 COMM. NASH: Yes.

3 THE SECRETARY: Vice Chair Delgado?

4 VICE CHAIR: Yes.

5 THE SECRETARY: Chairwoman Houenou?

6 CHAIR: In the words of our honorable Vice
7 Chair, an enthusiastic, yes.

8 THE SECRETARY: The motion passes. The
9 next item up for consideration is the 2025 regular
10 meeting schedule.

11 CHAIR: Thank you. Director Riggs, would
12 you like to --

13 DIR. RIGGS: Sure.

14 CHAIR: -- share out or do we -- that you
15 and I have not actually talked about?

16 DIR. RIGGS: We have talked about it. So
17 we decided that we're gonna have some more meetings
18 virtually next year, just -- just so that the public
19 has more access and also so that we can move quicker
20 through licensing and -- and everything else.

21 So the annual meeting schedule is up there
22 on the screen and, you know, we'll have the in-person
23 meeting Thursday, February 6th, and then March the
24 following month will be a virtual meeting, and you
25 know, we hope to move through what -- issues and items

1 quicker. That's why we are doing the virtual meeting
2 as it takes a lot of staff resources to set up these
3 in-person meetings. Thank you.

4 CHAIR: Thank you, Director Riggs. And we
5 wanna note the virtual meetings, those would be limited
6 to consideration of just cannabis business
7 applications. So no other policy items would be
8 considered on those -- on those days.

9 Cannabis business applications would
10 continue to be considered even in our in-person
11 meetings, but our virtual meetings, those are the added
12 space to either just to -- to issue decisions just on
13 business applications. As Director Riggs said, to
14 hopefully help the agency get through some of the --
15 the application -- continue getting through the
16 applications, getting these answers out, these
17 decisions to business owners.

18 Is there -- are there any questions from
19 the Board regarding the regular meeting schedule?
20 Hearing none, is there a motion on this matter?

21 VICE CHAIR: Madam Chairwoman Houenou, I
22 move that we accept the meeting schedule for 2025.

23 COMM. DEL CID-KOSSO: Second.

24 CHAIR: Moved by Vice Chair Delgado and
25 seconded by Commissioner Del Cid-Kosso. Is there any

1 discussion on this motion? Hearing no discussion, Mr.
2 Said, can you please call the vote?

3 THE SECRETARY: Commissioner Barker?

4 COMM. BARKER: Nay.

5 THE SECRETARY: Commissioner Del Cid-
6 Kosso?

7 COMM. DEL CID-KOSSO: Yes.

8 THE SECRETARY: Commissioner Nash?

9 COMM. NASH: Yes.

10 THE SECRETARY: Vice Chair Delgado?

11 VICE CHAIR: Yes.

12 THE SECRETARY: Chairwoman Houenou?

13 CHAIR: Yes.

14 THE SECRETARY: The motion passes. The
15 next item up for consideration is the consideration of
16 applications for ownership changes.

17 CHAIR: Thank you. And for this, I
18 believe there's -- there's only one. So Director
19 Riggs, the floor is yours to provide a summary of the
20 application for ownership change.

21 DIR. RIGGS: Sure. Garden State
22 Botanicals has submitted application for an ownership
23 change. They're changing their ownership structure.
24 The entity has satisfied regulatory requirements for an
25 ownership change.

1 Any additional orders and individuals that
2 were required to be vetted were vetted and reviewed by
3 the Office of Compliance and Investigations and they
4 have been determined to -- be deemed qualified to enter
5 into the market. Therefore, the (inaudible) staff is
6 recommending approval of this ownership change. Thank
7 you.

8 CHAIR: Thank you, Director Riggs. Are
9 there any questions from the Board? Hearing no
10 questions, is there a motion on this matter?

11 COMM. NASH: Madam Chair, I move to
12 approve the request for transfer of ownership.

13 COMM. DEL CID-KOSSO: Second.

14 CHAIR: Is there any discussion on this
15 motion? I will note that for -- one, my biggest
16 concern or question for this application was -- came
17 down to the matter of control, who would ultimately
18 control the business and business's operational
19 decision.

20 I thank Chief Counsel Tuason for working
21 with the -- the applicant to make sure that the issues
22 that were identified were fixed. Ultimately, I was
23 very happy that the original owner here did clearly
24 note that they were aware of the implications of the
25 agreement and accept -- willingly accept those

1 implications.

2 So that is why I am comfortable with this
3 application going forward at this time. Any further
4 discussion on this application? Hearing none, Mr.
5 Said, can you please call the vote?

6 THE SECRETARY: Commissioner Barker?

7 COMM. BARKER: Abstain.

8 THE SECRETARY: Commissioner Del Cid-
9 Kosso?

10 COMM. DEL CID-KOSSO: Yes.

11 THE SECRETARY: Commissioner Nash?

12 COMM. NASH: Yes.

13 THE SECRETARY: Vice Chair Delgado?

14 VICE CHAIR: Yes.

15 THE SECRETARY: Chairwoman Houenou?

16 CHAIR: Yes.

17 THE SECRETARY: The motion passes. The
18 next item up for consideration are the medicinal
19 cannabis permit renewals.

20 CHAIR: Director Riggs, you said we have
21 87 of -- of medicinal cannabis renewals (inaudible).

22 DIR. RIGGS: (Inaudible). So we have 87
23 permit renewals; there's 22 cultivators, 12
24 manufacturers, and 53 dispensaries or retailers that
25 are up for consideration.

1 These are alternative treatment centers,
2 so obviously their permit runs on a calendar year in
3 accordance with regulations. That's why they're on our
4 December meeting. All these entities have submitted
5 the appropriate renewal information that have been
6 viewed by the Office of Compliance and Investigations
7 and their team satisfied with all of these entities,
8 and therefore we are recommending renewal of all the
9 permits. Thank you.

10 CHAIR: Thank you, Director Riggs. Now so
11 yes, we've got both -- the two slides, I believe, on
12 permits. Thank you. So all of those seem to be there
13 up on the screen. Are there any questions from the
14 Board regarding the 87 medicinal cannabis permit
15 renewal application?

16 Hearing no questions, is there a motion on
17 this matter?

18 VICE CHAIR: Madam Chair Houenou, I move
19 that we accept the 87 permit renewals for medicinal
20 cannabis applications.

21 CHAIR: Is there second?

22 COMM. DEL CID-KOSSO: Second.

23 CHAIR: Is there any discussion on this
24 motion?

25 COMM. NASH: Yes, Madam Chair.

1 CHAIR: Commissioner Nash?

2 COMM. NASH: Thank you. There are
3 businesses in this group of renewals that are what I
4 believe in my opinion, to be violating employee labor
5 rights. I first wanna thank the unions, and some
6 members are here today who work very hard going up and
7 down the state to educate employees of cannabis
8 businesses of their right to join a union.

9 Businesses' actions in -- one of the
10 businesses' actions in this group, allegedly deprived
11 cannabis industry employees representational rights and
12 violate the policies of the CREAMM Act. The denial of
13 essentially gaining representation rights is a clear
14 violation of the ongoing labor peace and the collective
15 bargaining requirements of CREAMM Act.

16 The employees in question in this business
17 are not covered under the NLRA, and in my opinion, the
18 Commission should gather all information that they can
19 to determine if the notice of violation is warranted.
20 So I am -- I'm putting business on notice that that's
21 the avenue that I think we should explore, especially
22 when employees have no one to go to if they can't go to
23 the NLRA. Madam Chair?

24 CHAIR: Thank you, Commissioner Nash.
25 Since there was a request (inaudible) to have staff get

1 additional information to see if a notice of violation
2 is warranted, I wanna ask Director Riggs if he would be
3 amenable to -- to doing that, you know, gathering that
4 additional information.

5 DIR. RIGGS: Absolutely. We'll open an
6 investigation.

7 COMM. NASH: Thank you.

8 CHAIR: Thank you. Any further discussion
9 on this motion? Hearing no further discussion, Mr.
10 Said, can you please call the vote?

11 THE SECRETARY: Commissioner Barker?

12 COMM. BARKER: Abstain.

13 THE SECRETARY: Commissioner Del Cid-
14 Kosso?

15 COMM. DEL CID-KOSSO: Yes.

16 THE SECRETARY: Commissioner Nash?

17 COMM. NASH: Yes.

18 THE SECRETARY: Vice Chair Delgado?

19 VICE CHAIR: Yes.

20 THE SECRETARY: Chairwoman Houenou?

21 CHAIR: Yes.

22 THE SECRETARY: The motion passes. The
23 next item up for consideration are the adult-use
24 cannabis business conditional license applications.

25 CHAIR: Director Riggs, the floor is yours

1 to provide a -- a summary of the conditional license
2 applications.

3 DIR. RIGGS: Thank you. 25 conditional
4 licenses up for consideration today; seven cultivators,
5 one delivery, seven manufacturers, and 10 retailers.
6 These licenses and applicants that have been put up on
7 the slide, and Wesley will go very slow so that you can
8 see, have followed the licensing process.

9 There's been a priority assignment where
10 we confirm that each application is assigned to the
11 appropriate (inaudible) priority, diversity business
12 status, social equity business status, residency, if
13 required, and (inaudible) are sent if we need
14 additional information. That priority is then been
15 verified, making sure that we have -- not only do we
16 receive the documentation, but that documentation is
17 clear and supported.

18 And then there's completeness review to
19 make sure that the application is complete and all
20 required information is submitted, and when the
21 conditional applications are explored and was scored,
22 they are recommended for approval. So these 25 are now
23 recommended for approval by the Board.

24 CHAIR: Thank you, Director Riggs. Are
25 there any questions from the Board? Hearing no

1 questions, is there a motion on this matter?

2 VICE CHAIR: Madam Chair --

3 COMM. NASH: (Inaudible).

4 VICE CHAIR: Oh, go ahead.

5 COMM. DEL CID-KOSSO: I thank you. I move
6 that we adopt the resolution considering additional
7 license applications for Class 1, Class 2, Class 5, and
8 Class 6 licenses.

9 CHAIR: Commissioner Del Cid-Kosso moves
10 to us approving the conditional licenses applications.
11 Is there a second?

12 VICE CHAIR: Yeah, I second.

13 COMM. BARKER: Second.

14 CHAIR: A second -- sorry. Commissioner -
15 - seconded by Vice Chair Delgado. Is there any
16 discussion on this motion? Hearing no discussion, Mr.
17 Said, can you please call the vote?

18 THE SECRETARY: Commissioner Barker?

19 COMM. BARKER: Aye.

20 THE SECRETARY: Commissioner Del Cid-
21 Kosso?

22 COMM. DEL CID-KOSSO: Yes.

23 THE SECRETARY: Commissioner Nash?

24 COMM. NASH: Yes.

25 THE SECRETARY: Vice Chair Delgado?

1 VICE CHAIR: Yes.

2 THE SECRETARY: Chairwoman Houenou?

3 CHAIR: Yes.

4 THE SECRETARY: The motion passes. The
5 next item up for consideration are the adult-use status
6 business conversion license applications.

7 CHAIR: So here we have -- we'll start off
8 with 18, I believe. Director Riggs, the floor is
9 yours.

10 DIR. RIGGS: Thank you. We have 18. 18
11 conditional annual conversion licenses up for
12 consideration today; five cultivators, one
13 manufacturer, 12 retailers.

14 These have all followed the conditional
15 process that I just mentioned with priority assignment,
16 priority verification, completeness review, and then
17 were scored. They also underwent the process of
18 qualification review where individual's financial
19 sources, any other agreements are reviewed for
20 regulatory compliance.

21 Background checks are reviewed which show
22 the owners and the persons of interest are qualified to
23 enter into the adult use cannabis market, and then
24 there's a quality control process that was conducted by
25 the Office of Licensing, Office of Compliance and

1 Investigations and our legal office.

2 All these applications have undergone that
3 process. They've been reviewed, scored, and are now
4 recommended for approval.

5 CHAIR: Thank you, Director Riggs. Are
6 there any questions from the Board regarding these 18
7 applications? Hearing no questions from the Board, is
8 there a motion on this matter?

9 COMM. NASH: Madam Chair --

10 COMM. BARKER: Madam Chair, I move -- go
11 ahead, Commissioner Nash.

12 COMM. NASH: I move to approve the
13 applications to convert from conditional to annual.

14 CHAIR: Moved by -- I'm sorry. Moved by
15 Commissioner Nash. Is there second?

16 COMM. BARKER: I second.

17 CHAIR: Seconded by Commissioner Barker.
18 Is there any discussion on this motion? Hearing no
19 discussion, Mr. Said, could you please call the vote?

20 THE SECRETARY: Commissioner Barker?

21 COMM. BARKER: Aye.

22 THE SECRETARY: Commissioner Del Cid-
23 Kosso?

24 COMM. DEL CID-KOSSO: Yes.

25 THE SECRETARY: Commissioner Nash?

1 COMM. NASH: Yes.

2 THE SECRETARY: Vice Chair Delgado?

3 VICE CHAIR: Yes.

4 THE SECRETARY: Chairwoman Houenou?

5 CHAIR: Yes.

6 THE SECRETARY: The motion passes. The
7 next item on the agenda, we have consideration of a
8 conversion application for Story Dispensary of
9 Springfield, LLC.

10 Commissioner Del Cid-Kosso has recused
11 herself from this conversion application due to an
12 ongoing professional relationship. On account of her
13 recusal, she'll step out of the room while the Board
14 considers this particular application. Afterward,
15 Commissioner Del Cid-Kosso will come back in and will
16 take up the next order of business.

17 CHAIR: All right. Director Riggs, I'll
18 turn the floor over to you. Again, please silence your
19 cell phones. If you need to take a phone call or watch
20 a video or do anything else on your cell phone, please
21 just step outside of these doors and -- and do what you
22 need to do. But please keep all phones on silent or
23 vibrate. Director Riggs, the floor is yours.

