

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MARIJUANA REGULATORY AGENCY

PUBLIC HEARING

Jupiter Conference Room
2407 North Grand River Avenue
Lansing, Michigan

Wednesday, February 12, 2020, 9:30 a.m.

PRESENT:

MR. ANDREW BRISBO
MS. JESSICA FOX
MR. JOSHUA GALICKI
MS. KELLY KRONNER

RECORDED BY:

Marcy A. Klingshirn, CER 6924
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Firm Registration Number 8151
1-800-632-2720

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1 Lansing, Michigan

2 Wednesday, February 12, 2020 - 9:30 a.m.

3 MS. KRONNER: I'm going to call this meeting to
4 order at 9:30 a.m.

5 MR. BRISBO: Good morning, everyone. I'm Andrew
6 Brisbo, the executive director of the Marijuana Regulatory
7 Agency. I appreciate you all being here. Appreciate you
8 all accommodating the unexpected disruption to what was a --
9 what we thought was a well planned meeting and having to
10 move locations. This meeting is being live streamed via the
11 MRA Facebook page. Because of the constraints on the room
12 and the number of people who are allowed to be in here, I
13 would appreciate if after you've made your comments if you
14 exit the building so we can get someone else to come in and
15 make their comments. This will all be transcribed so we
16 will not miss any comments and anything that's said at
17 the -- during the course of the meeting will be available
18 publicly after the fact as well, so you won't miss anything.
19 But we do want to make sure everyone's given an opportunity.
20 If there's anything you happen to miss, we will take written
21 comments for I think a week, until the 17th, so you're free
22 to submit additional comments in writing to the MRA after
23 that.

24 To my right I have Kelly Kronner and Jessica Fox.
25 They're going to be helping to coordinate the meeting. If

1 you haven't filled out a comment card, please do that just
2 so we can call your name to make sure that we keep things
3 moving orderly. I think Jessica is going to announce the
4 names. She'll announce the next speaker as well as the
5 person that's in the queue after that just so we can keep
6 moving through. And, again, we would appreciate it if after
7 you've made your comments you could exit so we can get
8 someone else in. That would be greatly appreciated. And
9 I'm going to turn it over to Jessica. Thank you.

10 MS. FOX: Good morning. This is a public hearing
11 on the proposed administrative rules titled as follows:
12 Marihuana Licenses - Rule Set 2019-067 LR; Marihuana
13 Licensees - Rule Set 2019-068 LR; Marihuana Operations -
14 Rule Set 2019-069 LR; Marihuana Sampling and Testing - Rule
15 Set 2019-070 LR; Marihuana Infused and Edible Marihuana
16 Products - Rule set 2019-071 LR; Marihuana Sale or
17 Transfer - Rule Set 2019-072 LR; Marihuana Employees - Rule
18 Set 2019-073 LR; Marihuana Hearings - Rule Set 2019-074 LR;
19 Marihuana Disciplinary Proceedings - Rule Set 2019-075 LR;
20 Industrial Hemp for Marihuana Businesses - Rule Set 2019-088
21 LR; and Medical Marihuana Facilities - Rescinded - Rule Set
22 2019-123 LR.

23 This hearing is being conducted pursuant to
24 provisions required by the authority conferred on the
25 Executive Director of the Agency authorized to promulgate

1 these rules based upon Section 206 of the Medical Marihuana
2 Facilities Licensing Act, 2016 PA 281, MCL 333.27206,
3 Section 7 and Section 8 of the Michigan Regulation and
4 Taxation of Marihuana Act, 2018 Initiated Law 1, MCL
5 333.27957 and 333.27958, along with Executive Reorganization
6 Order 2019-2, MCL 333.27001.

7 MS. KRONNER: This hearing was called to order at
8 9:30 a.m., on February 12th, 2020. It was supposed to take
9 place at the Williams Building, first floor auditorium, but
10 we are at 2407 North Grand River in Lansing, Michigan. This
11 hearing was published in three newspapers of general
12 circulation, as well as the Michigan Register, published on
13 February 1, 2020.

14 Please know that we are here today to receive your
15 comments on the proposed rules. If you wish to speak,
16 please fill out a comment card with your name and the rule
17 number or citation that you are commenting on. When you
18 come forward to speak, please state your name and the rule
19 number or citation that you are commenting on so that this
20 information may be transcribed in the hearing report.
21 Particularity will help the staff review your comments in
22 the transcript after today.

23 Please try to limit your comments to three
24 minutes. If you need more time, please consider submitting
25 your comment to the e-mail address provided on the Notice.

1 Written comments may be submitted until Monday, February
2 17th, 2020, at 5:00 p.m. Please remember that public
3 comment is an opportunity for members of the public to
4 comment, not to obtain feedback, engage in dialogue, or
5 receive answers from the Agency.

6 Again, please give the rule number and state your
7 comments with particularity. Thank you.

8 MS. FOX: So at this time, we will begin with
9 public comment. If you could please when you come to the
10 microphone, say your name and spell your last name for our
11 transcriptionist, that will help her out greatly. First
12 will be Aaron Squeo, and Aaron will be followed by Steve
13 Linder from Michigan Cannabis Manufacturers Association.

14 AARON SQUEO

15 MR. AARON SQUEO: Hi. My name is Aaron Squeo.
16 I'm speaking on Rule Set 2019-073 LR. Good morning. My
17 name is Aaron Squeo and I currently reside in Clinton
18 Township, Michigan. I have come here today to voice my
19 support for a fair and stable recreational cannabis industry
20 in Michigan. That's why I support a labor peace agreement
21 in the regulations. Labor peace agreements make sure that
22 workers have a safe environment to work in and workers who
23 belong to a union are more likely to receive safety and
24 technical --

25 (Off the record interruption)

1 MR. AARON SQUEO: Do you want me to start over
2 again?

3 MS. KRONNER: Sure.

4 MR. AARON SQUEO: Okay. Good morning. My name is
5 Aaron Squeo and I currently reside in Clinton Township,
6 Michigan. I have come here today to voice my opinion for a
7 fair and stable recreational cannabis industry in Michigan.
8 This is why I support a labor peace agreement in the
9 regulations. Labor peace agreements will make sure that
10 workers are safe and the products don't hurt people.
11 Workers who belong to a union are more likely to be --
12 receive safety and technical training and it reduces
13 workplace accidents and improves worker -- product quality.
14 My father currently receives benefits from medical marijuana
15 and I have to be careful about some of the brownies I eat
16 when I go to his house. I just want to make sure that the
17 product he's eating and is consuming are safe as well.
18 Thank you for your time.

