

Joint Committee on Administrative Rules

May 8, 2023

The Joint Committee on Administrative Rules met in hearing room 117 to hear challenges to the Department of Health and Senior Services - Division of Cannabis Regulation – 19 CSR 100-1 Proposed Rules.

Chairman, Senator Nick Schroer calls the meeting to order. Director, Sarah Schappe calls the roll. The following members were present:

Senators

Nick Schroer

Holly Rehder

John Rizzo

Barbara Washington

Curtis Trent

Representatives

Ben Baker

Peter Merideth

Louis Riggs

Alex Riley

David Tyson Smith

Staff

Sarah Schappe

Jill Quick

Director of JCAR, Sarah Schappe, presented the process of how the committee will go through the Proposed Rules for 19 CSR 100-1 and that the opponents (JCAR) can present on each rule and the Department of Health and Senior Services can present their rebuttal to the information and receive any testimony.

Sarah Schappe provided an overview of 19 CSR 100-1.010(3), Definition of Advertising (includes billboards) and potential legal issues. The witness, Amy Moore, Director of Cannabis Regulation, Department of Health and Senior Services presented the department's rebuttal and responded to questions from the committee members Representative Peter Meredith and Senator Curtis Trent.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.030(2)(B)8 regarding subpoena powers to persons, not just licensees. Amy Moore presented the department's rebuttal and responded to inquiries from committee members, Sen. Schroer and Rep. Tyson Smith, Rep. Meredith, and Sen. Rizzo. Eric Walter with MOCANNTRADE presented their concerns and responded to questions from Sen. Schroer.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.030(4)(A) and (B) hiring certification agencies. Amy Moore presented the department's rebuttal and responded to inquiries from committee members Sen. Schroer, Rep. Tyson Smith, and Rep. Peter Meredith.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.050(2)(B), 19 CSR 100-1.050(4), 19 CSR 100-1.050(4), physicians and nurse practitioners and certifications. Amy Moore presented the Department's rebuttal.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.070(1)(H), facility ownership and employment. Amy Moore presented the department's rebuttal and responded to inquiries from Rep. Meredith and Sen. Schroer. Eric Walter with testified regarding MOCANNTRADE's concerns.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.090(1)(C)1, 19 CSR 100-1.090(1)(C)2 and 19 CSR 100-1.090(1)(C)3.E, security measures and the prohibition on motion activated cameras. Eric Walter testified to MOCANNTRADE'S concerns and answered questions from Sen. Schroer. Amy Moore presented the department's rebuttal and disagreement with MOCANNTRADE'S issues and answered questions from Sen. Schroer and Rep. Tyson Smith.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.100(5)(B)3.A., prohibiting the shape of a humans in advertising. Eric Walters received questions and presented MOCANNTRADE'S objections to this rule. Amy Moore presented the department's rebuttal and answered questions from the committee members, Sen. Schroer and Sen. Washington.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.110(3)(A)2 and 19 CSR 100-1.110(3)(E ), testing facilities. Eric Walters testified to MOCANNTRADE'S concerns and answered questions from Sen. Schroer. Amy Moore presented her rebuttal and answered questions from Sen. Schroer.

Sen. Schroer asked for public comments be passed out to the members from Allen Kesselring, Chief Science Office with Mo Cann Testing, a division of K.K.G. Life Science Solutions, LLC a printed copy of his public comments were received by committee members and are made part of the file.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.120(2), package label and product design. Eric Walters presented testimony on behalf of MOCANNTRADE and

answered questions from Sen. Schroer. Amy Moore testified and presented the department's rebuttal and answered questions from Senator Schroer.

Sarah Schappe, provided an overview and questions regarding 19 CSR 100-1.160(2)(B) odor mitigation. Eric Walters testified on behalf of MOCANNTRADE against the odor mitigation rules that have been filed. Amy Moore presented the department's rebuttal and answered questions from committee members Sen. Schroer and Rep. Peter Meredith.

Various sections regarding assessing fines for violations for rules were discussed by Sarah Schappe. Amy Moore answered questions from the Sarah Schappe and presented the Department's rebuttal.

Sen. Schroer asked the various parties to get together and address the various concerns and come to a compromise on the rules. Sen. Schroer suggested that the committee would possibly meet again on Thursday or Friday of that week to vote.

Sen. Schroer moves to adjourn.

Rep. Riley seconds the motion.

Voice vote was called 10 aye/0 no, the motion passes.

Meeting adjourned.