Nebraska Medical Cannabis Commission

Open Meeting

September 14, 2026, at 1:00 p.m.
301 Centennial Mall South, 301 Centennial Mall South - 1st Floor
Hearing Room, Lincoln, NE 68509

ZOOM LINK:
https://zoom.us/rec/share/_GA5wjOmKDOqtR7UvVTC9mx5nCYp6IXSdA24_dfqrDIVdABfmByImJ52H5r4QWI.OmsgMeN5AsVTkQMf

Passcode: .64kr0W!

Agenda

Call to Order/Open Meetings Act Notification

Chair Mueting called the meeting to order at 1:18 p.m. on September 14, 2026. The meeting was delayed while awaiting the arrival of Commissioner Coffey, who was delayed by construction, in order to establish a quorum.

Chair Mueting stated that the meeting was subject to the Nebraska Open Meetings Act and that a copy of the Act was available for public review at the back of the room. She further stated that the meeting agenda and documents to be discussed were available for public review.

Record Roll Call

Roll call was conducted with Commissioners Elworth, Mueting, and Coffey present. Commissioner Synhorst was absent.

A quorum was present, and the Commission proceeded with the meeting.

Approval of August 17 Meeting Minutes

The Commission considered approval of the minutes from the August 17, 2026, meeting. Chair Mueting asked whether there were any corrections or additions to the minutes. None were presented.

Commissioner Coffey moved to approve the August 17, 2026, meeting minutes. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

Public Comment Period

Below is a summary of the public comments received during the meeting. The minutes are not intended to be a verbatim transcript or to include every statement made. The summary is intended to capture each speaker's primary personal experiences, policy recommendations, implementation issues, industry concerns, and other matters relevant to cannabis and the Commission's work.

Chair Mueting opened the public comment period and reminded participants that public comment is an opportunity for members of the public to address the Commission and is not a question-and-answer session. Speakers were asked to identify themselves for the record and were limited to three minutes.

Eleven people provided public comment.

Leah Post discussed a participant who experienced a seizure during a prior Commission meeting, which Post indicated had not been known to the Commission at the time, and expressed concern regarding the Commission's response to the incident. Post also requested that the record reflect the need for an ADA accommodation.

Donnie Johnson discussed the potential for medical cannabis to create agricultural and economic opportunities in north Omaha and Nebraska. He also stated that Nebraska should consider having separate commissions for medical cannabis and liquor rather than combining the functions. He also discussed difficulties associated with obtaining land for cannabis cultivation in north Omaha and encouraged working with the Nebraska Department of Agriculture to become involved in supporting agricultural opportunities related to cannabis.

Angel Loza stated that he publishes a free civics website documenting government action. Mr. Loza discussed public access to Commission information and program dataHe requested that the Commission publish the number of medical cannabis recommendations and patients.

Mr. Loza also described his personal experience with multiple sclerosis and stated that his wife lives with diabetes. He expressed concern that conditions had not been identified on a list under the medical cannabis law. He also recommended that people who live with pain be included in future consideration of the program and any changes to the law or regulations.

J.C. Todd offered to provide the Commission with education regarding cannabis, cannabinoids, terpenes, and the endocannabinoid system. He also discussed his personal experiences as a combat medic during Operation Desert Storm and stated that his experiences with veterans and medical treatment led him to study cannabis and its potential effects.

Georgianna Schroeder-Stanley described her personal experience using medical cannabis to manage significant nerve pain following oral surgeries. Ms. Schroeder-Stanley referenced scientific evidence concerning cannabis and nerve-related pain and inflammation and expressed disagreement with statements that cannabis has no medical benefit. She reported using approximately 50 to 75 milligrams of THC and stated that she did not experience psychoactive effects from THC.

Logan Biehl stated that he has cultivated CBD hemp flower legally since 2020. He described the availability of hemp-derived CBD and THC products in Nebraska and expressed confusion regarding how those products interact with Nebraska's medical cannabis program and the federal classification of cannabis.