19 MS. KRONNER: Thank you.

20 MS. FOX: Steve Linder, from the Michigan Cannabis
21 Manufacturers Association and after Mr. Linder will be
22 Geoffrey Lawrence from the Reason Foundation.

23 STEVE LINDER

24 MR. STEVE LINDER: Good morning. My name is
25 Steven Linder, L-i-n-d-e-r. I'm the executive director of

1 the Michigan Cannabis Manufacturers Association. The MCMA
2 represents a number of the largest growers, processors, and
3 vertically integrated businesses in Michigan with almost
4 half a billion dollars worth of investment and over 1,000
5 employees. We are submitting our full review and comments
6 on the rule set. I'm not here to talk about all of the
7 rules today and we will discuss those with the Department.

8 However, we are here today to voice our objection
9 to two of the rules contained in the rule set that if they
10 are not amended will prohibit us from supporting the rule
11 set at all. Those two rules are labor peace agreements and
12 forced third-party sales. We don't believe that it's the
13 role of the Department to use licensure as a hammer to force
14 independent businesses into forming relationships with labor
15 unions which will unalterably change and distort their
16 workplaces. We're not opposed to labor unions, but if labor
17 unions think that they have an opportunity, it is up to them
18 to come and negotiate with each of the individual
19 businesses. It is not the role of the state to act as a
20 brokerage agent for labor unions. We believe that it is a
21 violation of the National Labor Relations Act to do so and
22 we oppose this rule in its entirety.

23 We are also here to voice our objection to forced
24 third-party sales. It is the role of the Department to
25 license and to regulate those businesses setting bars of

1 entry and making sure that standards are adhered to and
2 controlling the supply chain is really not the role of
3 government, nor is it a stated role of the Department. A
4 license to operate is not a license to succeed or make
5 money. Businesses rise and fail based on many factors and
6 distorting the system to determine that a business needs
7 supply and that it's the system itself that doesn't provide
8 the supply that will allow the Department to force private
9 businesses who have made the investments successfully manage
10 their businesses to sell to their competitors. This is not
11 the role of government in our opinion and quite -- we oppose
12 this rule in its entirety.

13 And just to voice how strongly we believe in
14 opposing these rules, our association has already reached
15 out to the legislature, to the Joint Committee on
16 Administrative Rules, and made it clear that unless these
17 two provisions are eliminated from the rule set, we will
18 oppose the rule set in its entirety and lobby for the Joint
19 Committee on Administrative Rules to not consider the rule
20 set if these are contained. There are many things in the
21 rules that we like and we'll be submitting those to you.
22 There are things in the rules that probably need some
23 tweaking and some negotiation, but these two are
24 nonstarters. They are, quite frankly, lines in the sand for
25 our association and we would encourage the agency to

1 eliminate these two provisions from the rule set and that we
2 can get on with the business of supporting those rules that
3 have a positive impact on the industry. Thank you.

4 MS. KRONNER: Thank you.

5 MS. FOX: Geoffrey Lawrence from the Reason
6 Foundation to be followed by Jason Palomba. And as a
7 reminder, please speak directly into the microphone so that
8 you can be heard. Thank you.

9 GEOFFREY LAWRENCE

10 MR. GEOFFREY LAWRENCE: Geoffrey Lawrence,
11 L-a-w-r-e-n-c-e, the Reason Foundation. I want to focus my
12 comments specifically on Rule Set 2018-067 LR, specifically
13 the requirement for a prospective licensee to enter a labor
14 peace agreement. The Reason Foundation, our reading of this
15 we see two primary legal obstacles here. First is that we
16 believe this exceeds the statutory authority given to the
17 Department and, secondly, we believe it violates federal
18 labor law.

19 As far as statutory authority, I think it's at
20 best arguable that the Department's authority to issue
21 qual- -- well, to determine qualifications that are directly
22 and demonstrably related to the operation of a marijuana
23 establishment includes the requirement for a labor peace
24 agreement. I'll note from context that the statute makes no
25 reference to terms like "labor peace agreement" or "labor

1 organization." So it seems, from our reading of that
2 statute, it's not clear that there is statutory authority
3 for this type of a new rule.

4 Secondly, we believe that this requirement would
5 violate the National Labor Relations Act which reserves to
6 the National Labor Relations Board the exclusive authority
7 to regulate private sector labor relations. Of course,
8 states have the authority to regulate those labor relations
9 with state and local government employees, but in the
10 private sector that is reserved to the NLRB, and this is an
11 issue that has been adjudicated at length in federal courts.

12 There are a number of cases I could point to, but
13 I'll point specifically to a case that was heard by the U.S.
14 Supreme Court in 1987 called Golden State Transit Corp
15 versus the City of Los Angeles. In this case, the court
16 said the City of Los Angeles could not require this taxi cab
17 company to enter into a labor peace agreement as a condition
18 of being issued a license. They said that very clearly that
19 this violated the authority given to the NLRB and that that
20 was -- that was an exclusive authority to be exercised at
21 the federal level. We see that as directly applicable to
22 this proposed rule and believe that if the rule is -- in the
23 future is challenged in federal court based on the series of
24 precedents, which I can highlight further in written
25 comments, we believe it will be overturned. Thank you.

1 MS. KRONNER: Thank you.

2 MS. FOX: Jason Palomba followed by Marc Gazd.

3 Jason?

4 UNIDENTIFIED SPEAKER: Who is it?

5 MS. FOX: Jason Palomba. And as a reminder,
6 please say and spell your last name for the record, please.

7 MR. JASON PALOMBA: Okay.

8 MS. FOX: Thank you.

9 JASON PALOMBA

10 MR. JASON PALOMBA: My name is Jason Palomba,
11 J-a-s-o-n P-a-l-o-m-b-a, and I'm a registered voter here in
12 Ingham County and I am in support of the requirements for
13 the labor peace -- of the requirement for labor peace
14 agreement for licenses. The requirement will ensure that
15 workers will be able to choose their own -- on their own
16 whether or not they want to join a union free from pressure
17 from their employer or from labor organizations. As being
18 part of a union myself, I enjoy the guaranteed wage
19 increases, guaranteed rest periods, and most importantly the
20 safety that the union affords me. Having safety committees
21 is an important issue for me above and beyond OSHA. We're
22 able to ensure that we're able to make the work environment
23 a safe place for everyone. And I really strongly feel that
24 unions are an important part of the workplace.