24 DIR. RIGGS: Thank you, Madam Chair. This
25 conditional annual license has gone through the same

1 process that I just mentioned. There was a priority
2 assignment, that priority was verified, previous review
3 was conducted, the application was scored.

4 They were reviewed for qualifications to
5 determine that they were qualified to enter into the
6 cannabis market and then a quality control process was
7 followed. Therefore, this license is (inaudible).
8 Thank you.

9 CHAIR: Thank you very much. Are there
10 any questions from the Board? Hearing no questions, is
11 there a motion on this matter?

12 COMM. NASH: Madam Chair, I move to
13 approve the application of Story Dispensary of
14 Springfield to convert from conditional to annual.

15 CHAIR: Is there a second?

16 VICE CHAIR: I second.

17 CHAIR: Is there any discussion on this
18 motion? Hearing no discussion, Mr. Said, you may
19 please call the vote.

20 THE SECRETARY: Commissioner Barker?

21 COMM. BARKER: Aye.

22 THE SECRETARY: Commissioner Del Cid-Kosso
23 has recused herself. Commissioner Nash?

24 COMM. NASH: Yes.

25 THE SECRETARY: Vice Chair Delgado?

1 VICE CHAIR: Yes.

2 THE SECRETARY: Chairwoman Houenou?

3 CHAIR: Yes.

4 THE SECRETARY: The motion passes. The
5 next item up for consideration are the adult-use
6 cannabis business annual license applications.

7 CHAIR: Thank you. Handing the floor over
8 to Director Riggs.

9 DIR. RIGGS: Thank you. Next slide. So
10 we have 10 annual licenses up for consideration today.
11 There's four manufacturers and six retailers. They
12 follow the exact same licensing process that I
13 mentioned, and these applications have been reviewed,
14 scored. They're now recommended for approval by the
15 Board.

16 CHAIR: Thank you, Director Riggs. Are
17 there any questions from the Board?

18 COMM. BARKER: Madam Chair, did -- are we
19 going on all of the original annual applications or was
20 there an amendment to -- to (inaudible)?

21 CHAIR: At present -- at present,
22 Commissioner Barker, staff are recommending 10 of 10
23 applications to be approved, but if the Board wishes to
24 make a change, then the Board certainly can, you know,
25 take that step.

1 VICE CHAIR: Madam Chairwoman, I move to
2 take -- to remove Atlantic License Development -- well,
3 I was gonna say Item Number 6, 2893 Atlantic License
4 Development, and vote on their consideration set by the
5 Board.

6 CHAIR: Vice Chair Delgado, you are moving
7 to vote on -- you're moving to consider Application
8 Number 2893 from Atlantic License Development, LLC and
9 consider that separate from the -- the remaining nine
10 applications? Is that correct?

11 VICE CHAIR: That is correct, Madam
12 Chairwoman.

13 CHAIR: Is there a second to this motion?

14 COMM. NASH: Second.

15 CHAIR: Seconded by Commissioner Nash. Is
16 there any discussion on this motion to separate
17 (inaudible) -- I'm sorry. I actually have a
18 clarification question for the Vice Chair. Are you
19 also -- is your motion also to vote on or approve the
20 other nine applications and just to vote on Atlantic
21 License Development separately or are -- is your motion
22 to --

23 VICE CHAIR: My motion's to vote on the
24 nine and vote on Atlantic License Development, LLC in a
25 separate vote.

1 CHAIR: Okay. So your motion is to
2 approve the nine -- a group of nine and vote on the
3 Application Number 2893 separately?

4 VICE CHAIR: Separately.

5 CHAIR: Thank you. And Commissioner Nash,
6 you still second that --

7 COMM. NASH: That's correct.

8 CHAIR: -- that motion? Okay. Thank you
9 very much for the clarifications, both you. Any
10 discussion on this motion to approve the group of nine
11 annualized applications and vote on Application Number
12 2893 separately? Hearing no discussion, Mr. Said, can
13 you please call the vote?

14 THE SECRETARY: Commissioner Barker?

15 COMM. BARKER: Aye.

16 THE SECRETARY: Commissioner Del Cid-
17 Kosso?

18 COMM. DEL CID-KOSSO: Yes.

19 THE SECRETARY: Commissioner Nash?

20 COMM. NASH: Yes.

21 THE SECRETARY: Vice Chair Delgado?

22 VICE CHAIR: Yes.

23 THE SECRETARY: Chairwoman Houenou?

24 CHAIR: Yes.

25 THE SECRETARY: The motion passes.

1 CHAIR: All right. So then we have
2 Application Number 2893. Is there a motion regarding
3 Application Number 2893?

4 COMM. NASH: Madam Chair, I move to
5 consider the annual license application for 2893.

6 CHAIR: (Inaudible). What does -- what
7 action or decision with respect to (inaudible) to
8 include in your motion? What is the motion that we
9 would be voting on? Are you -- are you moving that we
10 approve the -- approve Application Number 2893 or take
11 some other action?

12 COMM. DEL CID-KOSSO: I'll leave that up
13 to the Board. So --

14 CHAIR: So the -- yes, we presently have
15 this application before us and we need a motion on this
16 matter. We need a specific action item. I will -- I
17 will -- I will -- I will -- I'll make a motion that we
18 -- I will move that we deny Application Number 2893 --
19 sorry -- yes, 2893 from Atlantic License Development,
20 LLC.

21 VICE CHAIR: Madam Chairwoman, I second
22 that.

23 CHAIR: Seconded by Vice Chair Delgado.
24 Is there any discussion on this motion to deny the
25 application?

1 COMM. NASH: Yes, Madam Chair.

2 CHAIR: Commissioner Nash?

3 COMM. NASH: This application has come to
4 the Board on several occasions. We have been very
5 thoughtful and deliberate in our review of this
6 application and have given the applicant's considerable
7 room to provide the information that we requested.

8 However in my opinion, my conclusion is
9 that what has been provided thus far appears to be
10 either false or intentionally misleading information,
11 the application process and in the responses based on
12 24:6I-36B.

13 CHAIR: Thank you, Commissioner Nash. I
14 agree. Under N.J.A.C. 17:30-7.9 Subsection I, the
15 Commission may deny a license application -- a license
16 applicant from owning your own license under certain
17 circumstances and also set the CREAMM Act.

18 (Inaudible) New Jersey Statute 24:6I-36B
19 also provides the Commission the authority to deny a
20 license application for failure to provide -- sorry,
21 for presenting false and misleading material and
22 intimate information about material fact. I believe
23 that to be the case here for the -- for the reasons
24 explained under the advice of counsel in executive
25 session and in the -- the record.

1 As Commissioner Nash noted, we provided
2 the -- the applicant several opportunities to provide
3 clear and unambiguous information that would allow us
4 to have a clear picture of how this business would
5 operate. The -- the applicant, I believe, provided
6 false or intentionally meeting -- misleading
7 information about how the -- how the business would
8 operate here in New Jersey, and for that reason I am
9 comfortable -- I believe that denial of the application
10 is warranted under our regulations and under the
11 statute.

12 Is there any further discussion on this
13 particular motion? Hearing no further discussion on
14 the motion to deny Application Number 2893, Mr. Said,
15 can you please call the vote?

16 THE SECRETARY: Commissioner Barker?

17 COMM. BARKER: Aye.

18 THE SECRETARY: Commissioner Del Cid-
19 Kosso?

20 COMM. DEL CID-KOSSO: Yes.

21 THE SECRETARY: Commissioner Nash?

22 COMM. NASH: Yes.

23 THE SECRETARY: Vice Chair Delgado?

24 VICE CHAIR: Yes.

25 THE SECRETARY: Chairwoman Houenou?

1 CHAIR: Yes.

2 THE SECRETARY: The motion passes. The
3 next items up for consideration are the adult-use
4 cannabis business annual license renewal applications.

5 CHAIR: Thank you. I'll turn the floor
6 over to Director Riggs to provide a summary of those
7 licenses that must be renewed.

8 DIR. RIGGS: Thank you, Madam Chair. We
9 have 21 that are up for renewal, adult-use licenses,
10 which includes some testing labs. The testing labs are
11 on a calendar year basis, but all adult-use businesses,
12 dispensaries, manufacturers, cultivators, and others
13 are on a cycle of a period of one year from the date of
14 license issuance.

15 These entities have provided the required
16 documentation and required certification for renewal.
17 This documentation has been reviewed by the Office of
18 Compliance and Investigations, and they have been
19 satisfied by the documentation provided. Again, I --
20 like I said, every month we need -- every business
21 needs to ensure that material changes are submitted to
22 the Commission when they happen.

23 They should not wait until their renewal
24 cycle to submit material changes. These material
25 changes should be reviewed as soon as they happen. But

1 we are recommending approval of all of the renewals
2 (inaudible).

3 CHAIR: Thank you, Director Riggs. And
4 you -- you've noted this particular advisory multiple
5 times, and so all businesses really do need to -- to
6 heed your words here, 'cause it's becoming excessive.

7 And so we need to make sure that the --
8 the agency is able to quickly move through these
9 applications for license renewal. The fastest way for
10 a business to get its license renewed is by making sure
11 the renewal application is as simple as it can be, and
12 that means updating the Commission throughout the year
13 if you've got any changes that will need looking at.

14 Are there any questions from the Board
15 regarding these license -- sorry, these applications
16 for license renewal? Hearing no questions, is there a
17 motion on this matter?

18 VICE CHAIR: Madam Chairwoman, I move that
19 we approve all the licenses for annual renewal
20 referenced by our Acting Executive Director Christopher
21 Riggs.

22 CHAIR: Is there a second?

23 COMM. DEL CID-KOSSO: Second.

24 CHAIR: And is there any discussion on
25 this motion? Hearing no discussion, Mr. Said, can you

1 please call the vote?

2 THE SECRETARY: Commissioner Barker?

3 COMM. BARKER: Abstain.

4 THE SECRETARY: Commissioner Del Cid-
5 Kosso?

6 COMM. DEL CID-KOSSO: Yes.

7 THE SECRETARY: Commissioner Nash?

8 COMM. NASH: Yes.

9 THE SECRETARY: Vice Chair Delgado?

10 VICE CHAIR: Yes.

11 THE SECRETARY: Chairwoman Houenou?

12 CHAIR: Yes.

13 THE SECRETARY: The motion passes. The
14 next item on the agenda are Cases, Claims, and
15 Petitions.

16 CHAIR: We'll start with a determination
17 of rehabilitation, and Director Riggs, I'll turn the
18 floor over to you to provide a summary.

19 DIR. RIGGS: Thank you, Madam Chair. We
20 have three Alternative Treatment Center employees that
21 have submitted a request for rehabilitation. When they
22 submitted their background check and we received notice
23 of disqualifying conviction, they were notified.

24 They were able to challenge and -- to
25 challenge the accuracy of those criminal charges.

1 We'll request rehabilitation and make sure it's their
2 request for rehabilitation and give them the
3 opportunity to provide clear and convincing evidence to
4 show that they're rehabilitated and able to work in the
5 cannabis industry.

6 We are recommending that all of these --
7 these three individuals be approved by the Commission
8 and be able to work in the industry. Thank you.

9 CHAIR: Thank you, Director Riggs. Are
10 there any questions from the Board regarding these
11 three applications for determination for
12 rehabilitation? Hearing no discussion -- I'm sorry, no
13 questions, is there a motion on this matter?

14 COMM. BARKER: Madam Chair, I move that we
15 approve the request for rehabilitation.

16 COMM. DEL CID-KOSSO: Second.

17 CHAIR: Moved by Commissioner Barker,
18 seconded by Commissioner Del Cid-Kosso. Is there any
19 discussion on this motion? Hearing no discussion, Mr.
20 Said, can you please call the vote?

21 THE SECRETARY: Commissioner Barker?

22 COMM. BARKER: Aye.

23 THE SECRETARY: Commissioner Del Cid-
24 Kosso?

25 COMM. DEL CID-KOSSO: Yes.

1 THE SECRETARY: Commissioner Nash?

2 COMM. NASH: Yes.

3 THE SECRETARY: Vice Chair Delgado.

4 VICE CHAIR: Yes.

5 THE SECRETARY: Chairwoman Houenou?

6 CHAIR: Yes.

7 THE SECRETARY: The motion passes. The
8 next item on the agenda are consideration of waiver
9 requests.

10 CHAIR: So we have quite a few waiver
11 requests to consider today. So Chief Counsel Tuason,
12 the floor is yours to provide a summary of the -- these
13 waiver requests (inaudible).

14 CHIEF COUNSEL TUASON: Thank you, Madam
15 Chair. So this is a new agenda item for the Board.
16 Under Regulation N.J.A.C. 17:30-3.7(a), the Commission
17 may waive a regulatory requirement regarding the
18 operations of cannabis business that several entities
19 have been request -- using this regulation to request a
20 waiver of certain regulations that the Commission has.

21 The standard that -- that the Commission
22 has to consider is under that regulation, and there are
23 three factors that they -- these entities must meet.
24 The first is that it is necessary to achieve the
25 purpose of the act, the second is that it is necessary

1 to provide access to cannabis items to consumers, and
2 three, that waiving the regulation does not create a
3 danger to the public health safety, or welfare.

4 So all of these items are for the Board's
5 consideration to consider, whether they meet all three
6 factors, and each of the requests are -- or the Board
7 will consider each of these requests based on, you
8 know, the unique circumstances as articulated by each
9 waiver requests. So we will be voting on each of them
10 one by one.

11 So the first one up for consideration
12 today, you can go to the next slide, is -- and we have
13 docketed each of these, so we will refer to them as the
14 docket number. The first is Docket Number WR001. That
15 was made by the New Jersey Cannabis Trade Association.

