

Nebraska Medical Cannabis Commission Meeting

June 22, 2026

1:01 PM – 3:09 PM

301 Centennial Mall South, 301 Centennial Mall South - 1st Floor Hearing Room, Lincoln,
NE 68509

Notice of this meeting was posted on the Nebraska Medical Cannabis Commission landing page on the Nebraska Liquor Control Commission's website on May 26, 2026, as well as on the Nebraska.gov Public Meeting Calendar.

DRAFT MINUTES

1. Call to Order/Open Meetings Act Notification.

The meeting was called to order by the Commissioner, Lorelle Mueting, on June 22, 2026, at 1:01 p.m. Present were Commission members, Lorelle Mueting, J. Michael Coffey, Robert Synhorst, and James Elworth establishing a quorum. A copy of the Open meetings Act was available for review at the back of the room.

2. Roll Call

Lorelle Mueting – present
J. Michael Coffey – present
James Elworth- present
Robert Synhorst – present

3. Approval of Meeting Minutes of April 13th meeting

Commissioner Mueting states that the next order of business is the approval of minutes from the meeting held on May 11, 2026.

Commissioner Mueting asked for a motion and a second to approve the minutes from May 11th meeting.

Motion to approve the minutes from the May 11th meeting was made by Commissioner Coffey and seconded by Commissioner Synhorst.

The motion was adopted with Commissioners Mueting, Coffey, Synhorst, and Elworth voting in favor.

4. Public Comment Period

Commissioner Mueting noted that there will be an opportunity for the public to comment.

She stated that the public comment portion of this Commission meeting was not a question-and-answer session and that defamatory remarks and hostile commentary would not be tolerated. Each speaker is allowed three minutes to speak. The public comment period will be limited to one hour or less if there are not sufficient speakers. She asked each speaker to state and spell their name for the record and asked for a show of hands from the member of the public who wished to comment.

Public Comments were made by the following individuals. **Changes denoted in red:**

Lia Post

Post states that she is from Springfield, Nebraska, and is a medical cannabis patient with complex regional pain syndrome. Post states she is excited and hopeful to hear if any inspections were completed. She says that the **inspections were** promised to be done by now and **asks** if they were done in a timely manner and if they passed. She states she is so anxious to find out if medical cannabis plants are actually in the ground. Post hopes to find out if the representative from the Nebraska Attorney General's Office (AG's) uploaded the necessary documents in order to have them signed by the Attorney General **and asks whether they were signed.**

Post then asks if they were signed or **if** Mike Hilgers was too busy actively fighting against a plant at both **the** state and federal **levels** with taxpayer's dollars by campaigning for votes. Post then states, "**Haven't** enough patients suffered or died in Nebraska under Mike **Hilgers'** leadership?" She goes on to ask why the Commission does not have **its** own legal **counsel** present and states that at the last meeting some of the questions the board had **were not** answered by either of the representatives of the AG's Office.

She then states that **this is** another example showing how **the Commission is** making this a hostile environment for patients and caregivers by having the AG's Office facilitate the meetings. She then states that some of **the members** are new to this, but a year ago it was **the** Department of Health and Human Services that was running the circus. She then states, "**You guys remember the good old days when you didn't have to make ADA accommodations.**"

Post goes on to ask when patients will get their medicine without having to cross state lines to do so, when the will of the Nebraska voter will be **fulfilled**, and when the law will be communicated to those who guard and enforce the law. She then states this issue will never go away, **which is** why there are so many here today to fight for their own rights and the rights of those who can't or are no longer with us.

She then states **that she remembers** the reason this meeting was today **was** because the two **members** could not make it last week, and the Governor does not want it to be easy for the Commission to have a quorum. **She concluded by stating, "Happy Anniversary to Pete Ricketts, Jim Pillen, and Mike Hilgers' patient death squad."**

Katrina Eilers

Katrina Eilers states that she is a veteran and veteran advocate and that she would like to tell the committee **her** story **her** time. She states that at the age of 18, she signed up to fight for **her** country, and at the same age was deployed to Abu Ghraib prison in Iraq. She stated that she was injured and repeatedly traumatized while working in the emergency room, taking care of people who wanted to hurt her. Eilers **continues** to say that at the age of 24, her body was too broken to continue serving, and she was medically retired.

