



NMRLD

NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent

REGULAR COMMITTEE MEETING

New Mexico Cannabis Regulatory Advisory Committee (C-RAC)
New Mexico Regulation & Licensing Department
5500 San Antonio Dr, Sandia Room, Albuquerque, NM
September 29, 2023 at 1:00 PM

DRAFT MINUTES

I. CALL MEETING TO ORDER

Chair Moore called the New Mexico Cannabis Regulatory Advisory Committee meeting to order 1:00 p.m.

A. Roll Call

Roll call was taken, and a quorum was determined present.

MEMBERS PRESENT: Bart Faris
Chris Duvall
Chief Christopher Williams
Debbi Moore
Nina Wells
Ginger Baker
Sheriff Kim Stewart
Lou Ann Branch
Phillip Sanchez
Eric Speegle, for Rachael Speegle
Dr. Steven Jenison

MEMBERS ABSENT: Philip Larragoite, for Bennett Baur
David McDermid
Esther Lopez
Harold Trujillo
Mary Carmack-Altwies
Nathaniel Paolinelli

NMRLD STAFF PRESENT: Linda Trujillo, NMRLD Superintendent
Todd Stevens, CCD Director
Robert Sachs, CCD Counsel
Victoria Kaniatobe, CCD Law Clerk

Chair Moore reported that Member Emily Kaltenbach resigned from the Committee.

B. APPROVAL OF AGENDA

Member Jenison made a **MOTION** to approve the agenda. Member Williams **SECONDED** the motion. Motion **PASSED** by **UNANIMOUS APPROVAL**.

C. APPROVAL OF MINUTES

1. April 14, 2023, C-RAC Meeting Minutes

Member Wells made a **MOTION** to approve the April 14, 2023, C-RAC Meeting Minutes. Member Faris **SECONDED** the motion. Motion **PASSED** by **UNANIMOUS APPROVAL**.





2. July 14, 2023, C-RAC Meeting Minutes

Member Williams made a **MOTION** to approve the July 14, 2023, C-RAC Meeting Minutes. Member Sanchez **SECONDED** the motion. Motion **PASSED** by **UNANIMOUS APPROVAL**.

II. PUBLIC COMMENT

There was no public comment.

III. ANNOUNCEMENTS

A. Change of October 27, 2023, C-RAC Meeting to December 8, 2023

Chair Moore reported that the next C-RAC Meeting that was scheduled for October 27, 2023, is cancelled and the next meeting will be on December 8, 2023.

B. Introduction of New CCD Director Todd Stevens

Superintendent Trujillo introduced the new CCD Director, Todd Stevens. She also introduced Clay Bailey, Deputy Superintendent who serves in Superintendent Trujillo’s absence.

IV. DIVISION REPORT

A. Licensing & Compliance Update

Director Stevens reported the following:

Between April 1, 2022, and September 22, 2023, New Mexico cannabis retailers reported the following sales:

- Medical Sales \$266,997,288.65
- Recreational Sales \$492,609,439.41
- Total \$759,606,728.06

Between January 1, 2023, and September 22, 2023, New Mexico cannabis retailers reported the following sales:

- Medical Sales \$122,862,240.49
- Recreational Sales \$277,904,722.46
- Total \$400,766,962.95

Top Cities for Market Sales

<u>City</u>	<u>Medical</u>	<u>Recreational</u>	<u>Total</u>
Albuquerque	\$107,229,521.95	\$150,636,662.95	\$257,866,184.90
Santa Fe	\$24,050,978.35	\$34,177,964.61	\$58,228,942.96
Las Cruces	\$23,300,154.67	\$34,381,942.82	\$57,682,097.49
Sunland Park	\$3,290,535.27	\$36,936,488.85	\$40,227,024.12

Total Pending Applications: 273

Vertically Integrated: 50

Retailer: 6

Manufacturer: 6

Producer: 25

Premise: 13

Micro Integrated: 74

Retailer: 22

Manufacturer: 24

Producer Microbusiness: 28





Independent Licenses: 149

Retailer: 17	Consumption Area: 26
Manufacturer: 13	Courier: 12
Producer: 31	Testing Laboratory: 6
Producer Microbusiness: 44	Research Laboratory: 0