16 They request that the Commission considers
17 removing the mandates of both expedited access and
18 patient only hours, and instead require ATCs to choose
19 whether to provide one or the other, and alternatively,
20 the NJ-CTA requests that the Commission eliminate
21 patient only hours and require ATCs to provide
22 expedited access and designated point of sale terminals
23 for patient transactions.

24 With that, Madam Chair, I move it back to
25 you for the Board vote.

1 CHAIR: Thank you, Chief Counsel Tuason.
2 Are there any questions on the Board for Chief Counsel
3 Tuason as it relates to the request from the New Jersey
4 Cannabis Trade Association?

5 Hearing no questions, is there a motion on
6 this matter as it relates as to the request from the
7 New Jersey Cannabis Trade Association?

8 VICE CHAIR: Madam Chairwoman, I have a
9 question. If we still want to protect the access
10 required to expand the existing supply of expedited
11 access, we can do that.

12 CHAIR: Absolutely, we could. Absolutely,
13 we could. So if we --

14 VICE CHAIR: So would that require that we
15 amend the motion?

16 CHAIR: Depends on what the first motion
17 is. So I -- I'll give you an example here.

18 VICE CHAIR: Thank you.

19 CHAIR: I'll move -- I'll move --

20 VICE CHAIR: Yeah.

21 CHAIR: I'll move that we -- that the --
22 the Commission approve the -- the request to do away
23 with the patient only hours requirements for businesses
24 for our extended ATCs but still require extended ATCs
25 to have expedited access for patients and designated

1 the -- points of sale for our patients. That is --
2 that is my motion. Second?

3 COMM. DEL CID-KOSSO: Second.

4 CHAIR: Seconded by Commissioner Del Cid-
5 Kosso. Is there any discussion on this motion?

6 COMM. DEL CID-KOSSO: Just one quick
7 point. I know that we do track the -- the times of how
8 long medical (inaudible) transaction takes and we wanna
9 make sure that we continue to track that information so
10 that we make sure that patients are getting their
11 medication in a timely manner.

12 CHAIR: That is well said, and a good
13 point, Commissioner Del Cid-Kosso. Thank you. Yes, I
14 believe that the -- notwithstanding that -- that the --
15 that -- notwithstanding that, I do believe the facts
16 here meet the three criteria that Counsel Tuason
17 articulated under 3.7. I believe we do -- the
18 Commission does have a responsibility in making sure
19 that we are still monitoring these expanded ATCs
20 commitments to patients.

21 I think the only reason that we've really
22 reached the point of having periods with -- with little
23 for -- in which businesses have little to no activity
24 during the patient only hours is because we have more
25 access points for our patients.

1 And so whereas we had only about a dozen
2 medical dispensaries when the adult-use market first
3 started, we now have 50 -- more than 50 dispensaries
4 where patients can get medicinal cannabis. So I
5 believe -- and now that we have opened those doors, we
6 have more of these access points, I think it's normal
7 for -- that businesses are seeing reduced traffic here,
8 and I think forcing businesses to be open for a period
9 of time that sees little to no activity, meaning it
10 doesn't serve the purposes of the impact.

11 And so I am in support of -- of removing
12 the -- the patient only hours to our expanded ATCs. Is
13 there any further discussion on this motion? Hearing
14 none, Mr. Said, can you please call the vote?

15 THE SECRETARY: Commissioner Barker?

16 COMM. BARKER: Abstain.

17 THE SECRETARY: Commissioner Del Cid-
18 Kosso?

19 COMM. DEL CID-KOSSO: Yes.

20 THE SECRETARY: Commissioner Nash?

21 COMM. NASH: Yes.

22 THE SECRETARY: Vice Chair Delgado?

23 VICE CHAIR: Yes.

24 THE SECRETARY: Chairwoman Houenou?

25 CHAIR: Yes.

1 THE SECRETARY: The motion passes.

2 CHIEF COUNSEL TUASON: The next waiver
3 request is WR002. It was made by Simply Pure Trenton,
4 LLC, and they request a waiver of N.J.A.C. 17:30-6.8(g)
5 and that regulation requires that a person or entity
6 shall be the owner of only one license applicant or
7 license holder. Madam Chair, I turn it over to you for
8 a vote.

9 CHAIR: Thank you. If there are no
10 questions from the Board for Counsel Tuason in respect
11 to Simply Pure Trenton's request, I ask for a motion on
12 this particular matter.

13 COMM. BARKER: Madam Chair, I move that we
14 approve this request.

15 CHAIR: Commissioner Barker has moved to
16 approve the request. Is there a second? Next call for
17 a second on the motion. The -- with no second, the
18 motion fails. Is there another motion on this matter?

19 COMM. NASH: Madam Chair, I move to deny
20 the request waiver of N.J.A.C 17:30-6.8(g).

21 CHAIR: Commissioner Nash has moved to
22 deny the waiver request. Is there a second?

23 COMM. DEL CID-KOSSO: Second.

24 CHAIR: Seconded by Commissioner Del Cid-
25 Kosso. Is there any discussion on this motion to deny

1 the waiver request?

2 I'll note that I believe that -- I agree
3 with staff with respect to Criteria 3 as to whether or
4 not the waiver (inaudible). Waiving the rule in this
5 instance will create a danger to a health public --
6 sorry, public health safety or welfare, and I do agree
7 that the rationale -- staff rationale for questioning
8 whether Criteria 1 and 2 are met.

9 In this instance, the requester is a
10 retailer seeking a waiver to enable them to add a new
11 owner to the business only for the purposes of a
12 cultivator license, and that's just practically not
13 possible under our regulations, because licenses are
14 issued to us for business.

15 So I believe the request here fails to --
16 to meet the three required criteria -- criteria for
17 justifying a waiver of the regulations here. Is there
18 any further discussion?

19 COMM. BARKER: Briefly, Madam Chair.

20 CHAIR: Commissioner Barker.

21 COMM. BARKER: With respect to
22 (inaudible), I believe that this request does meet all
23 three prongs. I'm just gonna start (inaudible).

24 I think the first prong necessary to
25 achieve the purpose of this act, I think one of the

1 most critical intentions for the legalization -- for
2 legalizing cannabis in New Jersey was to include people
3 who have been most impacted, to include communities
4 that have been the most impacted and hardest hit, and
5 to be able to reach people from displaced, targeted
6 areas to generate and ensure that social equity
7 businesses are able to thrive and sustain themselves.

8 And so I do think this specific waiver
9 request, given the historical issues that the applicant
10 has faced, given the dynamic that this specific
11 situation called for, I do think that they meet the
12 first prong.

13 Regarding the second prong necessary to
14 provide access to cannabis items, again, I do think one
15 of the main purposes was to ensure that we are
16 supporting businesses and encouraging businesses and
17 people from (inaudible) communities to open and sustain
18 themselves and thrive. And so to allow a business that
19 represents social equity, that has been disenfranchised
20 through corrupt and criminal penalties unfairly, this
21 does provide access to cannabis items from social
22 equity cannabis businesses.

23 It is very hard, as the documents we -- we
24 received underlying this request that alluded to there
25 is a problem for many social equity and diversity owned

1 applicants looking to obtain multiple licenses and
2 compete on a level with other operators.

3 And so I do think -- and as you alluded to
4 the third prong (inaudible) as well, it is necessary to
5 allow business to grow and succeed and I do believe
6 it's a justifiable request. Thank you.

7 CHAIR: Thank you, Commissioner Barker. I
8 don't disagree with the -- the sentiments driving your
9 -- your rationale. However, again, I'll note that the
10 question here is seeking a waiver to enable them to add
11 a new owner only for the purposes of owning a
12 cultivation license, and that is -- licenses are issued
13 to a single business.

14 So it's not possible to allow multiple
15 issue -- multiple entities or individuals to own a
16 single license. Multiple people and even companies can
17 have ownership in the overall business. They can have
18 joint ownership of -- of a business, but the license is
19 issued only under one name.

20 So allowing owners to have ownership
21 interest in a business for just one particular business
22 activity is unworkable from a regulatory perspective,
23 because it would be nearly impossible for -- for the
24 agency to ensure that the new owner is involved in and
25 benefiting from only the cultivation -- only the

1 cultivation activities and not this business's existing
2 retail activities.

3 It'd also be extremely complicated to
4 monitor the ownership limits for that owner that exists
5 under state law and our regulations. So I do think
6 that businesses that -- that need extra funding
7 definitely should look to our financial source
8 agreements structure to -- or add a new owner to their
9 corporate structure for the entire business. That's
10 just not workable or necessary to add a new owner just
11 for the purposes of a single business activity as is
12 requested here.

13 COMM. BARKER: (Inaudible) all clear, are
14 you saying there's no way to amend our reg to adhere to
15 a request like this, or are we not able to do it
16 because of administrative concerns (inaudible)?

17 CHAIR: Just functionally speaking, a
18 business -- the license is issued to one business.

19 COMM. BARKER: I hear you there.

20 CHAIR: Like one business -- one company
21 has the authority -- has the authorization to cultivate
22 or to sell cannabis. That -- that's really what I'm --
23 I'm saying here. It's one business that holds the
24 license.

25 COMM. BARKER: And so we wouldn't be able

1 to -- if I'm understanding this right, (inaudible),
2 even if there's an exception that ownership licenses of
3 different classes can be held across separate entities,
4 that wouldn't suffice either?

5 CHAIR: Our regulations don't -- don't
6 allow for that. Like our regulatory structure.

7 COMM. BARKER: There's no way that we can
8 amend this and our regulation to account for what you
9 say we can't do?

10 CHAIR: I'll -- Chief Tuason, go ahead.

11 CHIEF COUNSEL TUASON: Yeah. So what I
12 suppose (inaudible) is you could -- the -- the
13 Commission may waive 6.8G and that regulation would be
14 waived for that specific entity.

15 In order to amend our regulations, we
16 would have to go through the normal public comment
17 period that we do for any amendment to our regulations.
18 So it would have to be a notice of proposal within an
19 amendment 60-day public comment period and then our
20 responses to those -- those public comments and then
21 adoption by the Board.

22 COMM. BARKER: Okay. To point out a
23 little bit (inaudible) if I heard you correct, did you
24 say that we would essentially have to do a general
25 public comment period?

1 CHIEF COUNSEL TUASON: Yeah. So if -- if
2 we were -- if -- so what we can do at this moment would
3 be to just waive the regulation based on the standards
4 under 3.7. However, we wouldn't be able to make a new
5 rule without the -- the normal public comment period
6 that we -- that we normally do, and we'd have a notice
7 of proposal and an adoption.

8 CHAIR: And we cannot -- we can't create
9 an entirely new regulatory structure for rule waiver.

10 COMM. BARKER: So can -- can you just
11 expound on what you mentioned, waiving it based on 3.7?
12 Can you expound on that a little bit, please?

13 CHIEF COUNSEL TUASON: Oh, the -- the
14 standards on the 3.7, so the -- so the Commission may
15 waive one of our regulations, and there are three --
16 three factors that the Commission should consider when
17 -- if they were to waive, is if -- one is if it's
18 necessary to achieve the purpose of the act. The
19 second is if it's necessary to provide access to
20 cannabis items to consumers, and the third is that it
21 does not create a danger in the public health safety or
22 welfare.

23 So if they meet those three factors -- if
24 the Commission deems that the request meets those three
25 factors, then they may waive that regulatory

1 requirement for that entity that's requesting it.

2 COMM. BARKER: Okay. I appreciate that.
3 I feel like Madam Chairwoman didn't deny this potential
4 waiver based on not meeting the three prongs. She said
5 that it can't be effectuated because of the law and the
6 statute. So I was just a little confused on that part.

7 CHAIR: Actually -- thank you,
8 Commissioner Barker. I believe I did note that I do
9 not believe that all three prongs have been met. But
10 having to reiterate that here, the -- I agree with
11 staff -- staff assessment on Criterion 3, on the third
12 prong, but also agree with staff's rationale for
13 questioning whether the first two criteria are even
14 met, and I articulated.

15 And so I don't believe that Criteria 1 or
16 2 have been met for -- to support waiving the -- the
17 rule as it is requested by this entity. That is not to
18 -- now, that is not to say that the business can't or
19 shouldn't take on this additional entity as a new owner
20 of Simply Pure.

21 I believe Simply Pure Trenton can
22 certainly add new owners under our regulations if they
23 need -- if they want to bring that entity at -- on as a
24 partner to help in their operations. But as it is --
25 as it is proposed in the request that we received, the

1 -- the request does not meet the standards for what we
2 make of the rule and is impractical.

3 COMM. BARKER: (Inaudible) I think we can
4 agree to disagree on whether the three prongs are all
5 met, but adding is impractical, that's what's very
6 confusing because there seems to be, you know, a
7 difference of opinion on whether they meet the three-
8 prong analysis. Now you say it's impractical, I'm
9 trying to get a better understanding of that and how to
10 make it practical.

11 CHAIR: Understood, but I think, you know,
12 as you articulated that, what you were talking about
13 having -- allowing a business -- allowing multiple
14 businesses to have different licenses would require a
15 new regulatory structure, and that can -- cannot be
16 effectuated while we're doing a rule proposal as Chief
17 Tuason --

18 COMM. BARKER: So I agree that we
19 (inaudible) regulatory structure. I thought I was in
20 line to say that this could be done. It may be the
21 case; I could be wrong, but it just seems like this is
22 in a way a type of a vertical integration.

23 You have an applicant who is the owner of
24 one entity and you want to maintain the -- you wanna
25 maintain the same -- their ownership in another entity.

1 And on a case by case scenario, it could be something
2 like that. I even think it is appropriate and I'll
3 (inaudible).