Eilers states that she is 39 now, and has had **nine** surgeries, is missing **three** organs, suffers from chronic pain, severe PTSD, panic disorder, and other things. She goes on to say she has been put on **opioids, benzodiazepines**, and everything on the formulary at the **VA**. She goes on to say she has endured liver and kidney damage from those **medications** and **suffers** from secondary adrenal disease, which is a life-threatening condition caused by chronic prescription opioid use, even within the bounds of that prescription.

Eilers goes on to say that when her psychologist recommended she stop at one of the stores that sells legal cannabis in Omaha, **her** life changed. She says the constant panic attacks, when **she is** able to take it, stopped; the pain became bearable; the PTSD **became** more manageable; and **she was** able to sit on the floor and play with **her** children for the first time.

She goes on to say **she** cried with joy every time **the state** voted to allow cannabis in Nebraska, and then every time the **voters'** will was ignored, **she** cried again but with dismay and hopelessness.

Eilers says **she** came today to share **her** story and the story of so many veterans that mirror **her** experience because **she** believes the committee needs to know that in the state of Nebraska alone, veteran suicide has increased by 26.9% in the last 10 years.

She adds that **she** firmly believes that it is due to untreated pain and mental health concerns that could be handled with medical cannabis should the committee decide to give the voters what **they** voted for numerous times.

Lanette Richards

Richards states **she is** the executive director of **Monument Prevention** in Scottsbluff. She goes on to say that **she** would like to apologize in advance because **she has** written everything down to not miss any points. She goes on to say that she appreciates the Commission working diligently with the cultivators in getting their **businesses** ready to plant for the fall season; it shows that they all are working together for the good of the people. She then states that even though the process **of**

establishing dispensaries is **in the future**, she is here to speak on **some** suggestions to keep in mind.

Richards goes on to say that she believes **in** preparing for this time and would like to share ideas. She states that the organization protects kids and **feels** that the following **guardrails** will help protect them. The first and foremost idea is that medical marijuana is marijuana; there is no difference between the two. Richards states that marijuana is a drug, so we must treat it as a drug for the safety of all.

She then states that **she suggests** the following guidelines for dispensaries and putting these on **products** moving forward. She says that **on the container**, it should show the origin of the product to make sure it is from Nebraska, the potency limit on THC levels, **and that it should be** treated and put in sealed, marked containers with the name of the patient, and those types of things, just like we do **with** any other type of medicine.

She says they need to have allowable dosage on the product containers, guardrails to prevent **over-purchasing**, IDs with age to purchase at 21, just as it is with alcohol and nicotine. **Richards states** we need to enforce age requirements with no substitutions. IDs should be required and aligned with the medical recommendation cards. **Compliance checks should be conducted** regularly on dispensaries similarly to those conducted on alcohol or tobacco.

She states that **the Commission needs** to determine the structure of who, where, and to whom **they** report **any** noncompliance if there is any. **She states that a** server/seller training **should be developed** for those working in dispensaries, similar to the responsible beverage server training that's being conducted with alcohol. She states that there should be city zoning boundaries similar to alcohol.

She thanks the Commission for allowing her to speak and says she wants **everyone** to be safe and healthy. Richards urges the Commission to continue to make their decisions from research, science, **and data**, not emotion.

Shannon Coryell

Coryell states that, just in case anybody is confused, this is medical marijuana, not recreational marijuana, so the IDs and the recommendations that were previously brought up **seem like they may have been** at the wrong meeting. They **state** that medication and prescriptions are all covered for children; you do not have to be 21 to pick up **a child's** prescription at a pharmacy for the child to take it. Coryell states that **they** want to be clear: **the Commission is** talking about medical cannabis here, not a bar that sells recreational marijuana.

Melanie Knight

Knight starts by saying **she appreciates** all **those** who are willing to actually look at the testifiers in

the eyes, and **state that they think** this is important. She begins by saying that she ran for office, although unsuccessfully, **and** she thinks it was a success because she got to talk to a lot of people across the district she was running in, all the way from Sutton, Nebraska, to McCook, Nebraska.