25 MS. FOX: Thank you.

1 MS. KRONNER: Thank you.

2 MS. FOX: Next will be Marc Gazd.

3 UNIDENTIFIED SPEAKER: Who's after that?

4 MS. FOX: Jerry Young.

5 JERRY YOUNG

6 MR. JERRY YOUNG: Good morning. Jerry Young,
7 Y-o-u-n-g, commenting on Rule Set 2019-073 LR. Currently
8 reside in Monroe, Michigan. Lifelong resident of Michigan.
9 I've come here today to voice my support for a fair and
10 stable cannabis recreational industry. I believe the labor
11 peace agreements will make the cannabis industry more
12 diverse. We need to ensure that women and people of color
13 are able to participate in this growing cannabis industry.
14 Access to representation will ensure that. Broad range of
15 workers will benefit from the growing industry, especially
16 workers from communities that have been disproportionately
17 impacted by marijuana being illegal in the past. That's my
18 comment. Thank you very much.

19 MS. KRONNER: Thank you.

20 MS. FOX: Thank you. Next will be Katherine
21 Kreger followed by Ashley Hubbard.

22 KATHERINE KREGER

23 MS. KATHERINE KREGER: Good morning. My name is
24 Katherine Kreger, K-r-e-g-e-r, and I'm here for the Rule Set
25 2019-073 LR. I am currently a Warren resident. I have come

1 here today to voice my support for a fair and stable
2 recreational cannabis industry in Michigan. I support the
3 labor peace language and the regulations. I am 46 years old
4 and I have lived in Michigan for the past 32 years. I have
5 four children, three grandchildren. I have been a member of
6 my union for the last five years and I know what a
7 difference a union can make. In my previous job I did not
8 have a union and they let me go after 11 years of service.

9 The marijuana industry is going to create a lot of
10 jobs for Michigan and labor peace agreements will ensure
11 that those jobs are good jobs. I believe that all workers
12 should be treated fairly and work in safe environments. The
13 cannabis industry is going to create a lot of jobs and labor
14 peace will ensure that workers know what to expect from the
15 jobs and they get paid good and safety training, and they'll
16 have the safety training that is needed. Thanks for the
17 opportunity to comment.

18 MS. KRONNER: Thank you.

19 MS. FOX: Ashley Hubbard, followed by Robin
20 Schneider from the Michigan Cannabis Industry Association.

21 ASHLEY HUBBARD

22 MS. ASHLEY HUBBARD: Hello. My name is Ashley
23 Hubbard, H-u-b-b-a-r-d, and I'm commenting on Rule Set
24 2019-073 LR. As a resident of Detroit, Michigan, I have
25 come here today to voice my support for a fair and stable

1 recreational cannabis industry in Michigan. I support the
2 labor peace language in the regulations. I'm a lifelong
3 Michigander who has lived all of my 34 years here in
4 Michigan. My husband and I are raising two children, an 8-
5 year-old and a 3-year-old. I am not worried about my kids
6 being around cannabis stores. They seem highly secure and
7 not a danger to the community. I believe that all workers
8 deserve to be treated fairly and work in safe environments.
9 Labor peace agreements will make sure that the jobs in the
10 marijuana industry are well paid, safe, and family
11 sustaining jobs. Thank you for the opportunity to comment.

12 MS. FOX: Thank you.

13 MS. KRONNER: Thank you.

14 MS. FOX: Robin Schneider, from the Michigan
15 Cannabis Industry Association followed by Tim Beck, Safer
16 Michigan Coalition.

17 ROBIN SCHNEIDER

18 MS. ROBIN SCHNEIDER: I'm Robin Schneider,
19 S-c-h-n-e-i-d-e-r. I'm the executive director of the
20 Michigan Cannabis Industry Association. We're the state's
21 largest cannabis association representing 200 legal and
22 legitimate businesses. We serve as a unified voice for our
23 members who are working hard to build this exciting new
24 industry. Prior to my role leading the association I served
25 as the finance director for the Coalition to Regulate

1 Marijuana Like Alcohol, the ballot committee that led MRTMA
2 to victory. We would like to thank the agency for all the
3 time and hard work that it has put into implementing the
4 will of the voters and promulgating this set of rules before
5 us today.

6 When our association launched one year ago, our
7 very first founding principle was to advocate for a fair and
8 equitable licensing program. The new agency has done an
9 incredible job of streamlining that process and we are
10 grateful. However, recently many of our members who are in
11 the middle of their build outs have run into construction
12 slowdowns, issues at the county and local level, and their
13 prequalifications are expiring. We would like something
14 added to the rules to give them more time without having to
15 reapply when their prequalifications expire, as long as
16 they're actively moving their construction projects along
17 to, just to give them a little more time and keep our
18 industry moving along.

19 Our members would like the ability to remediate
20 and retest as many times as possible, so we want to make
21 sure that they're able to -- whether it's more dry time that
22 the product needs or the ability to use UV lighting or a
23 willow machine, we want to give them as many opportunities
24 as possible to get that product into the market. Our
25 members would also like the ability to freeze and store

1 fresh, frozen, trim or flower or biomass at the processors,
2 not just as it grows, and so they would need to transfer
3 that product while it's wet over to the processors. It just
4 makes sense for companies, especially if they're vertically
5 integrated, to be able to do all of that in their
6 processors.

7 We'd like the state to clarify exactly under which
8 circumstance the growers would be forced to sell their
9 products. We understand the intent is to stop stockpiling
10 during a shortage, but our members want clarity as to
11 exactly what that threshold would be or when that would be
12 flagged as a forced sale. Our lab members have some serious
13 concerns about the removal of batch sizes and would like the
14 Department to reconsider this among several other technical
15 items that you'll find in our written testimony.