4 COMM. NASH: Thank you, Commissioner
5 Barker. I have a question for Chief Tuason.

6 CHAIR: Commissioner Nash.

7 COMM. NASH: So for -- it appears this is
8 your -- this is a request for waivers for fundraising,
9 and I'm wondering -- I don't recall if it's diversity
10 owned business or SEB, but would A4151 solve this
11 issue?

12 CHIEF COUNSEL TUASON: So A4151 would
13 allow -- wouldn't allow investors to come in, but they
14 could only own up to 35 percent.

15 COMM. NASH: But they could invest in the
16 -- in the entity Simply Pure Trenton because they have
17 a Class 5 retail license?

18 CHIEF COUNSEL TUASON: Yeah. Yes. I
19 think if -- if one of the owners of Simply Pure Trenton
20 would wanna own another entity, they could do that --
21 they could take advantage of A4151, but they would --
22 they would be limited to 35 percent ownership.

23 COMM. NASH: Not them owning another
24 entity, but another -- potentially another cannabis
25 business investing in Simply Pure Trenton.

1 CHIEF COUNSEL TUASON: That's -- that's
2 correct too. Yeah, as long as they're diversity owned,
3 they would have to meet the standards of that statute.

4 CHAIR: And I also wanna note they would
5 have to be an owner of the entire business, and here,
6 the request -- as I understood it, the request is for a
7 new owner to come in just for one license that the
8 business owns.

9 So here this -- this investor is being
10 sought just for the cultivation license, and A4151
11 actually doesn't apply to the -- to cultivation
12 licenses, but they would have to be an owner of the
13 entire business that also has the -- that also has a
14 retail license.

15 COMM. NASH: Thank you, and thank you,
16 Chief Counsel.

17 CHAIR: Any further discussion on this
18 motion to deny the waiver request? Hearing no further
19 discussion, Mr. Said, can you please call the vote?

20 THE SECRETARY: Commissioner Barker?

21 COMM. BARKER: Nay.

22 THE SECRETARY: Commissioner Del Cid-
23 Kosso?

24 COMM. DEL CID-KOSSO: Yes.

25 THE SECRETARY: Commissioner Nash?

1 COMM. NASH: Yes.

2 THE SECRETARY: Vice Chair Delgado?

3 VICE CHAIR: Yes.

4 THE SECRETARY: And Chairwoman Houenou?

5 CHAIR: My vote is yes. And I do want to
6 underscore again that the -- a denial of this waiver
7 request does not mean that a new business cannot come
8 in and support Simply Pure.

9 There are a couple of different ways that
10 a business can do that under our regulations as they
11 exist right now. A business can become a part owner of
12 Simply Pure. They could also enter into a financial
13 source agreement if it -- if the need for -- Simply
14 Pure's need is purely based on funding. Those options,
15 they still exist.

16 And this -- a denial of this waiver
17 request does not preclude Simply Pure from trying to
18 effectuate a new ownership through the right and proper
19 channels. So my vote is yes.

20 THE SECRETARY: The motion passes.

21 CHIEF COUNSEL TUASON: The next waiver
22 request is WR003, Nevaeh Verde. Also request a waiver
23 of N.J.A.C. 17:30-6.8(g) which that regulation speaks
24 to that a person or entity shall be an owner of only
25 one licensed application or license holder. And I turn

1 it over to you, Madam Chair for a vote.

2 CHAIR: Thank you, Chief Counsel. If
3 there are no questions for Counsel Tuason, is there a
4 motion with respect to Nevaeh Verde, LLC?

5 COMM. DEL CID-KOSSO: Madam Chair, I move
6 to deny this regulatory waiver request.

7 CHAIR: Is there a second?

8 COMM. NASH: Second.

9 CHAIR: Seconded by Commissioner Nash. Is
10 there any discussion on this motion to deny the waiver
11 request?

12 COMM. BARKER: Listen, I just wanna say
13 for the record, I think we're missing opportunity to
14 really level the playing field. You know, when we talk
15 about equity -- when we talk about equity, we're
16 talking about, in my opinion, specifically denying for
17 the need and the level that people are at, putting
18 everyone in the position, if not a level playing field.

19 And so when we have the law (inaudible)
20 vertical integration for certain entities and certain
21 levels of business and then you have individuals who
22 are trying to also create operations and businesses to
23 scale, and they also represent the social equity, they
24 also represent those most harmed in the communities
25 that have been disproportionately impacted, I think

1 these are missed opportunities. I think these are
2 missed opportunities to do better and (inaudible) the
3 equity that we say we're always prioritizing and
4 looking to.

5 We talk a lot about how we're doing
6 everything we can to help those harmed, and then we get
7 to a situation like this and (inaudible). Thank you.

8 CHAIR: Thank you, Commissioner Barker.
9 Then Commissioner Del Cid-Kosso.

10 COMM. DEL CID-KOSSO: All right. Just a
11 quick -- a brief statement before we move on. In
12 response to Commissioner Barker's statements, I just --
13 as the chair of the Permitting and Licensing Committee,
14 these are some of the -- some similar requests we got
15 through the roundtables. And -- and yet we are doing
16 everything we can, which is why we hosted the focus
17 groups in the first place.

18 And we are listening from stakeholders and
19 applicants directly so that we can understand what's
20 happening on the ground. And have we not sent the
21 recommendations to the Board yet, but we are working on
22 that, and we're gonna meet with the (inaudible) the
23 Permitting and Licensing Committee next so that we can
24 sort those out and then we can present a full review
25 and also the next steps for -- for that committee. So

1 with that, back to you, Madam Chair.

2 CHAIR: Thank you, Commissioner Del Cid-
3 Kosso. I also wanna note, Commissioner Barker, I don't
4 think any board members here disagree with the need to
5 provide -- with the need to level the playing field,
6 but this is not the proper vehicle for that.

7 I think we all share the same vision for a
8 regulatory scheme that is - is reasonable and offers
9 businesses the opportunity to -- to thrive. I don't
10 think any -- I haven't heard anything from any of our -
11 - any fellow commissioners that -- that would disagree
12 with that sentiment.

13 Again, I think this is just not the right
14 vehicle for effectuating this particular kind of
15 change. And as with WR002, I believe this particular
16 request before us does not meet the three criteria
17 under Rule 3.7.

18 I believe it does meet criteria -- the
19 third criteria, but not the first and second criteria.
20 Here we have again a retailer that is seeking to add a
21 -- that is seeking a waiver just for the purposes of a
22 -- of a cultivation license, and I -- I don't believe
23 that the -- the criteria -- the three criteria under
24 our waiver requirements have been met. Is there any
25 further discussion?

1 COMM. BARKER: Just for the record, I do
2 believe that this one has -- that the three-prong
3 criteria have been met. I -- I don't respectively
4 believe that we -- we're doing everything we can to
5 uplift those most harmed and really address social
6 equity, but I'm hopeful that we can.

7 I did hear you say that. We -- we should
8 be patient and we wanna see the reg changed. So I'm
9 hoping we can get to that expedition and -- and I look
10 forward to -- to being a part of that (inaudible).

11 CHAIR: Thank you. If there are no
12 further -- if there's no further discussion on the
13 motion to deny the waiver request for WR003, Mr. Said,
14 could you please call the vote?

15 THE SECRETARY: Commissioner Barker?

16 COMM. BARKER: Nay.

17 THE SECRETARY: Commissioner Del Cid-
18 Kosso?

19 COMM. DEL CID-KOSSO: Yes.

20 THE SECRETARY: Commissioner Nash?

21 COMM. NASH: Yes.

22 THE SECRETARY: Vice Chair Delgado?

23 VICE CHAIR: Yes.

24 THE SECRETARY: Chairwoman Houenou?

25 CHAIR: Yes.

1 THE SECRETARY: The motion passes.

2 CHIEF COUNSEL TUASON: The next waiver
3 request is WR004. Was made by Cannabis MD, LLC. They
4 request a waiver of N.J.A.C 17:30-6.8(k) and that
5 requirement that the majority share of the license
6 applicant's ownership interest remains the same from
7 the submission of the conditional license application
8 until two years after the commencement of operations.
9 Madam Chair, back to you for a vote.

10 CHAIR: Thank you. Is there a motion on
11 this matter?

12 I will move that we approve this waiver
13 request for -- under certain conditions. I believe
14 that the -- this -- the -- that the waiver be approved
15 only for -- such that the primary business -- or the
16 majority business owner can only transfer their
17 interest to the other owner -- other existing owner, so
18 that this waiver would not be utilized to bring in new
19 owners.

20 I believe that the -- this waiver should
21 only apply for the remainder of the -- this two-year
22 period, and that is applicable under Rule 6.8(k), and I
23 believe -- and the waiver should only apply if the
24 other owner has already provided all of the disclosure
25 documents and gone through the proper vetting

1 requirements from -- that a regular owner must abide by
2 in the original application.

3 I believe that has been met here, so I'm
4 comfortable approving the waiver here because I believe
5 it meets Criterion 1 and 2 and 3 under Rule 3.7.

6 CHIEF COUNSEL TUASON: And just to clarify
7 this, this would only apply for Cannabis MD, LLC. You
8 know, 6.8(k) still applies across the board for every
9 other entity.

10 COMM. NASH: Madam Chair, I just wanted to
11 also clarify that there would be no new investors
12 condition.

13 CHAIR: My motion -- yes. My motion that
14 that would -- yes, I would support the -- the waiver as
15 long as it is -- is not used to transfer ownership
16 interest to new owners who do not already have an
17 equity in the business that has already been through
18 the disclosure and vetting process by the Commission.

19 COMM. NASH: And they would have to
20 demonstrate that the -- the harm that (inaudible) the
21 waiver was not approved? Is that correct?

22 CHAIR: That's correct. Yes.

23 COMM. NASH: Thank you.

24 CHAIR: Is there a second on this motion
25 to approve the waiver request?

1 VICE CHAIR: I second.

2 CHAIR: Seconded by Vice Chair Delgado.

3 Is there any discussion on this motion to approve the
4 waiver request? Hearing no discussion, Mr. Said, can
5 you please call the vote?

6 THE SECRETARY: Commissioner Barker?

7 COMM. BARKER: Abstain.

8 THE SECRETARY: Commissioner Del Cid-
9 Kosso?

10 COMM. DEL CID-KOSSO: Yes.

11 THE SECRETARY: Commissioner Nash?

12 COMM. NASH: Yes.

13 THE SECRETARY: Vice Chair Delgado?

14 VICE CHAIR: Yes.

15 THE SECRETARY: Chairwoman Houenou?

16 CHAIR: Yes.

17 THE SECRETARY: The motion passes.

18 CHIEF COUNSEL TUASON: The next waiver
19 request is WR005. It was made by Organic Farms
20 Corporation. They request a waiver of N.J.A.C 17:30-
21 7.15(a) to waive the one year waiting period to submit
22 a microbusiness standard conversion allocation. Madam
23 Chair, back to you for vote.

24 CHAIR: Thank you. If there are no
25 questions for Chief Counsel Tuason, I'll ask for a

1 motion.

2 COMM. NASH: Madam chair, I move to deny
3 this waiver request for waiving the one-year
4 requirement for microbusinesses to convert to standard.

5 CHAIR: Is there a second? I'll second
6 that motion. Is there any discussion on this motion?
7 Here I believe that a denial is warranted purely
8 because the -- the issue is now moved and because the
9 business has an operational (inaudible) here.

10 So in order to appropriately (inaudible)
11 the Commission will need to make a decision on this
12 request for waiver because the issue is now moved. Any
13 further discussion? If there's no further discussion,
14 Mr. Said, could you please call the vote?

15 THE SECRETARY: Commissioner Barker?

16 COMM. BARKER: Abstain.

17 THE SECRETARY: Commissioner Del Cid-
18 Kosso?

19 COMM. DEL CID-KOSSO: Yes.

20 THE SECRETARY: Commissioner Nash?

21 COMM. NASH: Yes.

22 THE SECRETARY: Vice Chair Delgado?

23 VICE CHAIR: Yes.

24 THE SECRETARY: Chairwoman Houenou?

25 CHAIR: Yes.

1 THE SECRETARY: The motion passes.

2 CHIEF COUNSEL TUASON: Next waiver request
3 is WR006. It was made by Neptune's Garden. They also
4 request a waiver of 7.15(a) to waive the one-year
5 waiting period to submit a microbusiness to standard
6 conversion allocation. Madam Chair, over to you.

7 CHAIR: Thank you. If there are no
8 questions for Chief Counsel, is there a motion with
9 respect to this waiver request?

10 COMM. NASH: Madam Chair, I move to deny
11 the waiver request to waive N.J.A.C 17:30-7:15(a).

12 CHAIR: Moved by Commissioner Nash. Is
13 there a second?

14 COMM. DEL CID-KOSSO: Second.

15 VICE CHAIR: Second.

16 CHAIR: Seconded by Commissioner Del Cid-
17 Kosso. Is there any discussion on this motion?

18 CHIEF COUNSEL TUASON: (Inaudible). Oh,
19 you've got a question?

20 CHAIR: Commissioner Del Cid.

21 COMM. DEL CID-KOSSO: Yes, briefly. I
22 just wanna say that this is another issue that came out
23 during those focus groups that we hosted last month
24 with the Permitting and Licensing Committee. So we are
25 taking a close look at those requests, and a lot of

1 those -- a lot of the feedback that came from -- from
2 applicants directly.

3 So I move to deny this request
4 (inaudible).

5 CHAIR: Thank you. I'd like to
6 appreciate, Commissioner Del Cid, your -- your desire
7 to keep that finger on the pulse with the Permitting
8 and Licensing Committee and keeping an eye on this
9 issue so we can figure out how we can -- if there are
10 any improvements that need to be made to our
11 regulations that apply across the board.