Knight explains that she knocked on over 2,000 doors and that the number one issue she heard the most **was not** about property taxes; it was about the administration at all different levels not listening to the voices of Nebraskans. **She states that** the number one issue people were **upset** about was medical marijuana.

Knight states that grown men at the door were begging her, as a candidate, to do something about it, saying that they did not want to have to take opioids anymore and did not want to have to take prescription drugs anymore. Knight states that by not pushing this through and doing what the people of Nebraska have told **the Commission** to do, not asked **the Commission** to do, **the Commission is** actually creating more of an opioid crisis, which does not make sense.

She states that, as someone who listened to people at the door and who values their opinions, **regardless of their backgrounds**, she is asking **the Commission** to do what it has been told to do.

Georganna Schroeder Stanley

Stanley states that last week the **war of Helen and elders** continued against THC. **She stated that** it is looking like **Nebraska** will definitely need an improved highway. **She stated that**, along with **hundreds** of other opponents to the proposed Nebraska Department of Agriculture Regulation, **which was** a creation of **Pillen** and Hilgers, **they** submitted written comment stating their resentment of Nebraska elected politicians interfering in their political life. They state that this interference is getting worse, and Stanley's resentment is increasing.

Stanley states that the THC issue is very personal for **her**. **She** uses THC, isolate tinctures, and THC gummies. Stanley says that if **she** ends up in the Nebraska medical cannabis program for some reason, it would be for treatment with THC. She says **she** looks closely at the strict milligram limit and that advanced arthritis is a **chronic** pain condition qualifying for medical marijuana status.

Stanley says **she** recently became aware of another benefit from **the use** of THC, initially targeted for **her** tooth condition and pain. She mentions **she** has not had an arthritis flare-up for over a year now, and that is unusual. Stanley says **her** canines are gathering dust in a closet; it has been bad for **her** because of the arthritis and residual orthopedic injuries.

She says THC is a powerful anti-inflammatory, **and** it helped her more than countless prescriptions for Celebrex ever did, and it's a lot safer. She **goes** on to say apparently Pillen and Hilgers want to force her and thousands of Nebraskans to apply for Missouri medical cards to obtain Nebraska-banned THC, while the Nebraska program remains out of sight. She states that declaring gummies to be a food is ridiculous, and she suspects the only reason they have not gone after THC in the medical program is because they have not yet decided exactly how to go about doing it.

Stanley finishes by saying **she** will be giving even more of **her** tax dollars to Missouri.

Shelly Gillen

Gillen states **she is** here today on behalf of **her** family and, in particular, **her** 24-year-old son, Will, who suffers from Lennox-Gastaut syndrome. Gillen explains that Lennox-Gastaut is the most severe form of drug-resistant epilepsy, causing multiple types of seizures on a daily basis. **She** says Will is completely nonverbal, legally blind, incontinent, and cognitively impaired and therefore depends on **her** family for every aspect of his life.

Gillen states that, as if catastrophic epilepsy was not enough, he has recently been diagnosed with vascular Ehlers-Danlos syndrome, a life-threatening connective tissue disorder that makes his medical situation even more fragile. Gillen says **that** for years and years, families like **hers** have waited; we have **testified**, we have shared their stories, we have begged, and we have signed and passed **petitions** into law, and still **the** state continues to move at a slow pace. She states that right now, it is due to this Commission.

She says, “Are we surprised? Unfortunately, no,” especially because of who **the governor** has appointed to this committee. She states **that** Mueiting has repeatedly testified for many years in opposition to helping **her son** have the option of being treated with medical cannabis. She adds, “Let me say this to both Mueiting and Lynette, who just testified, your opposition and your quote-unquote suggestions are saving no one.”

Gillen says **they** are only prolonging **her son’s** suffering as well as **the suffering of** many others. **She** asks the entire Commission how much longer and how many families like **hers** have to wait.

She says **the Commission members** have all been entrusted with carrying out the will of the people, specifically what they voted for, which was a comprehensive, compassionate medical cannabis program, not some watered-down version of **their** own personal agenda.

Gillen says to stop dragging **their** feet. **She** says **the Commission** will not be remembered for how cautious **it** was; **it** will be remembered that **it** chose to protect **its** own fears over those who were innocently sick and suffering.