16 The majority of our members are opposed to the
17 mandated signing of union peace agreements and would like
18 this language removed from this rule set. We certainly did
19 not include it in the ballot initiative language and we
20 don't think that the state should be including it through a
21 rule set. We would like the state to reassess testing
22 action limits and use rates in a meaningful way, and in
23 accordance with APA guidelines, follow the rulemaking
24 process to make sure they're enforceable. The rest of my
25 comments can be found in our written testimony. Thank you.

1 MS. KRONNER: Thank you.

2 MS. FOX: Tim Beck, from the Safer Michigan
3 Coalition, to be followed by David Seman from Midori Farms.

4 TIM BECK

5 MR. TIM BECK: Thank you, everyone. My name is
6 Tim Beck. I played a very, very critical role in getting
7 medical marijuana passed into law in 2008, and I gave a hand
8 to getting it legalized and, you know, but I never did it
9 for money. Okay. So I can say what I can say because I
10 don't need a license from you, okay, and I don't -- and I'm
11 not a consultant for anybody. All right?

12 Now, I guess I'm addressing this to you all and
13 I'm also addressing this to another person who is not in the
14 room. That person's name is Gretchen Whitmer. And I say
15 that because I -- Andrew and your staff, you're bright
16 people in my opinion and I can't even in my wildest
17 imagination see how you could come up with a cockamamie
18 scheme like this. Okay? Now we all know the Governor was
19 treated badly when she was in the minority in the
20 legislature by the GOP. We know that she was helped by
21 unions to get elected. So it's payback time. Payback for
22 Republicans and a payoff, okay, to her union friends. Okay.
23 I'm just telling it straight. And, you know, this is not
24 going to stand. It's wrong. I'm speaking the way I can
25 because there's other people that are afraid to cross you.

1 Okay? And they're not going to really want to really say
2 what's really going on.

3 And, again, this is crazy. It's not going to
4 stand if it's not stopped in the administrative rules
5 committee. Well, the GOP was never our friend for
6 legalization and the mainstream business community was never
7 our friend and none of them did anything for us. But
8 believe me, they don't like what you're doing with this
9 labor peace agreement singling out our industry as guinea
10 pigs. Okay? Yeah, guinea pigs for a failed experiment
11 which some believe will lead ultimately to the forced
12 licensing of anybody that needs a license. Okay. This is
13 some of the fears out there. And, again, I just really hope
14 this thing works out because -- and, again, I respect you
15 all and I hope in the end when this thing fails, which I
16 believe it will in the administrative rules or in court, I
17 hope you're not hung out to dry, okay, frankly. That's how
18 I see it. So I'll leave you with that. You know, hey,
19 peace, love, and my condolences. Thank you.

20 MS. KRONNER: Thank you.

21 MS. FOX: Cody Decker who will be followed by Rick
22 Thompson.

23 CODY DEKKER

24 MR. CODY DEKKER: My name is Cody Dekker, C-o-d-y
25 D-e-k-k-e-r. Good morning. I'm here to give testimony in

1 support of the labor peace agreement rules under current
2 consideration.

3 My name is Cody Dekker. I am 35 years and a
4 lifetime resident of Michigan. I have worked in the
5 cannabis industry here for the past nine months as a
6 cannabis consultant, otherwise commonly referred to as
7 budtender. Budtenders are the people who help patients
8 match their medical conditions and symptoms with the
9 products that will hopefully help relieve those symptoms and
10 conditions. For six of those months I worked at Lake Effect
11 in Portage, Michigan, and for the past three months I worked
12 at Herbology at Kalamazoo, Michigan. It is clear to me that
13 a labor peace agreement is presently needed in the cannabis
14 industry and that currently we as workers have no
15 representation or power as the industry booms and a few
16 people make millions and millions of dollars. This
17 agreement would give workers the ability to join together
18 and negotiate with their employers.

19 I have been personally negatively impacted by the
20 lack of a labor peace agreement. I was retaliated against
21 and fired for simply attempting to organize my fellow
22 coworkers for better wages and conditions from Lake Effect.
23 This affected my health care, income, and mental health. I
24 had been saving to buy my first home. Most of my savings
25 had to be used to help me survive while I went with no and

1 under employment because of the illegal and unfair actions
2 of this business. I have chronic health conditions that
3 makes health care especially important to my well-being.
4 Worrying about not having it contributed greatly to my
5 anxiety which is something that affected my quality of life
6 immensely. I didn't do anything wrong to deserve that
7 treatment. I worked hard and played by the rules.
8 Companies should do the same thing.

9 Labor peace agreements are necessary in ensuring
10 that these negative and difficult consequences do not happen
11 to other workers in my situation. Workers should feel free
12 to organize for better working conditions. They should not
13 fear retaliation for trying to make better lives for
14 themselves. A labor peace agreement will help workers feel
15 safer voicing their opinions and working together to make
16 life better for everyone. By passing these rules, you will
17 set a strong signal that you are on the side of Michigan
18 workers. Companies that benefit from Michigan's labor force
19 must be held to fair and accountable standards. This labor
20 peace agreement will ensure that companies are less likely
21 to engage in illegal labor practices such as in my situation
22 and will protect other workers in the future which should be
23 a primary concern of our elected officials.

24 Workers are the lifeblood of our economy. People
25 spend a large part of their lives working and they deserve

1 the best conditions and highest wages possible for their
2 contributions. A labor peace agreement allows us to at
3 least organize for that. I strongly urge you to pass these
4 rules as soon as possible. People's livelihoods are at
5 stake at this very moment. Thank you.

6 MS. KRONNER: Thank you.

7 MS. FOX: Rick Thompson on behalf of Mi CBD, and
8 following Mr. Thompson will be Derryl Reed.

9 RICK THOMPSON

10 MR. RICK THOMPSON: Good morning. Let me just say
11 how great it is to attend an MRA meeting and not a -- of
12 Rick Johnson. Good morning. A couple of you got it. Both
13 the medical marijuana and adult use cannabis programs were
14 the result of citizen directed initiatives. First and
15 foremost those initiatives laid out personal freedoms and
16 individual rights. The MRA has been given the
17 responsibility of administering the Michigan Medical
18 Marijuana Act which contains all personal protections and no
19 formal business outline; the Legalization Law which outlines
20 personal freedoms and citizen rights first, then describes a
21 supportive business system; and the MMFLA which is an
22 exclusively business regulatory program. If all the MRA
23 does is focus on the issuance of licenses to businesses, you
24 will have abdicated your greatest responsibility ensuring
25 those personal freedoms and citizen rights are not infringed

1 upon. To fail in that role and you will fail, and made
2 real, all the fears citizens have about being unable to
3 trust government to run anything.

