

Nebraska Medical Cannabis Commission Meeting

November 3, 2025

1:00 p.m. – 3:30 p.m.

301 Centennial Mall South, 1st Floor – Nebraska Liquor Control Commission Hearing Room

Notice of this meeting was posted on the Nebraska Medical Cannabis Commission landing page on the Nebraska Liquor Control Commission's website on October 9, 2025, as well as on the Nebraska.gov Public Meeting Calendar.

MINUTES

1. Call to Order/Open Meetings Act Notification.

The meeting was called to order by the Commission Chair, Dr. Monica Oldenburg, on November 3, 2025, at 2:01 p.m. Present were Commission members Dr. Monica Oldenburg, Lorelle Muetting, and J. Michael Coffey, establishing a quorum. A copy of the Open meetings Act was available for review at the back of the room.

2. Roll Call

Lorelle Muetting – present
J. Michael Coffey – present
Dr. Monica Oldenburg – present

3. Approval of Meeting Minutes from September 30th and October 7th

Chair Oldenburg states that the next order of business is the approval of minutes from the last two meetings.

Chair Oldenburg asked for a motion and second to approve the minutes from the September 30th meeting. Motion to approve the minutes from the September 30th meeting was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

Chair Oldenburg asked for a motion and second to approve the minutes from the October 7th meeting. Motion to approve the minutes from the October 7th meeting was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

4. Public Comment Period

Public Comments were made by the following individuals:

a. Lia Post:

Ms. Post is from Springfield, Nebraska. She read a poem about how the citizens voted, and her disapproval of the Governor and Commission.

b. Dominic Gillen:

Mr. Gillen thanked the commission for showing up. He expressed disappointment that the Commission did not show up to the last meeting or legislative hearing. He stated that at the

legislative hearing, an OB/GYN who is an expert in cannabis testify about using medical marijuana for her patients. He is upset that Attorney General Hilgers is threatening retribution against the Omaha Tribe and placing law enforcement outside of tribal land to arrest and intimidate patients seeking relief. He is also upset at Senator Anderson

c. Shannon Coryell:

Ms. Coryell states that the level of disrespect of the Commission is unparalleled. She believed the Commission had approved a secret draft of regulations, pushed out Bruce Bailey for having common sense, and did not attend a hearing. She states the application process was not blind and there were discrepancies in the scoring. Ms. Coryell believes the Commission is prolonging suffering. She wants the Commission to look toward the Tribal Commission. She would like the Commission to practice empathy.

d. Georganna Schroederstanley:

Ms. Schroederstanley states that the Commission's current beliefs on medical marijuana are outdated. She states that medical marijuana is not recreational marijuana for those who are suffering from medical conditions. She brought a copy of Governor Pillan's hometown paper and read aloud the news article.

e. Angelica Marsaglia:

Ms. Marsaglia told her personal experience of how she was targeted because she used medical marijuana for her health. She was a victim of abuse, and the system was weaponized against her instead of protecting her. She also expresses disapproval of the Attorney General because he is threatening the Omaha Tribe. She doesn't believe this is how government works. She believes they are acting against public interest.

f. Marcie Reed:

Ms. Reed talked about her son and his medical condition, which requires him to take several medications. She doesn't believe that he should take all the medication he is prescribed. Her son is now older and does not want to take this much medication, and Ms. Reed expressed concern about long-term effects. She expressed disapproval of government officials, and she believes that natural medicine is not something awful.

g. Logan Biehl:

Mr. Biehl grew up in Arizona and lived in Colorado. Coming from legal states, Mr. Biehl believes in the need for medical cannabis. Mr. Biehl said it doesn't make sense why medicine isn't more accessible, and that patients are hurting because they don't have access. Mr. Biehl expresses disapproval of the inaccessibility of medicine.

h. Crista Eggers:

Ms. Eggers believes they lost sight of what matters. She has met thousands of Nebraskans and connected with others with similar stories as her own. Ms. Eggers promised to be an advocate. She wants to do more to make the system see patients as human beings. Ms. Eggers watched individuals suffering and finding comfort in medical cannabis, and she is speaking to keep the promise of being an advocate.

i. Diana Wulf:

Ms. Wulf believes cannabis is a natural human right and marijuana is a dietary supplement. Synthetic medication should be regulated; however, the voters did not vote for synthetic substitutes. Voters do not beg for government permission, instead they vote on it. Ms. Wulf believes the raw product is not toxic and shouldn't be regulated. She wants cannabis to be removed completely from controlled substance list.

j. Landon Crow:

Mr. Crow states that he spoke to legislature on Friday, and he expresses gratitude for Chista Eggers. He expresses disapproval that the Commission did not show up to other events. Mr. Crow is a liver transplant survivor and was prescribed several medications. Mr. Crow believes one plant, in its entirety, could solve drug issues. He requests that the Commission do not alter or interpret beyond the voters.

k. Troy Burgess:

Mr. Burgess passed the Commission a book that he compiled about the medical cannabis industry. Mr. Burgess expresses approval of the Omaha Tribes approach. He disagrees with the resistance for against medical cannabis users. Mr. Burgess believes that the industry has opportunities to work together. Mr. Burgess states that medical marijuana has changed his life.