Gillen says **that** Nebraskans in general will remember who stood with patients and who stood in their way.

Angelica Marsaglia

Marsaglia states that **she is** in shock hearing that Will has also been diagnosed with vascular Ehlers-Danlos, as **she** is trying to determine if that is what **she** is dealing with. She says **she** does know that **she** has Ehlers-Danlos. She also has endometriosis, and these conditions cause severe pain.

She says **she** is currently in physical therapy, and her physical therapist just Thursday left a bruise on her hip while trying to help her. **She states that she does not** call that help; **she considers** that being assaulted again.

She says **she** needs cannabis, the plant, not anything synthetic. **She states that** everyone behind her needs access to what **they** voted for; they passed it, and it should be here. **She states that** it has been two years now.

Marsaglia states that instead, **she is** waiting and going back and forth with doctors for medications that **she** does not **even** want to be on. She says if **she** had the option, **she** could be on cannabis and not have to take them, but at this point, it feels like everyone wants **patients** to be on one prescription.

Marsaglia says **she** does not know how **the Commission** can sit up there and say **it is** here for health and safety. She refers to the person who spoke about public safety and health for children and states that her child is smart, is about to be six years old, knows more than most first graders, and **that she** homeschools him.

She says he might have a little bit of ADHD, but who does not in this world we are in. She says **she** does not know how to get **the Commission members** to hear them. She feels like **they** are always coming up here stating the same thing over and over again, and **she** has already stood up.

She finishes by saying, “I guess the last thing I can say, in the words of Bob Marley, get out, stand up, fight for your rights”.

Jacy Todd

Todd states that **he is** a disabled veteran and has been using cannabis for about 30 years now for **his** PTSD, scleroderma autoimmune disorder, and fibromyalgia. **He** says that, instead of getting on the pharmaceutical drugs that **were** tried on **him**, **he** has had a very successful life using cannabis for 30-plus years.

Todd says **the Commission members** have the opportunity to do research on cannabinoids, THC, and the endocannabinoid system. **He** says you can find answers in no time just by doing an AI search or a Google search on it.

He says finally, my AI, after asking why THC is such a great benefit for the endocannabinoid system, asked why **THC was** made illegal. Todd says **the Commission's** frustration is completely justified when **it** looks at the science. **He states that** the legal status of cannabis makes absolutely no sense, and that is because the law was never based on science, but rather on racism and politics.

Todd says it was not because **officials** were looking after **people's** health. **He** states that if **the Commission members** did their research on it, **they** would know that the endocannabinoid system is the largest receptor system in the human body, and that only **one** plant supplements it: the cannabis plant.

He says that **this** is the largest receptor system that regulates **homeostasis**, including breathing, heart rate, and body temperature, and that **the Commission is** keeping the health benefits away from **patients**. He states that it is a simple Google search.

Todd says, “Please do your due diligence and do just a little AI search on ECS, endocannabinoid systems.” He says it is a simple procedure, and that **this is** all crazy and nuts, and that **patients are** being held back and are not able to have access to medical cannabis.

Todd finishes by saying, “Let’s do some research, please, for the state of Nebraska.”

Crista Eggers

Eggers states that she is here on behalf of Nebraskans for Medical Marijuana (NMM). She states that, as several people have said today, we have been at this for a year, and one year ago this Commission met for the first time. **She says** many of us in the room also met for the first time, and while there has been progress, what **she is** hearing and seeing is that, **and what she believes the Commission is hearing**, this progress is just not acceptable because, for patients, families, and the public, the progress of this Commission is failing.

Eggers says there has been one license type awarded, and we have seen multiple versions of rules and regulations that still do not seem to reflect the thousands of public comments from Nebraskans who voted in support of this. **She says** they do not have the final rules and regulations **that have yet to be** signed off by the Governor or Attorney General, and there is no clear timeline for the remaining license type.

Eggers says we do not have doctors participating in the program, and most importantly, we still do not have patient access, which is truly the worst failure of all.

Eggers states that the people of Nebraska voted for this, patients have waited for years and years, they have gotten sicker, and **some have** died. She states that despite delay after delay, **patients** continue showing up. She states that they show up because they have done everything they can. This Commission exists because voters demanded this; this Commission works for the people of Nebraska. However, one year in, this Commission’s **work continues**, almost two years after the people passed it.