4 The MRA is the sole agency charged with the
5 protection of approximately 300,000 medical consumers and
6 seven million current and potential adult use consumers.
7 The business licensing aspect of the MRA remains a secondary
8 purpose. The prime directive is the administration and
9 protection of those personal freedoms contained within
10 citizen dictated laws.

11 When conflict exists between the rights of
12 citizens and the rules which create advantage for business,
13 the rights of citizens must always prevail. Citizen rights
14 supercede business advantage every time. You cannot create
15 rules which criminalize common behaviors just to provide
16 protectionism for a particular license type. For example,
17 the current definition of a social use lounge is overly
18 broad. Other speakers will probably detail the concern
19 citizens have regarding this overstep. But enacting these
20 regulations will make accidental criminals out of every day
21 cannabis consumers and that's the opposite of the mandate
22 set forth by the passage of Prop 1.

23 There are similar concerns regarding a special
24 event promoter's license. I'm hearing the MRA feels that
25 Hash Bash and Monroe Street fairs need to acquire a special

1 event promoter's license in order for them to operate, but
2 that would be a significant overreach. There's no admission
3 charge, nor are there vendors selling cannabis at either
4 event; therefore, these seem to not meet the requirements of
5 a special event description. No MRA approval should be
6 needed for those events.

7 But make no mistake, patients and cannabis
8 consumers are under attack in 2020 Michigan. Detroit's
9 chief of police recently called cannabis "dope" in a recent
10 interview multiple times. Brian Kelly went on Michigan
11 Public Radio recently and said, "All cannabis businesses in
12 Michigan are committing federal money laundering schemes
13 every time they make a bank deposit and so are ancillary
14 industries who never touch a plant." Now, the Michigan
15 Department of Health released a series of videos portraying
16 cannabis users as fat losers with no jobs or friends.

17 Remember, there's only one agency in Michigan
18 charged with the protection of patients and adult use
19 cannabis consumers. That agency is the MRA. Prop 1 reduced
20 penalties for violations of personal use laws. We made
21 sharing cannabis and transfer without remuneration legal
22 acts. The vote of the people sent a clear message to
23 government: Stop criminalizing casual cannabis behaviors
24 and get government out of our weed bags. Unless there's a
25 threat to public health and safety, leave cannabis consumers

1 alone. Thank you. To whom can I leave these (indicating)
2 as a copy? Thank you.

3 MS. FOX: Thank you. Derryl Reed, followed by
4 Devin Loker.

5 DERRYL REED

6 MR. DERRYL REED: My name is Derryl Reed and
7 that's spelled D-e-r-r-y-l R-e-e-d. Good morning to the
8 distinguished members of the MRA. You have been charged
9 with holding public hearings to hear public comments on the
10 proposed regulations that will implement recreational
11 marijuana. I rise as a concerned citizens, as a resident of
12 the 14th congressional district, a resident of West
13 Bloomfield. I would like to make a few comments and ask a
14 question.

15 One year ago last October I was involved in a
16 serious auto accident hit from behind. After waking up in
17 the hospital I was told it took the police 20 minutes to
18 remove me from my car. Doctors told me I was lucky to be
19 alive and even luckier I was not paralyzed. After a
20 thorough examination, I was rushed into surgery where
21 doctors fused my 5th, 6th, and 7th vertebrae together.
22 During my recovery period I experienced excruciating pain
23 and suffering, so you can understand why I completely
24 support the legal use of medical and recreational marijuana,
25 cannabis products.

1 I appear before you this morning not representing
2 any political party, union organization, or cannabis company
3 or growers, but as a concerned resident of Michigan, Wayne,
4 and Oakland County.

5 By profession I'm a marketing professional and
6 have served as the assistant vice president of marketing for
7 TIAA-Cref, the world's largest private pension company; a
8 director of marketing in the wine and spirits industry; and
9 a director of marketing with Ameritech and a member of their
10 steering committee for their political action committee
11 working with members of Congress just to mention a few of
12 the positions I have held in my career. In addition, I have
13 served on the advisory board and board of directors for
14 multiple colleges and universities.

15 As you know, it is estimated that adult use of
16 cannabis in Michigan could exceed \$650 million by 2022.
17 That number got my attention is why I'm here today. As a
18 marketer, not only do I pay attention to what is going on,
19 but also focus on details and how things will be done.

20 After a preliminary research of information about
21 how this program would be implemented, although not an
22 exhaustive study, I came across a recommendation by one of
23 the unions. Their recommendations made a lot of sense to
24 me. It was called the labor peace agreement. I support the
25 concepts in this proposal and urge the MRA to incorporate

1 these recommendations in your final guidelines and will
2 regulate -- they will regulate the use and sale of
3 recreational cannabis in the state of Michigan.

4 My two primary concerns are this. Number one,
5 diversity. There is a need to address diversity in the
6 marketplace by providing equal opportunity for women, people
7 of color, LGBTQ individuals, veterans, and people's with
8 disability to own businesses at an affordable price, or who
9 want to work within the industry. After all, these are also
10 taxpayers. The second one is fair compensation is needed.
11 Since the industry is projected to be a \$650 million
12 industry, employees in this industry, like employees at
13 Walmart, must receive fair living wages, health insurance,
14 paid vacation, and retirement benefits.

15 My two questions for you to consider during your
16 deliberation is what will the Michigan Marijuana Regulatory
17 Agency do to ensure diversity at all levels in the industry,
18 at all levels of employment? And number two, what will the
19 Michigan Marijuana Regulatory Agency to ensure fair
20 compensation at all levels of employment and that licensees
21 invest resources back into the communities in which they
22 generate revenue to enhance those communities? Thank you
23 very much, Derryl Reed, a concerned citizen. Thank you.