Mr. Biehl expressed concern regarding out-of-state cannabis businesses advertising in Nebraska and discussed billboards and businesses offering hemp-derived THC products in the Lincoln area. He questioned whether some businesses were advertising products to individuals younger than Nebraska's legal age and described his observations of free samples and consumption at retail locations. He also discussed local ordinances concerning smoking and the availability of hemp-derived products in Nebraska.

Mr. Biehl stated that the hemp industry generates tax revenue and should be considered in discussions concerning cannabis policy.

He also referenced the Omaha Tribe of Nebraska's cannabis program providing access to medical cannabis and questioned why hemp seeds could potentially become subject to criminal penalties under changing laws.

Crista Eggers discussed her longstanding advocacy for Nebraska's medical cannabis program and shared experiences of patients and families affected by seizures, cancer, ALS, and other serious conditions. She questioned the length of time required to establish the program and urged the Commission to continue moving toward implementation.

Marci Reed discussed her advocacy for medical cannabis and her hope that her son will be able to access cannabis oil as an alternative to other medications he currently takes.

She encouraged the Commission to communicate directly with healthcare practitioners regarding the medications and treatments currently received by patients.

Ms. Reed also expressed concern about a limited number of dispensaries in the state. She stated that, despite having multiple pharmacies in Blair, sometimes medications are unavailable. She believes access issues could occur with medical cannabis given the limited number of dispensaries.

She discussed concerns raised during a Washington County meeting regarding a cultivation licensee and whether cannabis would ultimately be cultivated at the approved location.

Garrett Elting, Cultivation Systems Manager for MahāMotā, expressed concern that a clear pathway for required laboratory testing had not yet been established. He stated that he had contacted laboratories outside Nebraska to identify potential interest in establishing laboratory capacity in Nebraska, but that regulatory and licensing requirements present challenges.

Mr. Elting also expressed concern regarding storage of harvested cannabis while awaiting laboratory testing and stated that the company was not structured for extended storage of harvested material.

He requested that the Commission address laboratory testing and potential solutions before harvest.

Shannon Coryell described previously using cannabis recreationally and later discontinuing its use without treatment or prescription medications. Following a traumatic brain injury, Ms. Coryell stated that she was prescribed opioids and muscle relaxants and subsequently discontinuing those medications because of concerns about dependence and stated that she resumed using cannabis and experienced medical benefits.

Ms. Coryell urged the Commission to consider the experiences and needs of patients in its decision-making.

Angelica Marsaglia expressed support for Nebraska considering aspects of Oklahoma's medical cannabis implementation. She questioned differences in how cannabis and alcohol are regulated and expressed concern about public information emphasizing potential risks associated with cannabis.

Public Hearing Date

Chair Mueting announced that a public hearing will be held on October 15, 2026, from 1 p.m. to 4 p.m., or until there are no additional speakers, whichever comes first, to receive comments on proposed amendments to the Commission's regulations, primarily concerning the establishment of application, registration, renewal, and other fees.

MCC staff will facilitate the hearing, document comments, and maintain the official record. Comments received will be provided to the Commission for consideration as part of the rulemaking process. Commissioners are not required to attend a public hearing held for the purpose of receiving public comment on proposed rulemakings.

Mueting encouraged participants to provide written copies of their comments and noted that oral comments will be limited to three minutes and may be reduced to two minutes, if necessary, due to the number of participants. Speakers are also encouraged to vacate the meeting room after completing their testimony to allow others to participate.

Written comments may be submitted by mail or email through 11:59 p.m. on October 15, 2026.

Additional information regarding the public hearing and proposed amendments is available on the Commission's website.

Commissioner Discussion Regarding Public Comments

Commissioner Elworth responded to comments regarding the amount of time that had passed since the passage of Initiative 438 and Initiative 437 and the establishment of the Medical Cannabis Commission (MCC). He provided a timeline of the MCC's development and noted circumstances that affected the MCC's ability to begin operations.