She says it is hard to ignore what seems obvious to patients to this state, and it seems like there is a focus behind the scenes of others who are driving this Commission. **She says** this can be heard clearly in public comment when people come to these meetings and talk about patients who still do not have access.

Eggers says we should be hearing the names and talking about Will, Kyler, Brock, and **Colton**, but the names that continue to be heard are Mike Hilgers, Jim Pillen, and Pete Ricketts. She asks why this is, stating that the people of this state understand who has the power to delay, obstruct, litigate,

weaken, and stall this program. She states that they understand those who opposed medical cannabis from the beginning are still finding ways to insert themselves into this program.

Eggers says, “I say this every time because there’s no truer statement: Every delay matters. Every month without final rules, every meeting without real answers or timelines, every failure to listen to public comments, every day without access is another day patients, many of whom continue showing up, are waiting.”

Eggers **says the Commission is** not reinventing the wheel. This is not new, untested, or impossible to regulate. State after state **has** done this across the country; the rules have been written, and patients have been served. **She states that** the only thing unique about Nebraska, it seems, is the current refusal to get it done.

She says she is asking the Commission today to listen to the people, listen to the experts, finalize workable rules, open the remaining license types, address doctor participation, and provide real timelines. Above all, she asks the Commission to remember that it is accountable to voters and has a responsibility to patients.

5. Announcement of the Termination of the Interagency Agreement

Commissioner Mueting states the next order of business is the announcement of the termination of the Interagency Agreement between the Nebraska Liquor Control Commission and the Nebraska Medical Cannabis Commission. Commissioner Mueting states the Nebraska Medical Cannabis Commission received notice of the termination on May 22, 2026, pursuant to the terms of the agreement, the termination will become effective on June 26, 2026, a copy of the notice of termination is available at the back of the room for public review.

6. Consideration and Approval of Office Space

Commissioner Mueting states the next order of business is to consider and/or approve the acquisition of office space for the Nebraska Medical Cannabis Commission.

Commissioner Mueting states as the Commission continues to establish its operations and bring on employees, it will need dedicated office space to support its work, with the termination of the current agreement now underway, there is no longer a location available to house Commission staff or conduct day to day operations, as a result, the Commission will need to secure office space to accommodate incoming employees and ensure continuity of operations.

Commissioner Mueting asks if there is any discussion?

Motion is made by Commission Coffey with a second from Commissioner Elworth.

The motion was adopted with Commissioners Mueeting, Coffey, Synhorst, and Elworth voting in favor.

7. Consideration of Request to Utilize the First-Floor Hearing Room

Commissioner Mueeting states the next order of business is the consideration of requesting use of the First-Floor Hearing Room.

Commissioner Mueeting states in order for the MCC to continue utilizing the First-Floor Hearing Room for public meetings, the Commission will need to become a party to the existing lease agreement, the hearing room is currently leased jointly by three agencies: the Nebraska Liquor Control Commission, the Power Review Board, and the Commission of Industrial Relations, the current annual lease cost allocated among the three agencies is \$698.25 per month.

Commissioner Mueeting says if the Commission were to join the lease, the monthly cost would be divided among four agencies, resulting in an estimated cost of \$174.56 per month for each agency, for the Commission to participate in the lease agreement and continue utilizing the hearing room, a formal request must be submitted to each of the agencies currently party to the lease seeking approval to join the agreement and use the space.

Commissioner Mueeting asks if there is any discussion?

Motion is made by Commission Coffey with a second from Commissioner Elworth. The motion was adopted with Commissioners Mueeting, Coffey, Synhorst, and Elworth voting in favor.

8. Update on MCC Job Postings and Recruitment Efforts

Commissioner Mueeting announces the next order of business is to update the public on MCC Job Postings and Recruitment Effort, the Medical Cannabis Commission Director position has been posted and is currently open and accepting applications.

9. Discussion of Candidates and Selection of SOS Legal Counsel

Commissioner Mueeting announces the next order of business is the discussion of candidates and selection of SOS Legal Counsel, MCC has hired an SOS Program Manager who is scheduled to start on July 6, 2026.