24 MS. KRONNER: Thank you.

25 MS. FOX: Devin Loker followed by Jeff Ferro.

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DEVIN LOKER

MR. DEVIN LOKER: Good morning. Thanks for putting this on this morning. I've really just got one particular issue to discuss. Around a year ago we went from under 40 pre-quals at the licensing meetings to over a hundred. So here and going forward we're going to have a lot of pre-quals come up on their one-year timeline, whether there may be an extension or may be a denial, whether it's a 30-day extension policy that gets -- looks like is being developed is probably not realistic for any of these cultivation facilities. Anybody that got pre-qual'd and then went out for a municipality to hunt for real estate really doesn't have that kind of timeline to build a cultivation facility. Extensions like 30 days may work for retailers, but any grower is going to have a hard time putting that together in under a year. So maybe we look more at an extension that is a year, maybe these things should go in perpetuity. But simply demanding that these pre-qualified applicants go back to the beginning, withdraw their step two and act like they're stopping their project and give another 6,000 up, they just don't have the bandwidth to stop the project that they're doing. They need to meet with electricians and HVAC and builders and not go back to my office to talk about application work. So we need to do something for these cultivators. Give them a

1 one-year extension at a minimum. Thank you.

2 MS. KRONNER: Thank you.

3 MS. FOX: Jeff Ferro, to be followed by Brandon
4 Campbell.

5 JEFF FERRO

6 MR. JEFF FERRO: Good morning. Jeff Ferro.
7 Director Brisbo, thank you very much for putting this
8 together after the challenges we had. The more you work
9 around cannabis, you'll find that this stuff happens
10 everywhere and all the time. So you really pulled it
11 together well.

12 I -- my name is Jeff Ferro. I run the Cannabis
13 Bookers Rising program for the UFCW International. As a
14 side gig, I was one of the 7,000 persons in California that
15 requested to be on the advisory committee under Prop 64. I
16 was selected by the Department of Consumer Affairs and then
17 elected by stakeholders which included operators, ancillary
18 businesses, health care professionals, law enforcement, and
19 I'm the chair of that committee for the state of California.
20 So I've gone through the emergency reg process and
21 recommending. I've gone through the permanent reg, and now
22 we're kind of been looking at what the permanent regs look
23 like and what we do to fix them. My procedure was let's
24 build a foundation that we can build from, let's not build a
25 straw house that can flop.

1 So I'm really here today to talk about labor peace
2 because that's my real background. I -- you know, I think
3 it's good for the state. It's good for workers. It's
4 actually good for employers, at least the kind of employers
5 that want to do great by the state, and the reason I say
6 that, because there's really no negatives. There's plenty
7 of employers that we've talked to in the multiple states
8 that have this that we don't end up organizing. It's the
9 worker's choice and sometimes it also the employer is not in
10 a position to be able to handle those kind of challenges or
11 prepared to do the really difficult things that are required
12 to track and -- they're worrying about running their
13 business and we understand that. So we don't pressure those
14 folks. But what we do try to do is set a standard. So even
15 if they're not union, they know that they're going to set
16 the high standards to ensure that consumers are protected.
17 They're going to employ people that reflect their community.
18 They're going to, you know, institute processes that allow
19 workers to be trained and skilled so they're not pigeon
20 holed only into this industry, that they develop skills,
21 whether they're cultivating, manufacturing, retailing, or
22 doing testing processes and those processes hopefully will
23 be something that allows a confidence for the consumers,
24 doctors and everybody else. So it has an expanding effect
25 for the industry. You'll get more support.

1 Again, we think labor peace is a really important
2 part of this because it creates a conversation between the
3 employers. You know, what our members, what future members,
4 and what workers need in here are often the same challenges
5 that employers have, whether that's access to banking,
6 responsible taxation, access to real estate, local
7 governments challenges on licensing; all the things we've
8 heard people talk about here, they're the challenges to our
9 members. Their ability to grow in this industry, their
10 ability to own in this industry are all tied to the
11 foundation that you create now and those foundations will be
12 better if there's labor peace and we can work with employers
13 in this industry. So with that, I thank you for your time
14 and good luck with your deliberation.

15 MS. KRONNER: Thank you.

16 MS. FOX: Brandon Campbell and up next will be
17 Tonya Mora. And as a reminder, please spell your last name.

18 MR. BRANDON CAMPBELL: Okay.

19 MS. FOX: Thank you.

20 BRANDON CAMPBELL

21 MR. BRANDON CAMPBELL: My name is Brandon
22 Campbell, C-a-m-p-b-e-l-l. Two things, one is a
23 clarification and one is a suggestion. As far as the
24 clarification goes, that's -- for me, it's more of the micro
25 business and it has to do with the plant count versus a

1 flowering and veg. There seems to be a little bit of gray
2 area on the quantity of plants. And then as far as a
3 suggestion would be for a caregiver. It seems like the law
4 is kind of set up to put caregivers in a gray area with the
5 amount of product that you can process from a plant. I was
6 wondering if the MRA is doing any considerations in possibly
7 getting some sort of licensing or avenue for caregivers to
8 move their product to processors or dispensaries, one, to
9 help get it off the street and keep it into a taxable
10 scenario and to also help prevent caregivers from kind of
11 being in a gray area and kind of unprotected from the law
12 with the intent it was designed for. So that's really my
13 two things that I'd like to bring up.

14 MS. KRONNER: Thank you.

15 MS. FOX: Tonya Mora? Next will be Derek Dobies
16 to be followed by Miranda Burnham.

17 DEREK DOBIES

18 MR. DEREK DOBIES: Thank you. I'm here to speak
19 in support of the regulations. I'm the mayor of Jackson,
20 Michigan, birthplace of the Republican party, a city that
21 has 38 percent of the city living under the federal poverty
22 level.

23 We've been hit hard by the consequences and the
24 disparate impact of the criminalization of marijuana. We
25 opted into medical marijuana and I believe we were, because

1 of the proximity of our meeting to the election, the first
2 community to opt into adult use marijuana. With the
3 legalization of medical and adult use in the state, we
4 believe it presents an opportunity for both the state and
5 municipalities across our state to think intentionally about
6 the ways in which we craft policy, to reverse that impact
7 and help create a more equitable playing field for those
8 most harmed under the previous system. That's why I'm here
9 today to speak in support of a fair and stable recreational
10 cannabis industry in Michigan and why I also support labor
11 peace language in those regulations.