Elworth noted that on November 5, 2024, Nebraska voters approved initiatives that legalized possession of up to five ounces of cannabis for medical purposes, eliminated criminal penalties for possession of that amount for medical purposes, and established the MCC to regulate all phases of the control of the possession, manufacturer, distribution, delivery, and dispensing of cannabis for medical purposes. t. He noted that the statute provides two Governor-appointed members and three members of the Nebraska Liquor Control Commission (LCC) to became members of the five-member MCC.

Elworth stated that the initiative created the MCC in statute but did not provide the Commission with dedicated office or meeting space. From November until June 2025, the Commission's

administrative needs were supported through the LCC's resources and staff while the Governor's Office carried out the appointment process pursuant to the statutory requirements.

Elworth noted that, at the time, the Commission did not yet have dedicated staff, which was necessary to administer appropriated funds and carry out the Commission's work. He noted that the Commission was only able to truly begin its work in June 2025, following the Governor's appointment of Lorelle Mueting and Dr. Monica Oldenburg (April 2025). These appointments were announced by the Governor's Office on May 16, 2025, and also confirmed that administrative support and resources would be provided and that operational funding had been appropriated.

The Governor's appointees were also subject to legislative confirmation before the Commission could begin promulgating rules and regulations. Dr. Oldenburg and Mueting were confirmed in May 2025. The MCC's inaugural meeting was held June 9, 2025, when the Commission was able to officially establish a quorum and begin conducting its regulatory work.

Judge Michael Coffey was appointed June 18, 2025. Mueting and Coffey executed their oaths of office at the June 26, 2025, meeting.

Elworth then discussed the disruption to the LCC during August and September 2025 resulting from federal indictments and the resulting vacancies in LCC leadership and membership.

Applications were subsequently accepted and interviews conducted in mid-October, and Elworth and Commissioner Bud Synhorst were appointed to the LCC in November 2025, which also resulted in their appointment to MCC. He noted that the resulting transition occurred while MCC was also in the early stages of establishing its operations.

Elworth noted that Dr. Oldenburg resigned as Chair in February 2026 and that the MCC continues to operate without a full complement of five commissioners.

Elworth noted that funding was appropriated for the MCC in April 2026 following the legislative session, at which time the MCC was able to begin hiring staff and securing office space. The MCC's first employee was hired in April 2026 but did not remain with the MCC, and that an additional employee was hired in July 2026.

He noted that, despite the challenges and uncertainty during the MCC's formation, the MCC promulgated temporary regulations that have since become permanent, approved 4 cultivator licenses, and began accepting manufacturing license applications. He stated that the MCC has accomplished a significant amount of work during this period.

Elworth also responded to comments made during the public hearing regarding Oklahoma's medical cannabis program and a suggestion that Nebraska should follow Oklahoma's approach

to establish its program more quickly. He stated that the MCC should not use Oklahoma as a model and encouraged members of the public to consider how long it has taken other states to establish and implement their medical cannabis programs.

Elworth referenced articles and other materials he had saved and reviewed while developing the MCC's regulations. He discussed information concerning Oklahoma's cannabis industry, including concerns regarding the diversion of cannabis to the illicit market and regulatory issues involving cannabis production.

Elworth referenced a December 24, 2025, article published by *The Dallas Morning News*, titled "How Criminals Use Oklahoma Growers to Flood North Texas with Black-Market Weed," which reported on the alleged movement of Oklahoma-grown cannabis into the illicit market in North Texas. (Source: https://www.justice.gov/usao-edok/pr/seminole-county-marijuana-farm-employees-indicted-federal-charges-relating-illegal.com)

He also referenced a July 2026 federal indictment involving two employees of a state-registered marijuana farm in Seminole County, Oklahoma, concerning allegations involving the smuggling and distribution of illegal, unregistered pesticides. (Source: https://www.justice.gov/usao-edok/pr/seminole-county-marijuana-farm-employees-indicted-federal-charges-relating-illegal.com)

Elworth emphasized the importance of the current the MCC commissioners and staff protecting the integrity of the regulatory process. He stated that the MCC has dealt with significant issues but continues to make progress in establishing and regulating Nebraska's medical cannabis program. He noted that public safety and crime are important considerations in the development of the program.