Commissioner Mueeting says additionally, the MCC has interviewed two candidates for the SOS Legal Council position, based on these interviews, the Commission will discuss the candidates and decide if the Commission would like to move forward to hire one of them.

Commissioner Synhorst makes a motion to move the agenda item to closed executive session on the basis of prevention of needless injury to the reputation of an individual with a second from Commissioner Elworth.

The motion was adopted with Commissioners Mueting, Coffey, Synhorst, and Elworth voting in favor.

10. Closed Update and/or Ratification of Cultivator Inspections

Commissioner Mueting states that last month, the Commission approved the seed-to-sale tracking and prospective inspections for three cultivators, since then, two of those cultivators, KRL Med and Meadowlark Medicinals, have requested that the Commission postpone their inspections.

Commissioner Mueting add that the Commission was able to complete the inspection for Mahamota, and Mahamota passed their inspection, the Commission will reschedule inspections for KRL Med and Meadowlark Medicinals whenever the cultivators are ready to seek an inspection and the Commission will provide updates at subsequent meetings.

Commissioner Synhorst makes a motion to ratify the passed inspections with a second from Commissioner Coffey.

The motion was adopted with Commissioners Mueting, Coffey, Synhorst, and Elworth voting in favor.

11. License Renewal for KRL Med LLC

Commissioner Mueting announced the next order of business is to consider KRL Med's cultivator license renewal applications. Commissioner Mueting says on January 6, 2026, the Commission issued KRL Med's Cultivator License, under the current emergency regulations, those licenses expire six months from the date of issuance, since no fee is required to maintain the license, the emergency regulations require that the licensees submit their license renewal applications 30 days prior to the expiration date.

Commissioner Mueting says KRL Med has submitted their license renewal application, copies of the redacted applications are available at the back of the room, with certain portions withheld due to sensitive security information and to protect personal information.

Commissioner Mueting then says we will now take up KRL Med's license renewal

application.

Kent Rogert from KRL MED LLC mentions that he has taken two people off his corporate structure because of the new regulations. Rogert clarifies that when the cultivator applications were originally open the rules and regulations were different which would have allowed the previous people, however, now with the new set of emergency regulations he had taken them off to satisfy residency requirements.

Rogert also explains the issues he is facing on his cultivating property. He explains that Washington County has put a stop work order on his property due to cannabis not qualifying as agriculture and when he reaches out for clarification, he is ignored. Rogert says his team are working through resolving the matter as quickly as possible. He adds that despite the current issues, he would like to maintain his license so that he can continue building.

Commissioner Synhorst makes a motion to approve the renewal license with a second from Commissioner Coffey.

The motion was adopted with Commissioners Muetting, Coffey, Synhorst, and Elworth voting in favor.

12. Change of Address Request for Midwest Cultivator Group

Commissioner Muetting announces the next order of business is to consider the change of address request for Midwest Cultivators Group.

Muetting explains on June 4, the Midwest Cultivators Group submitted a request to change their address under Rule 004.09 of the regulations, the Rule provides that “A licensee shall not relocate a registered cannabis establishment from the place specified in the license, unless the licensee can show an exceptional change of circumstances and the Commission approves the license relocation.”

Commissioner Muetting asks if there is any discussion on Midwest Cultivator Group’s request to relocate and addresses Robert Wagner, who is present on behalf of Midwest Cultivator Group LLC.

Wagner explains that much like Commissioner Muetting said Omaha implemented cannabis zoning, post their license application address selection. He explains that after applying for a conditional use permit at the original location and meeting with the Omaha City Planning Committee, they were advised that the answer would ultimately be no if they continued at the original address, which is why they located a

new address.

Wagner explains that the new address sits right outside of Omaha in Gretna, so he has met with the Gretna City Council and Gretna planning committee for a conditional use permit, the permit was voted unanimously to approve by both groups.

Commissioner Elworth asks when the voting took place?

Wagner explains that the Gretna planning committee vote took place on April 28, the Gretna City council met on May 19th, and that he has the conditional use permit with him.

Commissioner Coffey makes a motion to approve the address change with a second from Commissioner Synhorst.

Commissioner Mueting ask is there any discussion? And ask for clarification on where the address is.