12 We believe this new industry combined with a well
13 regulated market creates an opportunity for more stable and
14 sustainable business climate and allows for the equitable
15 redevelopment of urban corridors like Jackson. That's
16 exactly the approach that we've taken in constructing our
17 own regulatory environment in Jackson. We've incorporated
18 rigorous building design standards and other worker oriented
19 policies and scoring criteria that allows to ensure that new
20 businesses and developments coming into our community are
21 good for our community.

22 Jackson has positioned itself to gain the fruits
23 of that labor through multimillion dollar developments
24 slated for preliminary license approval just in the last two
25 weeks. With our high standards we've ensured the businesses

1 have clear span buildings, large amounts of fenestration,
2 tree canopy, everything from solar panel carports and other
3 attractive design features, but they've also committed to
4 paying their workers more than double the minimum wage,
5 providing them with health care with no more than 1,000
6 percent out-of-pocket costs, six percent deferred comp for
7 retirement, and those that are building the buildings will
8 be paid at least ten percent over Davis-Bacon wages. These
9 were just some of the conditions in our scoring criteria and
10 those commitments are a win for cities like Jackson. And
11 under those criteria, businesses are still tripping over
12 themselves to get the most points in our criteria to get --
13 to secure a license because they believe that they can still
14 turn a profit even under those rigorous standards.

15 Our criteria coupled with the initial approval of
16 only a few licenses provides a great amount of competition
17 for businesses to actually compete to pay their workers more
18 and to give them better benefits. Regulation of the
19 marketing and control of the licensing process allows for
20 market stability, provides those businesses and investors
21 the confidence to know that they can invest large sums of
22 capital and not have their market share depleted before
23 establishing themselves.

24 As a mayor that works with businesses every day I
25 can tell you that businesses want that stability and that's

1 why labor peace agreements -- or that's what labor peace
2 agreements can further provide. They're one more arrow in
3 our quiver to ensure that we're building a fair and just
4 regulatory environment that rests on early strong
5 relationships between labor and management. Entrepreneurs
6 and developers investing in this industry have certain
7 assurances from their labor force so that they can have the
8 confidence that they'll generate a fair return on their
9 profit. They also assure those jobs, local jobs, are well
10 paid, safe, and family sustaining jobs. Labor peace
11 agreements are going to reward responsible businesses,
12 ensure that Michigan's cannabis industry is driven by
13 companies committed to making long term investments in local
14 communities, in urban corridors like Jackson. We have an
15 opportunity to ensure these businesses don't just become the
16 next liquor store on the corner and that that's accomplished
17 by high standards and giving workers the power through labor
18 peace agreements.

19 Down in Jackson we're undergoing a renaissance
20 because we've held ourselves to a higher standard, held
21 businesses to a higher standard in terms of their building
22 design standards, among other factors, past policies to
23 prohibit discrimination in the workplace and unfair labor
24 practices, partnered with the business community to create
25 sustainable, equitable growth in our city. And we've taken

1 the time to build a local regulatory environment to ensure
2 that same sort of stable, sustainable, equitable growth is
3 also reflected in our blossoming marijuana industry. We ask
4 that Michigan adopt these rules, allow for labor peace
5 agreements, and give the industry more tools to support
6 communities like Jackson. So, thanks for the opportunity to
7 comment.

8 MS. KRONNER: Thank you.

9 MS. FOX: Thank you. Miranda Burnham followed by
10 Roma Thurin.

11 MIRANDA BURNHAM

12 MS. MIRANDA BURNHAM: Hello. I'm Miranda Burnham,
13 B-u-r-n-h-a-m. I'm a student at Oakland University. I'm a
14 senior in the environmental health and safety program. I
15 also worked nine years in the automotive packaging industry
16 to support green initiatives for GM for their zero waste
17 policies, or plans, goals.

18 This semester my water quality course challenged
19 students to review regulations on sustainability. The paper
20 that I wrote on marijuana waste removal, which is next to
21 Jessica, that is endorsed by the Michigan Cannabis Industry
22 Association. Current legislation limits the waste stream to
23 landfill, compost, in-vessel digestion, and incineration.
24 These methods do not consider landfill capacity issues, air
25 quality concerns, or environmental impacts that cannabis

1 waste can influence. New technology from Canada offers the
2 ability to turn cannabis waste into clean water that meets
3 municipal effluent discharge standards so it can be reused
4 for human consumption or for plant consumption. The plant
5 itself is 80 percent water, so to incinerate it is kind of
6 wasteful with that. There's also remediation technology and
7 extraction processes that exist to remove the active
8 pharmaceutical ingredients from marijuana such as the THC
9 and the terpenes which essentially renders it as harmless as
10 hemp, meaning it can be reused and recycled. But right now
11 the way that the standard is worded, it doesn't allow for
12 that.

13 Limiting waste streams discourages entrepreneurs
14 from developing the sustainable waste options. So to
15 encourage the research and design towards the future of
16 innovative technologies that allow more sustainable methods
17 for the disposal/reuse/recycling of marijuana or cannabis
18 products, the law needs to be less restrictive to allow for
19 that technology to be developed. Verbiage as simple as
20 adding a Rule 37(5)(e) -- right now it stops at (d) -- this
21 might say "or an alternative method not listed with written
22 approval from the state." So it would give the flexibility
23 for new technology to be developed, but also to be used by
24 the industry. Thank you for your time.

25 MS. KRONNER: Thank you.

1 MS. FOX: Roma Thurin and after Roma will be Kelly
2 Young.

3 ROMA THURIN

4 MS. ROMA THURIN: Good morning and thank you. I
5 would like to state I'm Roma Thurin, T-h-u-r-i-n, Thurin Law
6 Group. I am in support of the rules and I am not going to
7 speak to several of the global matters such as labor peace
8 agreements and extending prequalification, which I was
9 scheduled to, but I want to put on record some of the more
10 technical matters that impact my clients.

