



**CANNABIS CONTROL DIVISION  
CANNABIS REGULATORY ADVISORY COMMITTEE**

**January 26, 2023  
1 P.M. MINUTES**

**I. CALL MEETING TO ORDER**

Chair Kaltenbach called the meeting to order at 1:04 p.m.

**II. ROLL CALL**

Members present via WebEx were Chair Emily Kaltenbach, Bart Faris, Chris Duvall, Debbi Moore, Steve Jenison, Esther Lopez, Ginger Baker, Lou Ann Branch, Nina Wells, Phillip Sanchez, and Rachael Speegle. Bennett Baur and Mary Carmack-Altewies later joined the meeting.

Members absent were Chief Philip Smith, David McDermid, Harold Trujillo, and Nathaniel Paolinelli.

Also present at the meeting were CCD Acting Director Andrew Vallejos, CCD Deputy Directors Carolina Barrera and Robert Sachs, CCD staff member Autumn Marquez, and Chris Moander of the State Office of the Attorney General.

**III. APPROVAL OF THE AGENDA**

Motion to Approve: Steve Jenison  
Second: Debbi Moore  
Motion passed unanimously.

**IV. PUBLIC COMMENT**

No public comments were made.

**V. COMMITTEE ACTIONS AND BUSINESS**

**Welcome CRAC Members:** Chair Kaltenbach opened the floor to the new and returning members to introduce themselves to the committee. CCD staff was also introduced to the committee.

**Overview of CRAC and Role:** Deputy Barrera reviewed the role of the CRAC per the Cannabis Regulation Act (CRA). Chair Kaltenbach added that this committee advises on rule making but the CRAC does not have a vote on final actions.

**CCD Overview:**

**Demographics:** Deputy Barrera reported that approximately 1,098 cannabis establishment licenses have been issued to date. Deputy Barrera stated there are 461 vertically integrated businesses that include: 116





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retail, 117 manufacturer, 106 producer, and 112 premise licenses. 456 micro integrated applications that include: 140 retail, 175 manufacturer, and 141 producer licenses. And 991 individual approved applications that include: 324 retailer, 163 manufacturer, 218 producer, 242 micro producer, 11 consumption areas, 30 courier, 3 testing laboratory licenses. 35 “legacy” licensees that previously served the Medical Cannabis Program. In addition, Deputy Barrera said there are a total of 322 applications across all licensing categories that are currently pending: 54 vertically integrated which includes: 5 retail, 8 manufacturer, 25 producer, and 16 premise licenses. 148 micro integrated that includes: 15 retail, 19 manufacturer, and 141 micro producer licenses 120 individual licenses that includes 21 retailer, 5 manufacturer, 49 producer, 19 consumption areas, 20 courier, 5 testing laboratories, and 1 research laboratory. Deputy Barrera said that based on information applicants provided, approximately 69% of the 2,533 people who are registered as controlling persons of licensed cannabis businesses in the state that self-identified their race identify as male, while about 29% identify as female and about 1% identify as gender non-conforming or non-binary. She said that approximately 43% of controlling persons reported their race as white, 21% as non-white, while 36% indicated they had mixed races. Of the 2,533 controlling person listed in approved license applications 866 have no Latino, Hispanic or Spanish origin, 1,049 reported some Latino, Hispanic, or Spanish origin and 182 preferred not to answer. Of the 1,935 who self-identified their ethnicity: 46% of controlling persons identified as having no Latino, Hispanic or Spanish origin and 54% of controlling persons identified as having some Latino, Hispanic or Spanish origins.

**Compliance:** Deputy Barrera reported that from April 1, 2022, to the present that there have been 371 total inspections in the state. These include 209 retail inspections, 145 production inspections, and 17 manufacturing inspections. Additionally, there have been 240 Notice of Violations issued, 91 of which are open cases, 149 closed, and 3 Notice of Contemplated Actions.

**Sales and Tax Revenues:** Deputy Barrera reported that there were nearly \$360 million in cannabis sales in New Mexico between April 1, 2022, and December 31, 2022. About \$216 million, or 59.7% of total sales, were adult-use sales, while about \$144 million in sales, 40.3%, came from medical patients. She then stated the top 10 cities with the highest sales: Albuquerque, Santa Fe, Las Cruces, Hobbs, Sunland Park, Rio Rancho, Clovis, Carlsbad, Alamogordo, and Ruidoso.