Program Implementation Update

Cultivator Update

Chair Mueting provided an update on cultivators, beginning with KRL Med's proposed text amendment and conditional use permit. KRL Med met with the Washington County Planning Commission on September 3, 2026, and the Planning Commission did not recommend approval of either request. KRL Med is addressing concerns raised during the public hearing and evaluating potential site plan modifications. The matter remains on the agenda for the September 22, 2026, Washington County Board meeting.

Chair Mueting also noted that three cultivator licenses were up for renewal soon. MahāMotā submitted its renewal application on September 10, 2026, and MCC Legal requested additional

time to complete its review. MahāMotā is also working to complete its Initial Inventory Report and required monthly reporting during implementation of the Commission's seed-to-sale system.

Jarrod Boitnott, MCC Legal, identified potential residency issues involving Midwest Cultivators and Meadowlark and recommended additional time for both licensees to address the concerns. No sanctions were recommended while the matters are being resolved.

Boitnott recommended that all three renewal matters be considered at the October 19, 2026, Commission meeting and that any license expiring before that meeting be granted a grace period through October 19, 2026, with no lapse in licensure pending Commission action.

Commissioner Coffey moved to schedule all three renewal matters for consideration and action at the October 19, 2026, Commission meeting and to grant any license expiring before that date a grace period through October 19, 2026, with no lapse in licensure pending the Commission's vote on the renewals. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

Manufacturer Application Update

Chair Mueting reported that the Commission currently has ten manufacturer applications pending. Staff recommended keeping the applications open through December 2026 rather than advancing them for consideration on a monthly basis while the rulemaking process is underway.

Staff noted that the proposed regulations are expected to become permanent in early 2027 and that the manufacturer application will then be updated to reflect new requirements, including transportation certifications and background check requirements. Applicants who have already submitted applications will need to amend and resubmit their applications using the updated application once it is available.

Commissioner Coffey moved to keep the current manufacturer applications open through December 2026 rather than advancing them for consideration on a monthly basis while the Commission's rulemaking process is underway. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

Budget, Expenditure and Office Operations Update

METRC/Carahsoft Contract

The Commission considered approval of the METRC quote and Statement of Work from Carahsoft for the Commission's seed-to-sale tracking system, which is the third-party vendor and contract vehicle through which the Commission will obtain METRC and related services. Following Commission approval, the documents will be submitted to the Department of Administrative Services for inclusion under the existing Carahsoft contract.

Commissioner Coffey moved to approve the METRC quote and Statement of Work from Carahsoft. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

MCC Budget Request – 2027–2029 Biennium

Staff confirmed that the Commission's budget request for the 2027–2029 biennium was ready for submission ahead of the annual September 15 deadline. The request was developed by MCC staff in coordination with the Liquor Control Commission and the MCC Budget Subcommittee.

Staff explained that the request represents the initial submission in the biennial budget process and identifies anticipated future budget and PSL needs, expected staff growth, and the Commission's Six-Year IT Plan. The request will be reviewed and refined by the Department of Administrative Services, the Governor, and the Legislature as the budget process continues. The incoming Executive Director will have an opportunity to work with the Department of Administrative Services to further review and refine the request before it is submitted to the Legislature in January.

Past Expenditures

Staff provided an update on July expenditures, including two items identified for follow-up at the August Commission meeting: a $50 NCSLA New Orleans expense and expenses labeled as Kearney hearings. Jessica Sodeke, program manager, reported that she reviewed the charges with LCC staff and confirmed that the expenses charged were MCC expenses.