5. Review and vote on payment of invoice for publication of required notice for regulation promulgation (Thomas & Thomas Court Reporting \$1,208.49)

Chair Oldenburg stated that the next order of business is the payment of invoice for regulation promulgation public hearing (Thomas & Thomas Court Reporting \$1,208.49). The invoice is from dated October 23rd and is for \$1,208.49.

Oldenburg asked for a motion and second for the payment of the invoice. Motion for the payment of invoice for Thomas & Thomas Court Reporting for the transcription from the public hearing for the regulation promulgation process was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

6. Review of regulations hearing summary and discuss and approve responses, if applicable

Chair Oldenburg stated that the next order of business is to review the regulations hearing summary and discuss responses. The public hearing for the formal regulations occurred on October 15th. All public comments have been captured in a hearing summary and have been provided to the Commissioners for review. Commissioners need to provide responses and indicate whether changes to the regulations will be made based on the individual comments. There were 590 comments submitted. Many of the comments did not include specific recommendations for changes to the regulations. However, those comments that did include recommended modifications were generally requesting changes in the following categories: (1) Allowing additional forms of cannabis to include: flower, raw plant, vaping, smoking, and edibles; (2) Increasing the number of licensed facilities; (3) Removing or modifying restrictions on recommending practitioners, such as allowing out-of-state practitioners, and removing the in-person visit requirement and the practitioner education requirements; (4) Increasing plant counts for cultivators; (5) Allowing refills; and (6) Increasing the THC Potency cap and the quantity of cannabis.

Chair Oldenburg asks for discussion on additional forms of cannabis. Commissioner Muetting doesn't want to make medical decisions based on popular vote but based on science and research. Even though 71% of Nebraskans voted for medical marijuana, it is the Commission's responsibility to provide it in a medical form. Commissioner Muetting states that smoking and vaping are harmful to the lungs, pulmonary system, and heart. Additionally, Commissioner Muetting states that secondhand smoke is harmful to adults and kids. Commissioner Muetting wants to keep medical cannabis as close to medical form as possible. Chair Oldenburg states that the forms still include nebulizers, inhalers, and tinctures, which are medicinal forms. She also states that tinctures placed under the tongue are absorbed quickly. Chair Oldenburg states that there are other effective medicines that absorb similarly, provide quick relief, and reduce negative side effects. Commissioner Muetting asks if there was any reason to believe that tincture produced would not have the same impact. Chair Oldenburg responded that there isn't to the best of her knowledge. Chair Oldenburg asked for a motion and second to leave the regulation that's written regarding the allowable forms. Motion was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

Chair Oldenburg asks for discussion on increasing the number of licensed facilities. Coffey expresses his belief that the Commission should proceed somewhat cautiously since they have no idea what the market is going to be. He acknowledges that individuals provided feedback on having more than four (4) cultivators, but in the discussion, the Commission arrived at a figure they thought was fair and representative. He stated that if the demand increases, then they can change the current amount to increase cultivator licenses as well. At this time, Commissioner Coffey does not see any reason the Commission should increase the number of cultivators. Chair Oldenburg stated that a speaker from the public comments portion of the day discussed the oversaturation of the market from another state, and that the Commission should avoid a similar outcome so that individuals do not lose their businesses. Chair Oldenburg stated that this should be a discussion for a later date and asked for a motion and second to make no change to the number of licensed facilities. Motion was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

Chair Oldenburg asks for discussion on removing or modifying restrictions on recommending practitioners, such as allowing out-of-state practitioners, and removing the in-person visit requirement and the practitioner education requirements. Commissioner Muetting has observed other states, and believes that if there isn't a requirement for state-based physicians then it becomes an online, presto-doctor that allows individuals to receive recommendations. Commissioner Muetting suggests that this topic could be re-examined and that they might be able to include a waiver process, where individuals could work with an out-of-state doctor. However, that is not something that the Commission should do at this point, and there are not unnecessary restrictions or regulations around doctors. Commissioner Muetting said that the doctors take CEs for several different topics and doesn't believe there is an issue. Chair Oldenburg confirms that doctors do CMEs for everything, so they can remain knowledgeable and up to date on what they are recommending. Chair Oldenburg asked for a motion and second to make no changes on recommending providers. Motion was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

Attorney for the Commission, Bo Botelho, stated that it was 2:00 p.m. and the Commission should move to the reconsideration of Ms. Eggers' application. The Commission resumed the discussion of reviewing the regulations hearing summary and responses around 2:30 p.m.