**Report on Other Pertinent Data:** Deputy Barrera reported on the 2022 CCD Accomplishments. These included an Intergovernmental Agreement with RLD/CCD & Indian nations, pueblo, and tribes. The CCD also successfully renewed legacy licenses in the Summer of 2022. Deputy Barrera then reviewed staff growth within the CCD with addition of a Law Clerk, Administrative Support for Compliance, and Financial Manager. Also stated was that the CCD will be opening an office in Las Cruces which will bring added compliance presence to Southern New Mexico. Compliance checklists and procedures have been established and continue to be refined, the CCD compliance staff trained with Colorado Marijuana Enforcement Division recently. Lastly, Deputy Barrera stated that an online resource (Cannabis Reporting Online Portal, or C.R.O.P) has been added to the CCD website.

**Social Equity:** Director Vallejos and Deputy Barrera presented the division’s current planned measures for social equity aid and tracking. Deputy Barrera stated that there are strong diversity numbers currently within the industry. She also said that the CCD will be releasing a new Micro Logo, and logos for tribal, acequia, and historic areas respectively as well. The CCD is also planning on releasing Cannabis Business 101 videos that will be available on the CCD website for the public. Member Moore posed a question regarding





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the social equity updates and whether the CCD's planned small-business videos aiding social equity will be focused on cannabis business operations or general business operations. Deputy Barrera explained that these resources will be catered to cannabis business concepts with general business concepts as well. Chair Kaltenbach then asked whether there is an update on the equity provisions that the division adopted from previous CRAC advice and if that data is being tracked. Deputy Barrera responded with an update on the current provisions the division is planning on providing aid in social equity to licensees and equity tracking.

**Proposed Legislative Changes:** Director Vallejos stated the latest proposed bill will have an emphasis on enforcement and providing tools for division compliance officers and investigators to support the legal market. Director Vallejos stated that the bill will be dropped soon. Once the legislation session passes, Division rules will be revisited. Member Moore asked how committee members will be kept updated on legislation and how they will know to advocate for the bill throughout legislation. Director Vallejos stated that the bill will be sent out once it is finalized and the committee will be updated on its status so that members know how to advocate for the bill. Member Faris also asked how the division foresaw the CRAC fitting into the repeal and replacement of the rules based on new legislation. Director Vallejos responded by explaining that once the rules are opened, new rules will be implemented and existing rules will be reviewed, then the CRAC will be called on to advise on the rules, either as a whole or in subcommittees.

## VI. COMMITTEE ACTION ITEMS

### REVIEW AND ELECTION OF OFFICERS

#### **Chair Elections:**

Nominations: Debbi Moore and Steve Jenison. Member Moore agreed to move forward with the nomination. Member Jenison declined moving forward with the nomination.

Motion to approve Member Moore as Committee Chair: Steve Jenison

Second: Bennett Baur

Motion passed unanimously.

**Subcommittees:** Deputy Barrera reviewed the potential subcommittees available to members after legislation. Director Vallejos recommended that a survey be sent to committee members after the legislative session then revisiting subcommittee elections once results are in. The recommendation was accepted by the Committee Chair and members.

### COMMITTEE ADMINISTRATIVE BUSINESS

**Vacancies:** Chair Kaltenbach informed the committee that Vice-Chair Martinez and Sheriff Mendoza have resigned from the committee. Chair Kaltenbach then stated that, due to Vice-Chair Martinez resigning, there is a vacancy for the Vice-Chair position. Chair Kaltenbach then opened the floor to nominations for Vice-Chair, to which Bennett Baur and Esther Lopez were nominated. Both nominations declined. Chair Kaltenbach then advised Chair-Elect Moore that this motion can be revisited once the committee is fully staffed, and Chair-Elect Moore agreed.

**Review of Committee Meeting Schedule:** Chair Kaltenbach stated that the committee will continue to meet on a quarterly basis (January, April, July, and October). Director Vallejos then stated that subcommittees





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may meet more frequently during the repeal/replace session and that Deputy Barrera and Executive Assistant Marquez will send out a survey on subcommittee interest to determine when they will meet. Note that Member Faris cautioned the committee that all subcommittee meetings will be bound by the Open Meetings Act.

**VII. ADJOURNMENT**

Chair Kaltenbach adjourned the meeting at 2:45 p.m.

Approved by:

Deborah L Moore

Debbi Moore, Chair

June 30, 2023

Date