Wagner explains that is in industry park, has met with all neighbors, and has been welcomed into the area.

Commissioner Synhorst asks that Wagner submit the conditional use permit and any other documents available to the commission for record purposes.

Commissioner Elworth then asks how soon they would be able to get a crop in the ground this year?

Wagner explains that because they are growing indoors weather does not impact them, so they can expect to have building done within the next 3 to 4 months and begin growing after an inspection is approved.

The motion was adopted with Commissioners Mueting, Coffey, Synhorst, and Elworth voting in favor.

13. Discuss application timeframe for manufacturers, dispensaries and transporters and approve, if applicable

Commissioner Mueting announces the next order of business is to discuss application timeframes for manufacturers, dispensaries and transporters.

Commissioner Mueting explains for a recap, the Commission currently has regulations pending before the Attorney General's Office, additionally, after this past

legislative session, the Commission now has the power to collect fees for licensing, renewals, applications, and more, the new law, which is codified as Nebraska Revised Statutes, Chapter 71, Section 24, 113, provides “The commission may by rule and regulation provide for a schedule of fees related to the administration of applications, registrations, and renewals of registrations.”

Commissioner Muetting ask would anyone else like to add to the discussion about application timeframes?

Commissioner Elworth explains that he will be making a motion to begin accepting manufacturing applications, that he understands the commission is in the process of setting fees, that should be done in short order, and that in the future they may be coming up with some combination of manufacturers and transporters but he does not see any reason why the commission can not begin accepting manufacturer applications so that when everything else is complete, the application are ready to be reviewed.

Commissioner Elworth announces having said that his motion is to proceed to solicit through posting on the MCC website applications for manufactures, the time period for accepting those applications will run from June 24th, 2 days from now, to the time of our next scheduled meeting July 20th, 2026.

Commissioner Elworth explains we accept the applications with the understanding that the commission will not be able to start scoring and go through the selection process until such time the license fees are set and duties are fully defined through the regulations.

Commissioner Coffey asks for clarification, I think what you’re saying is that we would have the applications, you would not be able to consider them until fees were paid?

Commissioner Elworths confirms that is correct.

Commissioner Synhorst seconds the motion.

Commissioner Muetting explains that her understanding is we can’t start charging any application fees or license fees until those are in the regulation and so we would be accepting these applications with no fees like we did with the cultivators, which I don’t think any other state in the country has ever done that.

Commissioner Elworth says we could still charge fees once they are set, we can take the applications without acting on them until fees are set and the regulations are finalized. Commissioner Elworth adds I don't see a reason to stop and even if we aren't able to charge fees at this time, we now have an appropriation, we have the money to move forward. He adds that he is very concerned about waiting much longer to begin the process of accepting manufacturing applications.

Commissioner Synhorst asks for clarification, we would accept the applications pending the charging, then at that time, the applicant would be asked to pay the fee, is that correct?

Commissioner Elworth confirms and says that would be the goal, then we would proceed from there. Commissioner Elworth adds that we would simply have the applications in hand so that once regulations are finalized. We can act on it immediately rather than start the process of accepting them at that time, let's get them in hand so we can deal with them as quickly as possible.

Commissioner Mueiting mentions that a concern she has is that as we're putting these fees into the regulations, we're going to be making some changes to them, and so that makes it to where people who submitted a manufacturing application based on the current regulation would not be updated to the updated regulations with fees.

Commissioner Mueiting adds that if we're talking about transporters and manufacturers, currently those are two different licenses so if we are doing that differently and move forward with adding fees and changing some of that structure, how would that be in their application.

Commissioner Elworth says that we have two days of leeway before we set applications, so she (administrative staff) and I can sit down and put a question or a little bit of language in there so that anybody applying understands that fees will be charged, perhaps a question or 2 about transporter responsibilities, we can work that out.

Commissioner Mueiting asks for guidance from legal counsel, is that recommended to be able to do that on our website or application, knowing that there might be changes to the regulations and applications we have won't be current to those regulations.