12 Here I agree with staff's assessment of
13 the three criteria under Rule 3.7, and (inaudible)
14 demonstrated wanting to be efficient while it is
15 admirable to (inaudible), doesn't illustrate necessity.
16 And I also share staff's assessment about letting
17 people take advantage of the priority review just only
18 to convert to a standard business later, essentially
19 cutting the line in front of our standard businesses
20 that have been -- that wait for approval -- for review
21 and approval of their applications.

22 Is there any further discussion on this
23 motion to deny the waiver request? Hearing no further
24 discussion, Mr. Said, can you please call the vote?

25 THE SECRETARY: Commissioner Barker?

1 COMM. BARKER: Abstain.

2 THE SECRETARY: Commissioner Del Cid-
3 Kosso?

4 COMM. DEL CID-KOSSO: Yes.

5 THE SECRETARY: Commissioner Nash?

6 COMM. NASH: Yes.

7 THE SECRETARY: Vice Chair Delgado?

8 VICE CHAIR: Yes.

9 THE SECRETARY: Chairwoman Houenou?

10 CHAIR: Yes.

11 THE SECRETARY: The motion passes.

12 CHIEF COUNSEL TUASON: The next request is
13 WR007 made by Shnicks Shnacks, LLC. They also request
14 a waiver of 7.15(a) to waive the one-year waiting
15 period to submit a microbusiness to standard conversion
16 application. Madam Chair?

17 CHAIR: Thank you. Is there a motion on
18 this matter with respect to WR007?

19 I will move to deny the waiver request for
20 failure to meet the three criteria under Rule 3.7.

21 COMM. DEL CID-KOSSO: Second.

22 CHAIR: Seconded by Commissioner Del Cid-
23 Kosso. Is there any discussion on this motion? Again,
24 I -- I believe that the three criteria under Rule 3.7
25 have not been met here.

1 And again, I share staff's concerns about
2 letting people essentially cut the line ahead of our
3 standard businesses that have been waiting for
4 application review and approval. If there is no
5 further discussion, Mr. Said, can you please call the
6 vote?

7 THE SECRETARY: Commissioner Barker?

8 COMM. BARKER: Abstain.

9 THE SECRETARY: Commissioner Del Cid-
10 Kosso?

11 COMM. DEL CID-KOSSO: Yes.

12 THE SECRETARY: Commissioner Nash?

13 COMM. NASH: Yes.

14 THE SECRETARY: Vice Chair Delgado?

15 VICE CHAIR: Yes.

16 THE SECRETARY: Chairwoman Houenou?

17 CHAIR: Yes.

18 THE SECRETARY: The motion passes.

19 CHIEF COUNSEL TUASON: The next waiver
20 request is WR009, Aunt Mary's Dispensary, LLC. They
21 request a waiver of 17:30-7.17(d)(5) to waive the
22 expanded ATC certification fee for medicinal cannabis
23 cultivators. Madam Chair?

24 CHAIR: Thank you. Is there a motion on
25 this matter?

1 COMM. NASH: Madam Chair, I move to deny
2 waiver request 009, request for waiver of expanded ATC
3 certification fees.

4 CHAIR: Is there a second?

5 VICE CHAIR: I second.

6 CHAIR: Seconded by Vice Chair Delgado.
7 Is there any discussion on this motion? I again, agree
8 with staff's assessment of Criterion 3 under Rule 3.7.
9 And as for -- to Criteria 1 and 2, I believe they have
10 not been demonstrated.

11 The -- I believe the request misconstrues
12 the applicable standard for (inaudible), but the -- the
13 business itself on its own volition elected to submit a
14 regular application -- I'm sorry, admitted to being
15 able to sell cannabis to customers.

16 They're able to grow. They have been
17 growing -- cultivating cannabis, and -- and so I don't
18 see a (inaudible) here. Any further discussion?
19 Hearing none, Mr. Said, can you please call the vote?

20 THE SECRETARY: Commissioner Barker?

21 COMM. BARKER: Nay.

22 THE SECRETARY: Commissioner Del Cid-
23 Kosso?

24 COMM. DEL CID-KOSSO: Yes.

25 THE SECRETARY: Commissioner Nash?

1 COMM. NASH: Yes.

2 THE SECRETARY: Vice Chair Delgado?

3 VICE CHAIR: Yes.

4 THE SECRETARY: Chairwoman Houenou?

5 CHAIR: Yes.

6 THE SECRETARY: The motion passes.

7 COMM. BARKER: Can I -- the motion was to
8 deny not to approve, and I voted nay. I just want to
9 put that on the record.

10 CHAIR: Commissioner Barker, the --

11 COMM. BARKER: My apologies.

12 CHAIR: -- the motion was to deny the
13 waiver request.

14 COMM. BARKER: Yeah. I support then.

15 CHAIR: Okay. So Commissioner Barker, you
16 are changing your -- your votes?

17 COMM. BARKER: Yes, I am.

18 CHAIR: Okay.

19 COMM. BARKER: Yeah.

20 CHAIR: Thank you. We'll make sure that
21 that correction is -- is made. Thank you.

22 CHIEF COUNSEL TUASON: The next waiver
23 request is WR010 made by Hudson Distribution Services,
24 LLC. They request a waiver of N.J.A.C 17:30-9.15(n) to
25 waive the requirement that staff members of cannabis

1 businesses transporting cannabis items can only travel
2 between originating cannabis business premises and
3 receiving business premises with the exception of an
4 emergency or necessary deviation. Madam Chair?

5 CHAIR: Thank you. If there are no
6 questions for Chief Counsel Tuason, is there a motion
7 on this particular request?

8 COMM. DEL CID-KOSSO: Madam Chair, I move
9 that we deny this regulatory waiver request.

10 CHAIR: Is there a second?

11 VICE CHAIR: I second.

12 CHAIR: Seconded by Vice Chair Delgado.
13 Is there any discussion on this motion to deny the
14 waiver request?

15 Again, I think the three criteria here
16 have not been met, and further, I think this --
17 allowing this activity that the requester proposes
18 actually jeopardizes public safety as it exposes
19 significant amounts of cannabis to potential theft, as
20 the -- as any non-cannabis business locations at which
21 the requester wants to go to, stop at before delivering
22 and dropping off cannabis products may not -- may lack
23 the proper surveillance and may not meet the necessary
24 security measures that would keep cannabis under proper
25 surveillance.

1 So the requester here is free to structure
2 their operations in a way that would reduce the need to
3 duplicate driving routes, but the rule should remain in
4 place. And if there is no further discussion, Mr.
5 Said, can you please call the vote?

6 THE SECRETARY: Commissioner Barker?

7 COMM. BARKER: Nay.

8 THE SECRETARY: Commissioner Del Cid-
9 Kosso?

10 COMM. DEL CID-KOSSO: Yes.

11 THE SECRETARY: Commissioner Nash?

12 COMM. NASH: Yes.

13 THE SECRETARY: Vice Chair Delgado?

14 VICE CHAIR: Yes.

15 THE SECRETARY: Chairwoman Houenou?

16 CHAIR: Yes.

17 THE SECRETARY: The motion passes.

18 DIR. RIGGS: Final waiver request for
19 consideration today is WR011 made by NJ Weedman's
20 Dispensary. He requests a waiver of N.J.A.C. 17:30-
21 6.8(g)(1) to waive limitation of family member
22 licenses. Madam Chair?

23 CHAIR: Thank you, Chief. If there are no
24 questions for Chief Counsel Tuason, is there a motion
25 on this matter?

1 COMM. BARKER: Madam Chair, I move that we
2 approve this request.

3 CHAIR: Is there a motion to approve the
4 waiver request -- is there a second? Last call for a
5 second. No second has been made, so the motion fails.
6 Is there another motion on this matter?

7 COMM. NASH: Madam Chair, I move to deny
8 waiver WR011, the waiver of limitation on family
9 members.

10 CHAIR: Is there a second?

11 COMM. DEL CID-KOSSO: Second.

12 CHAIR: Is there any discussion on this
13 motion to deny the waiver request?

14 COMM. NASH: Yes.

15 CHAIR: Commissioner Nash?

16 COMM. DEL CID-KOSSO: In my experience of
17 reviewing applications, I have seen and flagged many
18 applications where families try and corner the market
19 on businesses. There's sometimes up to eight family
20 members who will -- will try and obtain a license. And
21 the law is what it is to make this a fair and equitable
22 market, and I think that some families can afford to
23 have many businesses while others can't. So that is my
24 basis for denying this waiver.

25 CHAIR: Thank you, Commissioner Nash.

1 Additionally, I believe that I agree with staff that
2 none of the three criteria under Rule 7 point -- sorry,
3 3.7 have been demonstrated in the request here. Any
4 further discussion?

5 COMM. BARKER: Yes, Madam Chair.

6 CHAIR: Commissioner Barker?

7 COMM. BARKER: I think that similar to
8 previous explanation, I do feel in this case the
9 applicant (inaudible) recommendation has met all three
10 prongs, and I do just want to reply to Commissioner
11 Nash that she did make some good points regarding how -
12 - you know, her experience, how she has seen and
13 flagged different potential applicants trying to corner
14 the market, or you know, her experience where some
15 families have the wherewithal and the capital to afford
16 this and her concerns regarding that generally.

17 I hear that and I definitely don't think
18 that I didn't understand that. I think what's unique
19 about this particular situation that the Board is
20 facing on these decisions is that we're assessing this
21 on a case by case basis.

22 So this pertains to this. Each and every
23 potential waiver request, and I understand it will come
24 before you and before me, and the rest of the
25 commissioners, and so you can be able to delineate who

1 are those people that can be cornering the market and
2 who are the people that have been impacted, who are the
3 families that have gone through the criminalization --
4 the over-criminalization, the devastation of their
5 community and family structures.

6 You know, as I understand it, the
7 underlying applicant who was (inaudible) daughter, has
8 spent time in a correctional facility for cannabis.
9 Who knows what that impact has had on the family, on --
10 on the daughters, on the siblings, on the entire
11 nucleus. And so I think for this -- for our purposes
12 regarding these waiver requests, the beauty of it and
13 the power that we have is to be able to look at it on a
14 case by case and not have to generalize what this is
15 gonna do across the board.

16 And so I do think, again, this is another
17 missed opportunity to right the wrong of a failed drug
18 war, and uplift some of those who have been most harmed
19 and level the playing field for them. Thank you.

20 CHAIR: Thank you, Commissioner Barker.
21 Is there any further discussion? Hearing no further
22 discussion, Mr. Said, on the motion to deny a waiver
23 request, zero -- sorry, WR010 (sic), please call the
24 vote?

25 THE SECRETARY: Okay.

1 CHAIR: I'm sorry. I listed the wrong
2 docket number. Deny the waiver request Docket Number
3 WR011. My apologies.

4 THE SECRETARY: Commissioner Barker?

5 COMM. BARKER: Nay.

6 THE SECRETARY: Commissioner Del Cid-
7 Kosso?

8 COMM. DEL CID-KOSSO: Yes.

9 THE SECRETARY: Commissioner Nash?

10 COMM. NASH: Yes.

11 THE SECRETARY: Vice Chair Delgado?

12 VICE CHAIR: Yes.

13 THE SECRETARY: Chairwoman Houenou?

14 CHAIR: Yes.

15 THE SECRETARY: The motion passes. The
16 next item we have for consideration, we have the open
17 public comment period.

18 CHAIR: Thank you. All right. So as with
19 every public meeting, members of the public can submit
20 written comments during or after this meeting via our
21 website, nj.gov/cannabis/meetings. The deadline for
22 submitting written comments for today's meeting is 5
23 o'clock p.m. tomorrow, Friday, December 13th.

24 Written comments will be made public.

25 Today's speakers -- today's speakers will be limited to

1 -- to three minutes. Mr. Said will call on the names
2 of those who have registered. We'll start with the
3 folks who have -- who are here in person.

4 When you hear your name called, if you
5 could please come up to the microphone. Just tap the
6 button that is on the microphone just one time until
7 you see the green light, and then you can start your --
8 your comments. If you are on the phone, if you're
9 joining us telephonically, we'll get to you all after
10 those who are in person have given their -- their
11 testimony.

12 If you are joining us by phone, we ask
13 that you please silence other electronic devices so
14 that you -- we eliminate the opportunity for electrical
15 feedback.

16 I believe that is it. Mr. Said, can you
17 please call on our first speaker?

18 THE SECRETARY: Thank you, Chairwoman. As
19 a reminder, public speakers during this afternoon's
20 public comment period will be limited to three minutes.
21 Please be respectful and concise during the comments.
22 And like Chairwoman Houenou said, I'm going to start
23 with the people that are in the room first.

24 The first person on the list is Juan
25 Umana. If you're in the room, now is your chance.

1 Next person on the list is Reginald Green.
2 Just press the button and state your name, and please
3 stick to the three minutes.

4 MR. REGINALD GREEN: All right. Hello.
5 Press the button first? Right?

6 THE SECRETARY: (Inaudible).

7 MR. GREEN: Greetings, Chair, Commission.
8 This is my second time here on this matter about our --
9 being (inaudible), and I just wanna say I spoke with
10 Mr. Wesley McKnight -- McWhite, excuse me, Wes. I
11 always see him everywhere. He's always in the field
12 everywhere. I go to every cannabis event. And he told
13 me that usually the rehabilitation processes start
14 when, you know, you request it, you know.

15 But one of the late great senators, Mr.
16 Ronald L. Price, rest in peace, he said this, he said
17 he was deeply concerned with this very issue that I'm
18 having right now, and he says, history has proven that
19 when minorities don't fight for justice, it will be
20 denied.

21 He also said that we are sick and tired of
22 misinformed, entitled, self-absorbed people who have
23 never been targets of injustice describing what it
24 looks like to those of us who have. He was a man with
25 a long voice, but had a lot of warmth.