Sodeke explained that the Kearney expenses resulted from the way expense reimbursements were documented. LCC reimbursement forms included both LCC and MCC-related expenses, which made it difficult to distinguish between the two. The mileage associated with the Kearney hearings was an LCC expense, while the MCC portion of the same reimbursement was mileage

associated with the April 21, 2026, MCC discussion. The supporting document was labeled "May Hearings Kearney," but the title did not indicate that the mileage charged to MCC was related to a Kearney hearing.

Sodeke also explained that the $50 NCSLA New Orleans expense was a cancellation fee associated with Micah's registration for a CANNRA event. The registration was cancelled and the registration fee was refunded, less the $50 cancellation fee.

The Commission then reviewed August expenditures. Sodeke reported approximately $8,504 in expenditures for the month. She explained that the August rent expense included charges for both July and August because the July rent had been paid prior to the Commission assuming the lease. The rent expense and depreciation surcharge under buildings and improvements together represented the total rent charges for the two months.

There was no further discussion regarding the July and August expenditures.

Ratification of Adobe Pro Licenses

The Commission considered ratification of the purchase of three Adobe Pro licenses at a total cost of $312.60.

Commissioner Coffey moved to ratify the payment of $312.60 for three Adobe Pro licenses. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

Ratification of Cell Phone Purchases

The Commission considered ratification of the purchase of cell phones for staff at a total cost of $299.98.

Commissioner Coffey moved to ratify the payment of $299.98 for the purchase of cell phones for staff. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

Upcoming Expenditures

Conference Room Television and Wall Mount

The Commission considered a request to purchase a Samsung 65-inch television and Gabor FSM-L full-swing large TV mount for the MCC office conference room. Staff explained that the television would be used for viewing public hearings and Commission meetings, displaying SharePoint files and presentations during staff discussions, and other Commission-related presentations and office functions. The estimated cost for the television and wall mount is $650 to $800.

Commissioner Coffey moved to approve the purchase of a 65-inch television and wall mount for the MCC office conference room, at an estimated cost of $650 to $800. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was submitted to a roll call vote.

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

Digital Camera and Accessories

The Commission considered a request to purchase a dedicated digital camera and accessories for Commission-related photography and video needs, including inspections. Staff explained that the purchase would include a DSLR camera, lens, card reader, and 64GB memory card. A dedicated camera would provide high-quality photographs and video for inspection documentation and other Commission activities, while providing a separate device for official records and supporting consistent storage, transfer, and records-management practices. The estimated cost is $800 to $1,000.

Commissioner Coffey moved to approve the purchase of a digital camera and accessories for Commission-related photography and video needs, at an estimated cost of $800 to $1,000. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

Commission Staffing and Operational Update

Executive Director Hire

Chair Mueting reported on the work of the Director Search Subcommittee, which was comprised of Commissioners Synhorst and Mueting. The Commission received 22 applications for the Executive Director position. The Subcommittee reviewed all applications and interviewed six candidates.

Based on the Subcommittee's review and interviews, the Subcommittee recommended that the Commission offer the Executive Director position to Brett Long.

Chair Mueting reviewed Mr. Long's state government experience, including regulatory and leadership work with the Nebraska Department of Revenue involving charitable gaming and skilled gaming regulatory programs. She noted that his experience with skilled gaming included work in a developing regulatory program, including establishing a regulatory framework and implementing ongoing regulatory requirements. His experience also includes revenue administration and compliance.

Mueting also noted Mr. Long's previous work with the Nebraska Department of Health and Human Services involving statewide behavioral health and substance-use initiatives, including coordination of data and performance information used to evaluate programs and inform policy. She stated that the Subcommittee believed his regulatory, compliance, data, and state government experience would support the Commission's continued development and implementation of Nebraska's medical cannabis regulatory program.