Legal counsel advises that it is recommended we be cautious on speaking on interpretation, that would probably be best handled in executive session, due to the fact that there's always litigation risk with any sort of application and application filing especially once an application is filed, a license is granted that property interest. Legal Counsel adds that broadly speaking, it is difficult to give a recommendation one

way or the other as to what the laws perspective. If the commission has more specific questions on how the impact the current regulations, that would best be handled in executive session.

Commissioner Synhorst asks Commissioner Elworth, I'm intrigued by your motion, and thank you for bringing it, if there was a substantial change in the regulations, and if your motion passes and we make something, would you be open to maybe opening a two week period for amendments to their application based on the regulations that get passed?

Commissioner Elworth responds with of course.

Commissioner Synhorst adds that, I'm going to use Mr. Rogert as an example, and I don't mean to bring him into this, but their company submitted an applications based on the regulations the day they submitted and then the regulations changed and we just granted him an extension of his license because the regulations had changed.

Commissioner Synhorst says that if you are open to that, I'm open to your motion. He adds that if they change substantially, maybe at a certain meeting we can say, okay, we're going to extend it by two weeks, if your submitted an applications, in two weeks, we need any adjustments you made based on the changes in regulations, I'm trying to find ways to be open in the process to help move this along.

Commissioner Coffey says, the precautionary things you and Briana(administrative staff) work on be on effect that the application would be conditional based upon the changes that might occur in the regulations, plus the fact you have to pay, that would be upfront so they know when they're applying.

Commissioner Elworth adds that's the theory, is that they know there's going to be fees but right now they don't know what that will be.

Commissioner Coffey says, his position would be that we're covering the issues of getting fees in and trying to expedite manufacturing licenses, so it's something that is positive.

Commissioner Muetting add, that she does not necessarily disagree, our first applications period was open for two or three weeks for cultivators, so this one you are proposing would be about a month of time, I guess I'm trying to understand, so we're maybe 2 or 3 weeks ahead of schedule once regulations and fees get passed, because we have applications in hand versus waiting 2 or 3 weeks to collect

applications and move forward once regulations and things are all set.

Commissioner Elworth adds that he's thinking we would save more time than that but sure it'll save at least that.

Commissioner Mueting says that if applicants are put into the lottery as the regulations say all of those things, they don't want to pay the fees.

Commissioner Synhorst adds that they can withdraw, or if something in the regulations changes that they don't meet, they have the opportunity to withdraw.

Commissioner Mueting asks, so we would be asking them to review all new regulations and ensure that their application meets those requirements.

Commissioner Synhorst confirms that by saying correct.

The motion was adopted with Commissioners Coffey, Synhorst, Elworth voting in favor and Commissioner Mueting voting against.

14. Reminder of the next regularly scheduled Commission Meeting date and time

Commissioner Mueting announces the next order of business to remind the public of our next regularly scheduled meeting, the next meeting will be July 20, at 1:00 p.m. in this room.

15. Closed Executive Session, if necessary

Commissioner Synhorst states that he would move to the commission go into executive session to discuss personnel matters identified in agenda item 9.

The motion was seconded by Commissioner Coffey.

The motion was adopted with Commissioners Mueting, Coffey, Synhorst and Elworth voting in favor.

Commissioner Mueting states that the time is now 2:17 PM and we are moving into closed session for the limited purpose of discussing pending litigation.

When they return, Commissioner Mueting says that closed session has ended. Commissioner Mueting adds that she would like to seek a motion to end the closed executive session and return to agenda item 9.

Motion made by Commissioner Elworth, seconded by Commissioner Synhorst.

The motion was adopted with Commissioners Mueting, Coffey, Synhorst and Elworth voting in favor.

Commissioner Mueting states that the time is now 3:07 PM and the commission is returning to agenda item 9.

Commissioner Mueting announces that she is seeking a motion to approve hiring a candidate as SOS legal counsel.

Motion made by Commissioner Elworth, seconded by Commissioner Synhorst.

The motion was adopted with Commissioners Mueting, Coffey, Synhorst and Elworth voting in favor.

16. Adjournment

Commissioner Mueting asked for a motion to adjourn.

Motion was made by Commissioner Synhorst and seconded by Commissioner Coffey.

The motion was adopted with Commissioners Mueting, Coffey, Synhorst, and Elworth voting in favor.

The meeting adjourned at approximately 3:09 PM.