1 He was very angry that the marijuana
2 legalization bill was full of half-truths, empty
3 promises, and is not about social justice, it's about
4 the money. I don't know, but we past that, we hear
5 now. Because this Board wasn't even formed when he
6 came in. And this Board is full of some intelligent
7 people starting with Madam Chair who graduated from
8 North Carolina with her Jurisdiction Doctorate. That's
9 a lawyer.

10 Then we have Mr. Sam Delgado who's the
11 vice chair, you know, Marist graduate, political
12 science, and retired marine, you know. Then we have
13 Commissioner Del Cid-Kosso. I think I said that right.
14 It's a tongue twister, but again, all you -- all you
15 guys are intelligent. And then Ms. Nash. I got to Ms.
16 Nash resume and then I kind of highlighted something
17 because she formally worked with incarcerated
18 individuals such as myself that's trying to come back
19 into society.

20 This -- these charges are old with me
21 anyway. So she understands the difficulties of -- of
22 trying to come back into society as far as employment,
23 housing, you know, the paper handcuffs that hold us
24 back from proceeding on, you know. And then Mr.
25 Tuason, he's not here, who is your Chief Counsel. Then

1 you have Mr. Paul Urbish. He's -- he's the one that --
2 he -- he heads this thing -- the largest office in the
3 CRC, you know.

4 All you guys -- like a few of your
5 lawyers, I just have to tell you -- 10 seconds is not
6 enough. I'm gonna have to write all what I -- I had
7 here, and I'm trying this again, and I hope that I
8 don't have to keep coming back like 36 times to try to
9 get my badge back, my employee badge back.

10 So I'm looking for the enthusiastic yes,
11 as Mr. Delgado states. I'm looking for an enthusiastic
12 yes as well. So thank you guys for the opportunity to
13 speak, and I look forward to being reinstated. All
14 right.

15 THE SECRETARY: The next person on the
16 list is Allison Sobczak.

17 MS. ALLISON SOBCZAK: Thank you, guys, for
18 giving me this opportunity today. I just wanted to
19 shed some light on the licensing -- the reinstating of
20 the licenses when it comes to things like nonviolent
21 crime.

22 You know, and this -- the -- the fact that
23 we're all here is absolutely amazing. The fact that we
24 were able to make this committee and this Commission
25 and this Board and do something with cannabis that we -

1 - you know, to end the prohibition is absolutely
2 amazing, and I do believe that we can keep this reform
3 going. And we just need to start understanding what
4 this is doing to people.

5 So the middle of October, I was told that
6 I will be more -- immediately to answer to a 9-year-old
7 nonviolent crime. I am fortunate enough to have other
8 resources, but I did in fact lose a lot of work. I did
9 in fact have to -- I turned down other jobs to take --
10 take one in the cannabis industry that was very shortly
11 taken away from me, and then had to jump through all of
12 these -- these hoops go to my community leaders, go to
13 all the court systems.

14 And while some of this information is
15 genuinely lost in time, I do have faith in this
16 industry though and this Committee that if we can get
17 here, we can just start taking a different approach to
18 how we approach people with nonviolent crimes in their
19 history and do what we say that we're gonna do and try
20 to reinstate us in -- back in society, and, you know,
21 maybe just take a different approach to what we're
22 doing now. Thank you.

23 THE SECRETARY: The next person on the
24 list is Joshua Wing.

25 MR. JOSHUA WING: My name is Joshua Wing.

1 I am the co-founder and president of Flower & Flame
2 Dispensary. We are a woman-owned PLC and proudly a
3 family-owned dispensary in black New Jersey.

4 I first wanna thank the members of CRC for
5 all the work that has been done to build a fair and
6 equitable market that provides pathway for people to
7 enter this industry, especially for those statistically
8 who have not had the opportunity to participate in the
9 legal cannabis industry.

10 I am here today to speak in support of
11 Allison Sobczak. Allison has been a budtender of our
12 dispensary and was an integral part of our team. As
13 she stated eloquently, her employment at our dispensary
14 was abruptly terminated.

15 I can't tell you how disheartening it is
16 to have someone who by all accounts has done -- is
17 asked to get through the regulatory requirements for
18 employment receive the provisional badge only to have
19 it (inaudible) due to a 9-year-old non-violent cannabis
20 offense for which she has done rehabilitation for.
21 People need work. People are looking for opportunity.

22 I believe the issue is both a process
23 issue and a social justice issue. I understand the
24 development of a highly regulated cannabis market, just
25 a few scant years, no small undertaking. We applaud

1 the work that has been done, but as the industry
2 matures in situations like the one Allison finds
3 herself and provides, we would hope that the systems
4 evolve in order to help people more promptly. Without
5 defining timelines, both employees and employers are
6 left in the dark without support.

7 As an organization, social justice is
8 important to us. It's not lost on us, the irony of a
9 nonviolent cannabis related charge being the cause of a
10 termination from a legal cannabis dispensary. We're
11 intentional about providing pathways to employment for
12 individuals who otherwise would not have the
13 opportunity. This industry is built on the struggle of
14 licensed cannabis operators and those
15 disproportionately affected by the war on drugs.

16 It is our responsibility to provide a hand
17 up and an opportunity for individuals to grow and
18 thrive. We ask the legal New Jersey -- as legal New
19 Jersey market evolves, we ask that the Commission would
20 allocate resources to better help folks who find
21 themselves in Allison's position.

22 And for the remaining time that I have,
23 I'd like to speak directly to the brothers and sisters
24 in the licensed market who currently find themselves on
25 the sidelines weighing whether or not entry into the

1 regulated market is for them. Make a plan, align
2 yourselves with individuals or organization who share
3 your mission, your values, and your ethos. It's not
4 easy.

5 Doors will close to you time and time
6 over, and when those doors close, burst the window if
7 you have to. You are the rightful heirs to this
8 market. Your innovation and work is the backbone of
9 this industry, and there is a place for you here.
10 Thank you.

11 THE SECRETARY: The next person on the
12 list is Oscar Carrillo.

13 MR. OSCAR CARRILLO: Give me a sec.
14 (Inaudible]. Yeah, I'm trying. Okay. (Inaudible).
15 Hi. My name is Oscar Carrillo of Magic Garden
16 Botanicals. I know you guys see me here once or twice
17 or three times. It's actually my probably fourth or
18 fifth. Great update, I -- I did get my operational
19 permit; I got my badge and everything. It's great,
20 right, you would think.

21 So for two months I was held up with MFR
22 because they needed to know what type of product I was
23 making in order to approve it, in order to get an
24 operational permit so that once I'm operational, I can
25 make product and sell it.

1 You guys decided to change rules mid game
2 and now all MFRs are approved. I have to go through
3 the metric. So now what -- what -- originally what --
4 where I was originally supposed to start selling the
5 product after my two weeks of waiting for public
6 whatever, now I'm stuck again.

7 My stuff is my -- none of my items are
8 approved. I can't sell any products. All I can do is
9 extract and nobody can tell me why. I have -- I use a
10 metric. You know, everybody talks about what they need
11 new -- new -- new products. I got products there that
12 have been sitting there, haven't been looked at yet.

13 But as far I was told, you know, you guys
14 have little things where it says, ready, and you know,
15 in progress, or whatever. Some of the things have been
16 sitting there. So I don't know if it's an issue -- I
17 don't know what the issue is. I just know that here I
18 go. Now I got full staff because I think I'm working.
19 Right? And I've been sitting for -- I've been benched
20 for another month. So like, I don't know who's gonna
21 gimme a hundred grand to pay what I just blew, but I'm
22 assuming nobody here.

23 But like this -- again, this is just outta
24 hand. And like, this is just like really -- really
25 outta hand. I can't get answers from anybody, else I

1 wouldn't waste a whole day sitting here. If I get
2 answers, I wouldn't bother -- I wouldn't bother being
3 here. I got other things to do as well. I got two
4 companies to run. So this is like -- I don't -- I'm --
5 I'm beside myself on -- like, I don't even want to call
6 it incompetence.

7 I don't know the inner workings. I don't
8 want throw somebody, you know, like that, but it's
9 like, you gotta ask yourself, man, like, I -- I can't
10 run a business like that. Like, if I ran a business
11 the way this process went through, like I'd be outta
12 business. And then I'm almost outta business now
13 trying to just get through somebody telling me to sell
14 something.

15 Like, and what kills me the most is the
16 two months of the back and forth with my compliance
17 officer on my MFRs to going exactly -- to discuss
18 exactly what the products were, what the pictures and
19 this and that and everything else you guys want and
20 it's sort of perfectly in a packet. So two months back
21 and forth for that thing to go through to finally get
22 this, to then be saying that, oh yeah, well that
23 process is no longer valid, now we're doing it like
24 this, here, wait another two months.

25 Because that's what it feels like.

1 Because it's been one month already and nothing's
2 gotten done, zero. So there you go. I got nine
3 seconds left. Thank you.

4 THE SECRETARY: The next person on the
5 list is Alan Trzuskoski.

6 MR. ALAN TRZUSKOSKI: Good afternoon.
7 Alan Trzuskoski. I run -- I'm the executive director
8 of the Bridgeton business incubator. I help startups
9 to get operational (inaudible) one of the tenants to
10 our program. I work closely with the city council and
11 the mayor.

12 And the city is really behind the program,
13 but you know, the issues that Oscar is experiencing
14 with going back and forth about these MFRs, we had to
15 resubmit them, not just back and forth on the
16 information, but there was like four or five different
17 packets, versions that were sent to us that we had to
18 fill out over and over and over again. Again, he's
19 operational, but he's not operational because we can't
20 put any products in the market.

21 You didn't say it today that I heard, but
22 I heard multiple meetings where you said there aren't
23 new products coming on the market. Well, nobody can
24 bring products on the market because the whole process
25 is -- is broken or slow or something. But there's very

1 little visibility, there's very little communication,
2 and there's very little understanding about how to move
3 products from concept to actual production.

4 And the time, I mean, really four months
5 at least just to get these products launched and we're
6 still not there? In addition to that, I just wanted to
7 briefly mention on the -- on the (inaudible) thing that
8 we talked about today. You know, I think by applying
9 an equal tax to unusable product is a little bit unfair
10 because unusable product by its very nature is lower
11 grade. So it's not a proportional one ounce of premium
12 flour versus one ounce of trim.

13 I think taxing those exactly the same
14 seems a little bit unfair. Non-intoxicating hemp
15 products, I mean, cannabis is hemp, feel like you guys
16 should regulate all hemp, and that way everything could
17 be under your umbrella. And the other thing that I
18 think is really kind of misleading and things that we
19 need to change the way we talk about and represent it
20 in the public forum is at the last meeting there was a
21 slide titled, Awards by Class and Application.

22 On that -- on that slide it goes to say
23 that there are essentially 206 annual cultivators, but
24 then two or three slides later, there was another slide
25 titled, Operational Business Licenses Under the CREAMM

1 Act, and there's actually only 21 operational
2 businesses. And I would bet that if you started to dig
3 in, there's probably far fewer that are actually
4 transacting.

5 So I think it's important to represent in
6 the same slides the number of annual licenses, the
7 number of operational licenses, and the number of
8 transactional licenses all together so that we can see.
9 That's really the whole flow of this thing. And it's
10 all represented differently and I don't think there's
11 clarity and I don't think people understand how long
12 the process really takes. Thank you.

13 THE SECRETARY: The next person on the
14 list is Chief Vincent Mann.

15 CHIEF VINCENT MANN: (Foreign Language
16 Spoken). Hello. How is everybody? My name's Chief
17 Vincent Mann, Turtle Clan Chief of the Ramapough Lenape
18 Nation. This is a -- a rarity for me, so I might go
19 over a couple seconds. But I wrote down a bunch of
20 things that I don't normally do, and the reason why I
21 did that 'cause they're very specific.

22 So one of the things is I'd love to know,
23 and I'm sure everyone else does too, but there's
24 actually a requirement for the CRC to respond to public
25 comments, and if so, is there a timeframe in which to

1 do so? Because not once has any of our comments ever
2 been responded to, not privately or publicly.

3 We've -- also we've been hearing
4 throughout this industry, which we've been involved in
5 prior to the CRC, that THCA hemp has been finding its
6 way into MSOs. And that can only come from the state.
7 Right? And that's due to the regulations of the state
8 of New Jersey legal hemp program where we are confined
9 to a THC level of 0.3 percent total THC.

10 We've also been hearing that MSOs have
11 been purchasing (inaudible) from out-of-state
12 suppliers. I wanna know if that is true. Why has
13 there been no attempt to include us licensed hemp
14 growers in the creation of the new regulations that you
15 have been tasked with?

16 And given only 108 days to do since
17 September, we have growers licensed in the state of New
18 Jersey, to my knowledge, were not and are not a part of
19 any lawsuit, but under the current law are thrust under
20 your purview. How far along are you in creating those
21 regulations? Are you going to permit our products to
22 be placed into the metric system so we can continue to
23 operate legally within the state?

24 In regards to the excise tax for cannabis,
25 it's my understanding that our hemp products are also

1 gonna be hit with a excise tax as well as the 2 percent
2 tax from (inaudible) which we don't currently have,
3 which is gonna fill in any kind of gap for the excise
4 tax on cannabis. So when you have a -- an unusable
5 product, maybe the words in that needs to be changed
6 around, but in the end, those products are also being
7 taxed upon, right? If you're a manufacturer and you
8 make that product, there's gonna be taxes.

9 In regards to the \$4 billion that the
10 current -- that currently the state has in its coffers
11 from this cannabis program, how and when will that
12 money be put into -- I thought that I had heard that
13 earlier. How and when will that money find its way
14 into communities like ours?

15 THE SECRETARY: (Inaudible).

16 CHIEF MANN: Excuse me?

17 THE SECRETARY: Time. (Inaudible).

18 CHAIR: Sorry, we're having an issue with
19 our timer, but your three minutes are out, so just --
20 if you could just bring it to a conclusion. Thank you.