Chair Mueting noted that Commissioner Synhorst was unable to attend the meeting but provided comments regarding the search process. Synhorst stated that he and Mueting conducted interviews with the finalists and appreciated all applicants who participated in the process. He noted that Mr. Long has experience navigating state agencies and a vision for helping the Commission move forward.

Commissioner Coffey moved to offer the Executive Director position to Brett Long. Commissioner Elworth seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

Future Staffing Plan

Chair Mueting presented an update regarding the Commission's anticipated staffing needs following further evaluation of the Commission's workload, available personnel funding, and evolving operational needs.

Staff recommended prioritizing a Financial/Administrative position for hire by January 2027 in anticipation of the Commission's transition toward greater operational independence from the LCC. The position would support the Commission in assuming responsibility for financial processes, billing, purchasing, administrative functions, and other related processes currently supported by LCC.

Staff also recommended establishing a Field Inspector position by July 2027, or earlier if the number of licensees and workload warrant. In the interim, MCC staff will continue developing the Commission's inspection and compliance program and complete necessary training to support implementation. Subject-matter experts, including law enforcement personnel, may assist with inspections when specialized expertise is needed.

Chair Mueting clarified that the incoming Director will oversee refinement and implementation of the staffing plan and, as appropriate, work with the Department of Administrative Services to complete the necessary position, classification, funding, approval, and recruitment processes.

There was no further discussion.

SOS-to-Permanent Positions

Chair Mueting provided an update on the transition of the Commission's two current State of Nebraska (SOS) positions to permanent positions. Mueting reported that she is working with Department of Administrative Services and will begin the process of establishing and recruiting for the permanent positions when the Executive Director arrives in late September.

The two current SOS positions are scheduled to expire in December 2026. Department of Administrative Services has confirmed that the SOS assignments may be extended for an additional six months while the permanent positions are established and recruitment is completed. Once the permanent positions are established, the current SOS employees will have the opportunity to re-apply through the regular recruitment process.

There was no further discussion.

Commissioner Discussion Regarding Public Comments

Commissioner Coffey provided additional comments regarding public perceptions of the MCC and stated that there are misconceptions about the Commission's work.

Coffey agreed with Commissioner Elworth's previous comments. He also stated that he takes his responsibilities and oaths of office very seriously and described the various oaths he has taken

throughout his military and legal career, including upon entering the United States Army and serving in Vietnam, before beginning to practice law for 24 years, before serving as a district court judge in Douglas County for 25 years, and upon his appointment to the Liquor Control Commission and Medical Cannabis Commission. Coffey stated, “I truly believe I’ve tried to live up to those oaths.”

Coffey also clarified that he does not know Gov. Jim Pillen personally and stated that his only meeting with the Governor was during his interview for the Commissioner position. Coffey stated that he has not received directives, suggestions, or orders from Gov. Pillen or the Governor’s staff regarding how the MCC should conduct its business. He further stated that he has not received directives from Attorney General Hilgers or his staff and is not personally connected to him. Coffey stated that decisions regarding the conduct of the Commission’s business are made by the Commissioners.

Coffey also addressed comments suggesting that Commissioners are being compensated for their work without actually performing the work. He stated that Commissioners did not receive compensation for their service until the Legislature provided funding in 2026 and that Commissioners did not begin receiving mileage reimbursement until late 2025.

Coffey stated that the Commissioners have a fiduciary duty to the MCC and, for those who serve on both commissions, the LCC. He stated that he believes the Commissioners work to fulfill those duties and obligations to the best of their abilities.

Next Meeting Reminder

Chair Mueting reminded the Commission that the next regularly scheduled Commission meeting will be held on October 19, 2026, at 1:00 p.m. in the same meeting room.

No Closed Executive Session

Adjournment

Commissioner Elworth moved to adjourn the meeting. Commissioner Coffey seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor.

The meeting adjourned at 2:33 p.m.