Chair Oldenburg asks for discussion on increasing plant counts for cultivators. Chair Oldenburg then provides clarification on plants and flowering count. No other discussion was provided. Chair Oldenburg asked for a motion and second to leave the regulation as written in regard to the limits. Motion was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

Chair Oldenburg asks for discussion on allowing refills. Commissioner Coffey asks for clarification on the reasoning behind allowing refills. He concludes that allowing refills would not be helpful to the patient. Chair Oldenburg asked for a motion and second to make no changes on allowing refills. Motion was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

Chair Oldenburg asks for discussion on increasing the THC potency cap and the quantity of cannabis. Commissioner Muetting does not want to increase THC potency caps because it is critical, and reduces harms, prevents unintended consequences, and research suggests that there is no medical benefit. Commissioner Coffey agrees. Chair Oldenburg asked for a motion and second to make no changes on increasing the THC potency cap. Motion was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor.

Mr. Botelho suggests that the Commission move to agenda item number nine (9).

7. 2:00 p.m. Eggers application reconsideration

Chair Oldenburg states that it is now 2:00 p.m., and that the Commission will now take up the request for Crista Eggers to reconsider her application for a cultivator's license, and asked Ms. Eggers to come to the podium. Chair Oldenburg told Ms. Eggers that her cultivator's license was denied due to the average score being below 70 and explained the process for the reconsideration request. Ms. Eggers stated that she does not have any questions regarding the process, and Chair Oldenburg asked her to proceed.

Ms. Eggers stated her name and that she was an applicant for Colton's Cure Cultivation. Ms. Eggers asked for reconsideration because the outcome was based on a process that had contradictory staff guidance, last-minute disclosure, and scoring inconsistencies. Ms. Egger's application received scores of 11, 44, and 72 out of a total of 100. She states that a 61-point spread is statistical evidence that the system lacked oversight, fair grading, and understanding of the grading criteria. Ms. Eggers further states that her submitted application was altered from the original based on incorrect guidance from commission staff. She followed the direction of the commission staff member and later learned the information she received was contrary to the information given to other individuals.

The original application that Ms. Eggers intended to submit had another individual, who brought additional experience and financial security, and who would be a minority owner. Ms. Eggers reviewed the rules and regulations and asked for clarification by calling the Medical Cannabis Commission. She talked to Brenda and asked if a majority owner could list a minority owner if that minority owner had their name on more than one (1) application. Brenda responded, "no." Therefore, Ms. Eggers followed the direction she received and submitted a modified application.

Later that night, an individual emailed Ms. Eggers stating that a minority owner could be put on more than one application if they had background checks submitted for each. Ms. Eggers brought documents showing communications and intentions to include Josh Egle in her application.

Further, Ms. Eggers stated that the spread of her grading of 11 out of 100, 44 out of 100, and 72 out of 100, calls into question the uniformity, objectivity, and adherence to a standardized rubric. The grading rubric was provided to Ms. Eggers, and she highlighted: 14A-Access to Capital, 14B-Detailed Budget, 14C-Access to Funding Sources, 15A-Compliance with All Applicable Laws and Regulations.

Therefore Ms. Eggers requests: (1) the Commission accept/review the original application that would have been submitted or (2) if the Commission does not accept the originally intended application, that the Commission re-evaluate the submitted application based on inconsistent grading, lack of transparency, and lack of guidance.

Chair Oldenburg thanked Ms. Eggers and states that the Commission will bring this matter up at the next scheduled Commission meeting. After the vote, the Commission will provide Ms. Eggers with a written decision. Chair Oldenburg concludes Ms. Eggers' reconsideration.

8. At 3:00 p.m. Stonepine Works, LLC reconsideration

See below for minutes

9. Discuss application timeframe for manufacturers, dispensaries and transporters

Chair Oldenburg stated that the next order of business is to discuss application timeframes for manufacturers, dispensaries, and transporters.