21 CHIEF MANN: All right. In regards to
22 limitation of (inaudible) members getting licenses,
23 MSOs have a market. They can have multiple businesses
24 regardless, you know, keeping those people -- those
25 home -- family members doing it that was not

1 considerate. Would you allow hemp growers to produce
2 products for cannabis market, see how they come up from
3 outta state?

4 And finally, all the challenges our
5 community faces, especially in the state of New Jersey,
6 to continually communicate with us is very important,
7 right? It's also an obligation under Executive Order
8 122. Also I'll skip over some of this.

9 In regards to the last thing about these
10 people who have come here that have criminal records,
11 there are politicians within the state, within New
12 York, within the United States that have far greater
13 felonies and things that are against them, but somehow
14 they find themselves back into the political world,
15 holding the entire trust of the population in which
16 they support.

17 Surely these few people that come here and
18 have been coming here, at least what we're witness to,
19 should have the opportunity to better their lives for
20 themselves and their family. Thank you.

21 THE SECRETARY: The next person on the
22 list is Ryan Chase.

23 MR. RYAN CHASE: My name is Ryan Chase.
24 I'm a hundred percent combat related veteran. I fought
25 in Iraq and Afghanistan --

1 CHAIR: Sorry, Mr. Chase, if you could
2 start over.

3 MR. CHASE: Sure.

4 CHAIR: We have a -- a court reporter
5 listening in.

6 MR. CHASE: All right.

7 CHAIR: So they need to be able to --

8 MR. CHASE: Can you hear me?

9 CHAIR: -- hear your entire comment.
10 Thank you. Pressed it one more time?

11 MR. CHASE: Yes.

12 CHAIR: Perfect. Thank you.

13 MR. CHASE: Okay. Sorry if I come off
14 wrong. I've been here since 10:15 a.m.; I haven't had
15 any medicine. Not good. Okay. Good. Traumatic brain
16 injuries, severe chronic PTSD. Okay. I've been
17 sitting here for a while listening to all kinds of
18 things about investors, manufacturing, the market,
19 products sold, shareholders. I've heard social equity
20 about 11 times.

21 I heard those most harmed in the community
22 about five times, and once I heard our patients deserve
23 the best. I watched a video the other day of that
24 beautiful red hair girl back there in March telling you
25 that she needed medicine for epilepsy that she can't

1 get. I'm telling you that I wake up every morning and
2 I want to kill myself until I have cannabis, but it is
3 illegal for she and I to grow it.

4 But you wanna give everybody here a
5 license to make money on it. I don't wanna make a cent
6 on it. I wanna make clones to give to other people who
7 are in severe pain and anguish that use this as
8 medicine. If you'd like, I could give up custody of my
9 6-year-old daughter and move into my van and give you
10 every cent of the \$5,000 and change the government
11 gives me every month if you will leave me the hell
12 alone to grow this plant for no money.

13 Okay? It is disgusting to sit here and
14 listen to these people who quite frankly looking
15 around, I don't see more than about three to four in
16 this room who have ever harvested more than a pound in
17 their life. Can I get a show of hands? Anybody in
18 this room ever harvested a pound? Anybody harvested
19 50? Cool. Right. Okay. Good. And they're all here
20 to sell it to people that don't know the difference.

21 I listened to a podcast with Todd
22 McCormick the other day, not that you know who that is.
23 He said that quality and quantity do not go hand in
24 hand. And the problem we see now, and the reason you
25 can't get real herb at a dispensary is the same reason

1 you can't get caviar at McDonald's. And it's because
2 the people who shop at McDonald's don't know what
3 caviar smells or tastes like and wouldn't know to order
4 it.

5 Okay? You have the nerve to call this
6 stuff top shelf and medical grade. You're selling C-
7 grade cannabis that hasn't even been cured. It says on
8 the container when it was cut and then a week later it
9 is in a mylar. You don't put cannabis in mylar, you
10 put it in amber glass. Okay? It's not about money.
11 It's a plant that God gave us. But here it's about
12 CREAMM. Everybody's a Wu Tang fan. Right?

13 Tax rules everything around me. CREAMM,
14 get the money. Dollar -- dollar bill y'all. This is
15 what I'm used to having pot in, not \$60 ACE. Okay?
16 This is empty. It doesn't have to be. I wanna give
17 this girl what's called sweet pink grapefruit, which is
18 the strain that she needs apparently to stop her
19 seizures. I would like to grow jelly bean -- jelly
20 bean so I don't wake up every morning and wanna kill
21 myself.

22 So while you're granting licenses to all
23 these people who make money in the name of social
24 equity and justice and all these other flowery terms,
25 I'm a hundred percent disabled for fighting for you.

1 Okay? Can I get a break? I don't know what she did in
2 her life. Can she get a break? You need my money that
3 bad? You need her money that bad?

4 CHAIR: Sir? Sir?

5 MR. CHASE: I'm done. You don't have to
6 say a word. Legalize medical home grow.

7 CHAIR: Thank you, sir.

8 MR. CHASE: Stop the nonsense.

9 CHAIR: Thank you, sir.

10 MR. CHASE: Yes, thank you. Nonsense.
11 You should be ashamed of yourselves. You're sitting
12 here regulating an industry --

13 CHAIR: Sir, please sit down so we can
14 move on to other --

15 MR. CHASE: Yeah, no, I'm not sitting out
16 here. I'm gone. Yeah, I haven't had medicine all day
17 because I've been waiting to talk to you, but the fact
18 that you don't allow --

19 CHAIR: Please.

20 MR. CHASE: -- legal medical home grow.
21 Okay. But you'll get all the money. You'll get a
22 billion dollars.

23 CHAIR: Sir, stop, please. Sir, stop
24 being disruptive right now. Thank you very much.
25 Thank you.

1 MR. CHASE: (Inaudible). Yeah. See you
2 around.

3 CHAIR: Please. Thank you. Now we'll
4 move on to the next registered speaker. Mr. Said, over
5 to you.

6 MR. CHASE: Thank you.

7 THE SECRETARY: The next person on the
8 list is Daniel Kessel. That's it for the in-person
9 people. I'm gonna move on to the --

10 MR. THOMAS NORCIA: I should be on there,
11 Thomas Norcia, Grow Works. It should be down there.

12 THE SECRETARY: No.

13 MR. NORCIA: Well, I should be.

14 THE SECRETARY: Actually, no. There are
15 other people, but you're -- you're not on the list.

16 MR. NORCIA: I should be. I'm standing
17 here. I should be.

18 MR. CHASE: He's here every month. Let
19 him speak.

20 MR. NORCIA: I've been here -- you know,
21 six months I've been here. Come on.

22 THE SECRETARY: The next person on that --
23 on the list that's registered to speak is Dr. Mary Ann
24 Donohue-Ryan.

25 MR. CHASE: This is a joke guys. This is

1 a joke. This is a joke.

2 MS. MARY ANN DONOHUE-RYAN: Good
3 afternoon. My name is Mary Ann Donohue-Ryan. And good
4 afternoon commissioners, board members, Chair, and Vice
5 Chair. I'm here to request and explore our
6 collaboration with Labeling and Packaging Committee
7 with the goal of consumer safety awareness and
8 education. As I said, my name is Dr. Mary Ann Donohue-
9 Ryan, and I am from the organization of Nurse Leaders
10 of New Jersey, and we represent the healthcare
11 interests of nursing leaders throughout our state.

12 As nurses are the largest number of
13 healthcare providers, our concerns have to do with the
14 awareness of the mental health effects upon our state's
15 consumers of cannabis and cannabis products. According
16 to the National Library of Medicine, cannabis use
17 increases the risk to develop and exacerbate mental
18 illness, stating that up to 50 percent of consumers
19 with cannabis related psychotic symptoms will go on to
20 develop schizophrenia, bipolar disorder, anxiety, and
21 depression.

22 Across the US, rates of diagnosis for
23 cannabis induced disorder are more than 50 percent
24 higher in November 2023 than in 2019. But as we know,
25 and I'll -- I'll depart from my notes for a minute, but

1 as we know, there is no labeling currently explaining
2 the dangers or the warning or the education or
3 awareness of cannabis products, much as they would be
4 for alcohol or tobacco use.

5 So while we applaud you for the NJ-CRC
6 safe use website, we really would like to work with you
7 and join -- so that we can join with the state of
8 Washington and other US states modeled after Canada
9 proactive approach to require warning labels on
10 cannabis products in New Jersey. So there's an
11 alarming increase across our emergency rooms throughout
12 the state and throughout the country that relates to
13 cannabis usage that's concerning and compelling, with
14 the most risk of harm to both developing in the aging
15 human brains.

16 So in fact, since our organization's
17 letter was written to you over the summer of 2024,
18 there's been national recognition of the need for
19 urgent action which underscores lack of oversight from
20 the federal point of view as well as the state point of
21 view, with the resulting disparities in public health
22 protections across states where cannabis is legalized.

23 So this report called for enhanced
24 leadership, stronger research agenda, and better
25 educational symptoms to minimize public health harms

1 while addressing health equity. So we would look
2 forward to collaborating and working with the Labeling
3 and Packaging Committee again with the goal of
4 informing and protecting our state's consumers. Thank
5 you.

6 THE SECRETARY: The next person on the
7 list is Jason Roussell. I don't know if I said that
8 right.

9 MR. JASON ROUSSELL: Close enough. Sorry.

10 THE SECRETARY: Please state your name
11 (inaudible).

12 MR. ROUSSELL: How are you doing? Good
13 afternoon. I am Jason Roussell, two-time childhood
14 cancer survivor. I was working for Verano. They
15 offered me employment on the 20th of this year of
16 March.

17 I got -- they filed the -- a dissertation
18 form with you guys on the 3rd. The letter of denial
19 came with a date of the 3rd of April. Then week later,
20 I get an e-mail from Houenou stating that you guys
21 issued me a provisional badge. I'm ready to work, and
22 then three weeks later I got terminated because my
23 permanent badge did not come through. I was denied for
24 a disqualifying conviction of marijuana possession from
25 over 11 years ago.

1 And the paperwork wasn't very clear on the
2 reform or appeal, whatever process you guys call it,
3 I'm not sure, but it wasn't really clear on what to do
4 with that and all the paperwork you were asking for
5 from drug programs from 11 years ago, I don't have that
6 on hand and don't know how to get that.

7 But as far as the paperwork of denial
8 online, I think it should definitely be more online
9 because I couldn't find the paper and had no way to get
10 it back again. If I didn't take a picture and send it
11 to somebody, I would've no access to the paperwork
12 still. So I think there should be a way online to be
13 able to pull your paperwork up.

14 While I was denied over a marijuana
15 conviction, which I was -- I was led to believe that
16 would actually gimme an advantage to work in this
17 industry, but it seems like only if I have money to
18 open a business does it benefit me. If I wanna be a
19 worker, it does not. This all I got.

20 THE SECRETARY: The next person on the
21 list is Andrea Raible.

22 MS. ANDREA RAIBLE: Hi. My name is Andrea
23 Raible, and I -- as you might have heard, I have
24 epilepsy and brain damage. This isn't my first time
25 testifying here, but I'm very fortunate enough that I'm

1 healthy enough to be before you again. It's -- it's
2 been a difficult year, and I'm sorry I'm a bit
3 emotional.

4 It can be a weird world to live in when it
5 seems like strangers can hear so much, but you can hit
6 such a dead wall talking with legislators or
7 politicians, and if people are emotional, it's because
8 they're desperate.

9 So please just give us a little leeway.
10 We're all trying our best. We're not used to this
11 environment. But I've been testifying all year and I
12 wanna focus on some more of the positives. It seems
13 like there's been an uptick in interest in patients'
14 rights this year. Early on, Jeff Brown even went in
15 front of the legislators and spoke for home grow, which
16 I know is not your jurisdiction.

17 Chris Riggs, you're now in that position.
18 I'm excited to see what you do this year. I know early
19 on we had spoken about some outliers in the (inaudible)
20 state. I'm interested to revisit that conversation and
21 see what you can do in this position. There's been
22 more talk about institutional caretakers, which is so
23 important. We have virtual testimony now. Thank you.
24 Because it doesn't just take staff resources, it takes
25 patient resources to try to even come here and have

1 these conversations.

2 But it's disappointing to hear that the
3 virtual meetings that we added for this year are for
4 streamlining more business stuff, licenses, not for
5 patient accessibility, when that would be our chance to
6 actually have our faces on screen and communicate with
7 each other. But there are little tweaks we can make
8 that'll still just keep working in the right direction.
9 I'm excited about a lot of the committees you talked
10 about today and some of the new goals.

11 I would -- one thing I didn't hear that I
12 would love to hear is the pathway that lets patients
13 and the public help inform those committees. How do we
14 work with those committees? Because we've been asking
15 for simple changes like COAs to be posted online,
16 solvents to be labeled on packaging, rescinding the
17 temporary hundred-pound batch size that we did talk
18 about months and months ago and we were assured we
19 would hear guidance on soon.

20 My body weight is a batch size and you
21 test about the AA battery, about a third of my watch.
22 It's not a representative sample. We need to do better
23 for our patients. We need changes. We need stricter
24 lab enforcement. This year we pulled the Freedom of
25 Information Act and we're able to have lab data going

1 back to 2022 up to this year, and I've seen with my own
2 eyes missing tests and dangerous trends that point to,
3 I'll say, unscrupulous behavior. I am not asking you
4 to take my word for it, I'm asking you to take the
5 lead, please.

6 I can provide the data that will be linked
7 in my written testimony. I'm asking you to prioritize
8 safety and prioritize patients. We need institutional
9 access we've been promised for years. Maybe with, you
10 know, Jeff over at the Department of Health and
11 interest here, we can make more progress on it, but we
12 need more public involvement because 10 people were at
13 the roundtable and this affects a lot more than 10
14 people in this state.