Total Approved Premises: 2,745

Vertically Integrated: 878

Retailer: 444
Manufacturer: 277
Producer: 157

Micro Integrated: 658

Retailer: 187
Manufacturer: 262
Producer Microbusiness: 209

Independent Premise License: 1,209

Retailer: 391	Consumption Area: 21
Manufacturer: 259	Courier: 47
Producer: 238	Testing Laboratory: 6
Producer Microbusiness: 246	Research Laboratory: 1

V. OLD BUSINESS

A. Compliance Initiatives Taken by the Division

Robert Sachs reported the following compliance initiatives taken by the Division:

Total Inspections Conducted Between April 2023 – August 2023: 295

Retail Inspections: 229
Producer Inspections: 40
Manufacturer Inspections: 26

Total Notices of Contemplated Action Issued in 2023: 9

Settlements Entered: 3
Pending Settlement Negotiation: 1
Pending Hearings: 3
Revoked Licenses: 2

Preliminary Injunctions Filed: 3

Sawmill Sweet Leaf (ABQ)
Bliss Farms / Grown Farms / Love 420 (Estancia)
Native American Agricultural Development Company (Estancia)

B. Summary of August 31, 2023, Rule Hearing

Robert Sachs reported that the Division held a rule hearing on August 31, 2023, to consider changes to rule that would add requirements to the licensing process including required educational courses, inspections prior to the issuance of a license, and business licenses as part of the application for licensure renewal.

C. Nominations for Vice Chair

There were no nominations for Vice Chair.





VI. NEW BUSINESS

A. Additional Rule Hearing, November 13, 2023

Robert Sachs reported that the Division will hold another rule hearing on November 13, 2023, which will include the following proposed amendments to add more requirements for licensing up front:

- Proof of registration with TRD;
- Food Permit for edibles and topicals from NM Environment, ABQ, or Bern Co.;
- Requirement for couriers – clarify delivery is to consumer, not just transportation;
- Applicant shall have 48 hours to cure incomplete applications;
- Licensees may not use packaging from out of state with NM labels covering other state information; and
- Remove fee differentials for microbusinesses – the fees will be the same regardless of number of functions/activities and/or plant count.

Director Todd Stevens reported the following RLD 2024 Legislative recommendations:

- Amend the criminal background check language to meet the FBI's requirements for the ability to conduct federal background checks;
- Amend to eliminate revocation of plant count limits, which are set to expire end of year 2024;
- Amend to allow Liquor Control licensees to be licensed pursuant to the Cannabis Regulation Act, provided alcohol and cannabis sales and activities do not occur on same premises;
- Amend to clarify the definition of Integrated Cannabis Microbusiness;
- Add requirements for a licensee to be register its employees with CCD and mandate training;
- Add requirement that CCD records related to ongoing investigations are not subject to IPRA pending completion of investigations;
- Add authority and requirements for the CCD to cancel a license if the licensee has failed to engage in business within a reasonable amount of time;
- Add authority for the CCD to order the seizure and destruction of unlawfully possessed cannabis and authorize DPS to carry out or oversee the seizure and destruction activities;
- Strengthen authority 61-1-25.1 NMSA 1978 of the Uniform Licensing Act to be able to obtain orders of preliminary injunction in cases where immediate danger to the public health and safety exists; requiring the District Court to set these petitions for hearing within three days and issue a decision nor more than two days after the hearing to orders 3-days for preliminary injunction hearing decision no more than 2 days;
- Increase aspects of "local control" regarding steps that must be completed before a new license is issued;
- Authorize a new division of RLD to perform certain law enforcement law enforcement authority for the cannabis industry; and
- Enhancements and clarifications to existing criminal statutes within the CRA to clarify that controlling persons may be charged with criminal offenses for illegal production, manufacturing, retail and possession of cannabis in specific circumstances.

VII. COMMITTEE ACTION ITEMS

A. Recommended adoption of rule changes for August 31, 2023

Member Jenison made a **MOTION** to recommend adoption of the rule changes presented at the August 31, 2023, rule hearing. Member Faris **SECONDED** the motion. Motion **PASSED** by **UNANIMOUS APPROVAL**.





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VIII. ADJOURNMENT

Member Williams made a **MOTION** to adjourn. Member Duvall **SECONDED** the motion. Motion **PASSED** by **UNANIMOUS APPROVAL**.

The meeting was adjourned at 2:18 p.m.

Approved by:

Debbi Moore, Chair

Date