Chair Oldenburg asked if there is any discussion on setting an application time period for transporters. Commissioner Muetting wants to avoid businesses waiting and paying bills without having a product. She offers six to eight months. She wants to make sure they have enough time and pass the 70%. Commissioner Coffey doesn't have an issue with the 6-month time frame, but thinks that they should consider looking at the issue in advance of that and provides 4-month time frame for consideration. Commissioners clarify that they are discussing when they are opening applications for transporters. Chair Oldenburg would like to delay discussion for the January meeting to evaluate the status of the cultivators. Mr. Botelho clarifies that they are going to table the discussion on setting an application time period for transporters and ask the cultivators to provide progress update. Motion was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor

Chair Oldenburg asked if there is any discussion on setting an application time period for manufacturers. Commissioner Muetting offers a similar timeframe. Chair Oldenburg asks if that is giving them enough time to review. Commissioner Muetting believes that a manufacturer's license is going to be more complicated than a transporter's license. Chair Oldenburg suggests taking applications in January. Commissioner Coffey agrees. Based on the discussion, Chair Oldenburg states that they are going to table the discussion on setting an application time period for manufacturers for the January meeting and possibly accept applications. Mr. Botelho clarifies that they are going to table the discussion on setting an application time period for manufacturers in December meeting. Commissioner Muetting agrees.

Chair Oldenburg asked if there is any discussion on setting an application time period for dispensaries. Chair Oldenburg suggests this should take place after the other two license types. Commissioner Coffey suggests February or March. Commissioner Muetting wants to table the discussion until the January meeting.

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

Chair Oldenburg announces that the date for the next regularly scheduled meeting will be December 2, at 1:00p.m. in the Nebraska Liquor Commission Hearing Room on the first floor of the Nebraska State Office Building.

Mr. Botelho suggests that Commission go into a recess until 3:00 p.m.

Chair Oldenburg asked for a motion and second to go into recess until 3:00 p.m. Motion was made by Commissioner Coffey and seconded by Commissioner Muetting. The motion was adopted with Commissioners Muetting, Coffey, and Oldenburg voting in favor. Commission went into recess at 2:46 p.m. and will reconvene at 3:00 p.m.

(#8 from above) 3:00 p.m. Stonepine Works, LLC application reconsideration

At 3:00 p.m. the Commission reconvened and returned to their agenda and took up agenda item #8.

Chair Oldenburg states that the Commission will now take up the request for Casey Sledge on behalf of Stonepine Works, LLC to reconsider her application for a cultivator's license. Chair Oldenburg told Ms. Sledge that her cultivator's license was denied due to the average score being below 70 and explained the process for the reconsideration request. Ms. Sledge did not have any questions regarding the process, and Chair Oldenburg asked her to proceed.

Mary Vagalis introduced herself and she will be serving as in-state counsel for Casey Sledge and Stonepine Works, LLC. Ms. Vagalis introduced an individual appearing by zoom, who served as a consultant and assisted with putting together the application.

Ms. Vagalis provided an overview of the reconsideration and stated they would go into the details. Ms. Vagalis stated that (1) there was very little information available to applicants prior to applications being submitted. The matrix was not available and there were no supplements to the categories that provided rules and regulations. Therefore, the applicants were asked to engage in a lot of discretion in trying to determine what would be sufficient to receive full scoring marks in each of the categories from the evaluators; (2) there were significant fluctuations in the scoring. In some cases, an evaluator awarded full points, while another evaluator awarded no points; finally (3) one evaluator gave no applicant a passing score of 70 or above, which indicates they evaluated or perceived extreme deficiencies in each of the four applications that were considered in this round of evaluations. All these points bring into question what the evaluators were considering when scoring in the application process and could drive to determination that the Commission's actions constitute arbitrary, capricious agency.

Ms. Vagalis stated that they are asking for relief by modifying the average score based on a re-evaluation of the factors that they provided to the Commission in their correspondence. Ms. Vagalis stated the specific factors she would like to be considered include: 14A- Access to Capital, 14C- Explanation for Funding Sources, 15A- Facility Design, 15B- Operational Readiness, and subsection 7 and 8. Ms. Vagalis asked for reconsideration of these specific points.

Chair Oldenburg asks for clarification on the location of the operation. Ms. Vagalis responds that this would take place in Omaha. Chair Oldenburg states a concern that the lease seems to be in Wayne, Nebraska. Commissioner Muetting expressed concern that the zoning portion referenced Douglas County and Omaha, not Wayne, Nebraska. Ms. Vagalis states that Ms. Sledge was relying on partnerships. Maxine Kot appeared on Zoom and explained that due to the shortened timeframe, they were considering multiple locations and that the zoning portion of the application was not updated.

Chair Oldenburg thanks Ms. Sledge and states that the Commission will bring this matter up on the next scheduled Commission meeting. After the vote, the Commission will provide Ms. Sledge with a written decision. Chair Oldenburg concludes Ms. Sledge's reconsideration.

11. Closed Executive Session to discuss imminent litigation regarding regulations or licensing, if necessary

The Commission forgoes executive session.

12. Adjournment

Before the Commission adjourned, Commissioner Muetting asked that the Commission revisit the Manufacturer Licensing timeframe and move the date to discuss this topic to December's meeting.

With no further business, the meeting adjourned at 3:25p.m.