15 For 2025, I urge you to revisit your
16 priorities, revisit your code of ethics, the Jake Honig
17 Bill that you're responsible to uphold, but reflect
18 on the patient it was named for, please, and consider
19 if he would have his needs met today. Understand I
20 have three minutes a month, if I'm lucky, to come in
21 here and tell you that my needs are not met. There're
22 certain strains that are not commercially viable.
23 There's no transparency in the market.

24 And I just ask you to please consider if
25 you can be the one to use your voice for patients this

1 year and make it a priority. Please let us help you
2 save the medical program. Let us -- let us help you so
3 maybe you can help us. Thank you.

4 THE SECRETARY: Next on the list is Samuel
5 Reichbart.

6 MR. NORCIA: Yeah, can you hear me?

7 MR. SAMUEL REICHBART: Yeah, we do. I'm
8 gonna give my time to TJ of Grow Works.

9 THE SECRETARY: (Inaudible).

10 CHAIR: (Inaudible).

11 MR. NORCIA: I'm just gonna talk anyway.
12 I'm Thomas --

13 MR. REICHBART: I don't have anything to
14 say to that. I'm letting him talk.

15 MR. NORCIA: I'm Thomas Norcia from Grow
16 Works. I came in here six months ago looking for
17 access for the New Jersey Hemp Program and access the
18 metric. Now you -- the more time goes by, the more I
19 just see more CBD, more CBN. You guys know how any of
20 that's processed? The exact same way you're banning
21 (inaudible).

22 Now the manufacturers are making gummies,
23 tinctures one to one. Where are they getting that
24 from? Out of state. In your program, you guys are
25 letting CBD come in as an input, but yet I'm licensed

1 in the state for CBD and I can't even get in the
2 metric. I have liters in (inaudible), kilos of
3 distillate, you know, kilos of isolate. I could be
4 putting stuff in metric, but I don't have access.

5 People don't know we're here. I'm
6 reaching out to people and they're buying out of state.
7 Your guys are buying CBD outta state. You guys are
8 allowing THCA in your program through MSOs. If you --
9 if you realize that, it's a problem and you're not
10 acting. If you don't realize it, that's a problem. So
11 either way, it's a problem because it's happening. You
12 know, it's kind of crazy as we just went through a
13 historic election.

14 If you guys have to be elected for your
15 positions, every one of you, would you guys be sitting
16 here? Why are you here? Are you here for the people?
17 Are you here for a paycheck? Why are you guys here?
18 If you're here to regulate cannabis, regulate cannabis.
19 I'm a cannabis business in the state of New Jersey that
20 was here two years before any of you guys had jobs.
21 People over here, this is our lifestyle. This is your
22 job. There's a big difference there.

23 You guys should get fired or quit tomorrow
24 and have a new job. Our lives are on the line.
25 Everything we have on the line here. I've been

1 operating for five years and now I'm dealing with all
2 this BS. It is been over 160 - 180 days since I first
3 asked you guys for access metric, zero communication.
4 A little communication goes a very long way. You guys
5 might actually learn something, but you wanna learn
6 something? You care? You guys really care?

7 I don't wanna have to drive two hours to
8 come here and then sit here for three hours. I'm in
9 North Jersey, Sussex County on a mountain. I see the
10 Appalachian Trail on the mountain across my view. I do
11 not wanna come to these meetings, and I'm sure you guys
12 don't wanna hear me anymore. Let's act on this. My
13 product should have been five months ago on the shelf
14 in your dispensaries. Your inspectors are clueless.

15 I still have, you know, dispensaries
16 calling me every week; hey, we just opened up, we want
17 your product. You can have CBD, but not smokable. And
18 then I have to inform them, no, you don't. Meanwhile,
19 they already have CBD products on your shelves. Why
20 are they getting stuff from outta state when we are
21 here in the state producing stuff? You know,
22 psychoactive hemp ban, it's like the circus. You know,
23 the clowns come in, distract you. That's what
24 psychoactive hemp ban is for. You guys allowed THCA
25 in.

1 That's what's happening. New Jersey hemp
2 growers aren't providing THCA. We're not allowed.
3 We're more regulated than you guys. John Kerr knows
4 where I get my seeds from. He knows where I get my
5 clones from. That's regulated. When I sell it; they
6 know. You guys allow them clones and everything in
7 this program. If you know and you're letting it
8 happen, it -- it's horrible, and if you don't know,
9 it's horrible. Once again, we need to act. There's
10 businesses that have products.

11 THE SECRETARY: So that was the end of the
12 in-person. I'm gonna move on to the virtual speakers.
13 Thank you. The next person on the list that's virtual
14 is Ami Kachalia. If you're in the Zoom room, please
15 raise your hand. I -- I do see you raising your hand,
16 so I'm gonna give you the chance to speak. Go -- go
17 ahead, Ami.

18 MS. AMI KACHALIA: Hi there. Can you hear
19 me?

20 THE SECRETARY: Ami?

21 MS. KACHALIA: Hello. Can you hear me?
22 Hello?

23 THE SECRETARY: Just one second, Ami.

24 CHAIR: If you could please just silence
25 any other electronic devices that you might have.

1 (Inaudible).

2 MS. KACHALIA: Hi there. Can you hear me?

3 THE SECRETARY: Hi. We can hear you now.

4 MS. KACHALIA: Thank you. Hi there. Good
5 afternoon. My name is Ami Kachalia, I'm with the ACLU
6 of New Jersey. I'm here to speak today regarding the
7 social equity excise fee. I can't underscore enough
8 just how disappointed we are in the CRC's failure to
9 live up to the promise of community reinvestment that
10 was embedded in the legalization law.

11 A social equity excise fee of \$2.50 per
12 ounce is 12 times lower than the CIF of \$30 that the
13 Commission set in their own regulations leaving tens of
14 millions of dollars on the table meant for communities
15 most harmed by decades of criminalization. The people
16 of New Jersey were clear from the start. They wanted
17 legal cannabis that includes reparative provisions, and
18 that means robust community reinvestment.

19 Both the law and the regulations that
20 followed promised that, and sufficient notice was given
21 in both the law and the regulations to make clear to
22 everyone when the change in the CIF would occur.

23 In March, 2024, the CRC reported that the
24 state's adult use cannabis market had achieved \$1.3
25 billion in cannabis sales from April 2022 to March

1 2024. During that same period of time, less than \$4
2 million was raised through the CIF for community
3 reinvestment. That disparity is remarkable.

4 And today's decision to set the CIF to
5 \$2.50 per ounce only continues that disparity. It's
6 especially concerning when taken against the fact that
7 New Jersey used to spend more than \$143 million each
8 year on enforcing marijuana criminalization.
9 Increasing the CIF to the level included in the CRC's
10 own regulations would have been an opportunity to more
11 seriously reorient our spending to support New
12 Jerseyans instead of criminalizing them.

13 Today's decision will leave millions of
14 dollars on the table that should be invested back into
15 communities that have borne the brunt of the drug war,
16 and ignoring the law's promise also sets a precedent
17 for future CRC commissioners and elected officials to
18 disregard the reparative goals of cannabis
19 legalization. We urge you, we urge New Jersey to do
20 more in the future to deliver on your promises. Thank
21 you so much.

22 THE SECRETARY: Thank you, Ami. The next
23 person on the list is Damon Hanchell. If you're in the
24 room, please raise your hand. I don't see that person,
25 so I'm gonna move on to the next person.

1 The next person is Bianca Haynes. If
2 you're in the room, please raise your hand. The last
3 four of the numbers, 5812. Raise your hand just --
4 just to let everyone know. Raise your hand while
5 you're on the phone -- while you're still online, to
6 raise your hand. So if you do wanna speak, please
7 raise your hand. And you're -- you're -- go ahead.
8 There you are.

9 All right. Just please state your name if
10 you have the ability to speak.

11 MS. BIANCA HYNES: I'm trying to unmute
12 myself.

13 CHAIR: Star, six.

14 THE SECRETARY: To unmute yourself is
15 star, six on the phone.

16 MS. HYNES: Can you hear me? Hello?

17 THE SECRETARY: Hi. We can hear you now.

18 MS. HYNES: Hi. This is Bianca. Hi,
19 commissioners. I'm writing to you as a worker from a
20 MSO operation. Hold on one moment. I wrote some stuff
21 down. I just wanna bring it back up. Here we go.
22 Sorry. My name is Bianca, and I've been a part of the
23 cannabis industry for a year now. Currently, I work at
24 one of the large MSO ATCs in the state where my
25 coworkers and I are struggling with the issue.

1 Our debit card readers are currently not
2 set up to accept tips from customers. Tips may only be
3 given to us in cash. Previously, we were able to
4 accept tips through debit -- debit card transactions
5 without no problems. This has been an ongoing issue
6 over the last several months and has directly impacted
7 the finances of myself and all my coworkers. Previous
8 -- previously, our tips would be roughly \$600 per
9 paycheck. Currently we're lucky if we get \$300. We
10 rely on the tips to pay for our bills.

11 Our management team has told us multiple
12 times that there is nothing that can be done. They
13 also mentioned this is a statewide issue in every
14 dispensary. I took the time to speak to some of my
15 colleagues in the industry, and I learned that in their
16 dispensary, they have no problem accepting tips through
17 debit card transactions and have either fixed this
18 issue or never experienced it in the first place.

19 I'm unsure if the CRC can help us with
20 this, but it's important to the workers that you are
21 aware of this issue. All we ask is for transparency
22 and the respect from our company to resolve this issue.
23 Please help our tip -- tips whole again. And my
24 question would be, is there any control or help that
25 you can give us to give the debit readers mandatory --

1 mandatory by the dispensary?

2 CHAIR: (Inaudible) do have to share
3 additional comments. (Inaudible) then we'll move
4 forward.

5 THE SECRETARY: Thank you, Bianca. If you
6 have further comments, please write them in to the CRC.
7 The next person on the list is Antonio Messina. Last
8 four is 5917. If you're -- there you are. Antonio, I
9 see you. Antonio, if you can hear me, press star on
10 the line to unmute.

11 MR. ANTONIO MESSINA: Good afternoon,
12 commissioners, Chair, and Vice Chair. Can everybody
13 hear me? My name is Antonio Messina. I'm one of the
14 business owners of Suburban Greens Dispensary in -- in
15 Warren County, Washington Borough.

16 I'm here today for questions in regards to
17 the struggles since August of 2023 with the Washington
18 Borough. My goal today is to highlight delays and
19 gather actionable feedback and emphasize my commitment
20 to resolve these concerns. I have four key points I
21 want to discuss.

22 One is the letter of support versus the
23 ordinance. Can you confirm that the town fully
24 understands the distinction between the letter of
25 support we require for approval and the ordinance

1 needed to allow us to operate as a dispensary? What
2 specific concerns does the town have in providing a
3 letter of support given that we already have a
4 preliminary land and use approval.

5 Addressing a public right of way or
6 vacation, what rationale is the town using to discredit
7 our state approved documents and licensed surveying
8 findings? Why is the town denying the vacation despite
9 the precedence sent with our neighbors on both sides of
10 the property in 1987 and 1994 accordingly? The town
11 has not consulted any third-party experts to validate
12 or dispute, only the town attorney.

13 Accountability and transparency. Why is
14 one individual or lawyer being allowed to override the
15 evidence and documentation we have provided? What
16 checks and balances are in place to ensure fairness in
17 this process? And the town provided clear and written
18 explanation of their concerns and requirements, so we
19 can ensure that all future submissions meet
20 expectations.

21 Of course, this is just a path to a
22 resolution, and I would like to get the steps that
23 would need to be taken. What steps does the town
24 recommend that we take to move forward in resolving
25 this right of way issue? If the town continues to

1 reject our documentation, both on the state and
2 personal licensing side, what appeal process or what
3 authority can we escalate this to?

4 These questions directly address the
5 inconsistencies and brings focus to lack of resolution
6 despite my best efforts. I hope this encourages you
7 guys to provide a clear, actionable feedback or
8 escalate this issue if necessary.

9 THE SECRETARY: You have -- you have 40
10 seconds left.

11 MR. MESSINA: Thank you. That's all I
12 have.

13 THE SECRETARY: Thank you. The next
14 person on the list is Charlayne Davis. If you're in
15 the room, please raise your hand. Last four of the
16 number is 8881. Charlayne Davis, if you're in the
17 room, please raise your hand.

18 The next person on the list is John Cohn.
19 If you're in the room, please raise your hand. The
20 last four is 8083. John Cohn? I'm gonna go over the
21 list again. That's the end of the virtual. I'm just
22 gonna go over them again. Charlayne Davis? John Cohn?

23 That's it. Chairwoman Houenou, this will
24 conclude the registered speakers we have for today's
25 public meeting.

1 CHAIR: Okay. Thank you. And thanks to
2 everyone who shared their ideas and their experiences
3 and their recommendations for -- for the Commission.
4 The -- this concludes our -- the business that we do
5 have for us today. With that, I move that we adjourn
6 today's meeting. Is there a second?

7 COMM. DEL CID-KOSSO: Second.

8 CHAIR: Seconded by Commissioner Nash. Is
9 there any discussion on this Motion to adjourn?
10 Hearing no discussion, all those in favor of adjourning
11 say, aye.

12 COMM. NASH: Aye.

13 COMM. BARKER: Aye.

14 COMM. DEL CID-KOSSO: Aye.

15 VICE CHAIR: Aye.

16 DIR. RIGGS: Aye.

17 CHAIR: All those opposed say, nay? Any
18 abstentions? The motion passes. The time is 4:27
19 p.m., and we are adjourned for today. Have a --
20 everybody stay safe, stay warm. Happy holidays and a
21 happy new Year. Thank you.

22 (Meeting concluded)

23

24

25