11 First, Rule 420.204, allowing vertically
12 integrated entities to have one interest and exit point of
13 entry versus multiple, that would help, too. My
14 recommendation is to remove that unnecessary requirement.
15 420.204, having one camera system versus multiple camera
16 systems for vertically integrated entities, I would suggest
17 that. It could help coordinate and allow the IT departments
18 of those various different licensees to regulate how they
19 utilize their equipment within their facilities. Escorting
20 non-employee individuals, perhaps we could put some language
21 in 420.209(2) where we have trusted contractors that come
22 into these facilities that have been thoroughly screened to
23 be able to do the work that's necessary, requiring an
24 employer to escort someone in the facility the entire time.
25 Depending on the type of work that's being done is really --

1 it's a lot of a requirement on a particular licensee. To
2 have cameras continuously operating for 24 hours, perhaps
3 the agencies could consider motion sensor cameras instead
4 of -- and taking out the recommendations to take out the
5 continuously operating will be helpful. That's in 402.209.
6 Waste management onsite, the requirement of bringing
7 additional outside materials into a facility adding possibly
8 additional contamination, not keeping the facility sanitary,
9 that would be 420.011. I have lots to say about heavy metal
10 testing, but I will reserve that for writing.

11 But I do appreciate when changes are made that
12 there's some language added into the rules that will allow
13 for a grace period. I believe when the nickel change came
14 on board, the agency did allow for that to occur but from
15 some notice up front with any changes into the rules and
16 regulations and testing requirements in them allowing a gray
17 spirit to exist would be helpful, especially in implementing
18 new standards.

19 Testing product when you're co-located, moving
20 that. I know that there's been some movement to allow
21 entities to ask for particular permission from the agency
22 and for various different matters. I represent small to
23 mid-size entities and to be able to have that information
24 shared throughout the industry would be helpful. A lot of
25 smaller operators do not have the ability to -- or don't

1 understand and they are learning and gaining to that point,
2 but to be able to have those types of exceptions made
3 globally throughout the industry as they are coordinated.

4 And then just to bring up again the opportunity to
5 allow technology to play its rightful role in the mediation
6 and I believe that is in Rule 333.246. Also, just to also
7 consider with the shortage of product. If you are going to
8 impose a rule where you're restricting -- if the rule is
9 changed so that people are allowed to restrict sale of
10 products to who they want to sell that product to, I think
11 you should counter that with allowing caregiver product to
12 be allowed to come into the marketplace. Thank you.

13 MS. KRONNER: Thank you.

14 MS. FOX: Kelly Young who will be followed by
15 Allison Ireton.

16 KELLY YOUNG

17 MS. KELLY YOUNG: Good morning. My name is Kelly
18 Young, K-e-l-l-y, last name Y-o-u-n-g. And I have been
19 following this path for a couple of years now and just want
20 to congratulate you guys and say thank you very much --

21 MS. KRONNER: Can you speak into the mic? Sorry.

22 MS. KELLY YOUNG: Oh, yeah. I wanted to
23 congratulate you guys on your hard work and also thank you
24 very much. The progress that you've made in this last year
25 is huge. And as I'm looking to getting my licensing, you

1 know, I've been tossing between whether I'll be large or
2 whether I'll be small. I'm a caregiver right now and so,
3 you know, I'm in favor of giving the caregivers an ability
4 to be able to kind of work like the cottage industry. I
5 came from the grocery store background and so when I look at
6 GNP standards for some smaller entities, I look at it as
7 inhibiting that small entrepreneur in being able to kind of
8 get their feet onto the ground. And so when I look at the
9 MMRTMA and the laws that we passed as voters and wanting to
10 regulate marijuana like alcohol, I often think back of,
11 well, is -- you know, are the things that we're setting
12 forth for cannabis, are they inhibiting the small person or
13 are they really working with the -- the -- the small person
14 to be able to get their feet on their ground?

15 So couple things, the labor peace agreement, I
16 look at it, you know, for me, I've hired people at \$30 an
17 hour. I can't necessarily afford it, but I know that that's
18 the right thing to come back into my -- my communities.
19 However, if I was mandated to have to be a union and maybe
20 just a microbusiness and having only five employees, that
21 doesn't necessarily make sense for me. And so maybe if
22 you're looking at labor peace agreements, look at the size
23 of the company, the amount of profit and revenue that
24 they're bringing in, and look at standards that they would
25 need to follow by versus kind of encroaching the small

1 person. You know, we have state laws on employment and how
2 people are supposed to be treated and so I'm not sure that a
3 labor peace agreement is needed in a full entirety to cover
4 the full scope from small to large.

5 I also was looking over the zoning requirements
6 last night and as I did my own ballot initiative in my local
7 town, which will get voted on here in a few weeks, you know,
8 one of the things that I noticed was a difference between
9 the MMFLA and the MMRTMA in regards to cultivation. And
10 maybe I misunderstood, but I would just ask for some
11 congruency there, that based on each local municipality and
12 what they're zoned for, having that dictate what types of
13 businesses are eligible to be in what types of location.
14 So, for example, I wrote as an excuse to allow for
15 cultivation processing because that's all that my little
16 village has. We don't have industrial that made sense. And
17 so I would ask for you to take a look at -- at giving that
18 power back to whatever that local municipality is or what
19 the people voted for. So with that being said, I just want
20 to thank you very much for your time and keep up the hard
21 work.

22 MS. KRONNER: Thank you.

23 MS. FOX: Allison Ireton who will be followed by
24 Christina Montague.

25 ALLISON IRETON

1 MS. ALLISON IRETON: Good morning. My name is
2 Allison Ireton, I-r-e-t-o-n, and I'm from Huron Valley Law
3 Associates in Ann Arbor. I represent what I call a group of
4 self-funded entrepreneurs that have a few million personally
5 invested and in loans, but they are not, you know, beholden
6 to private equity or outside of the state of Michigan
7 investors, just so you get an idea of who I'm speaking on
8 behalf of.

9 I'm here to talk today about two things, primarily
10 the testing protocols and then secondarily the labor peace
11 agreements. First of all, for the processors that I
12 represent and the growers that I represent, testing
13 protocols new and changed or, you know, change limits seem
14 to come out with no warning. There's no kind of, like,
15 heads up, "Hey, we're going to start testing for this." And
16 that -- that I thought was just curious because if you think
17 something is going to be an issue, maybe you talk about it
18 in a forum like this first, get some feedback, get some
19 input from real scientists, and then say, you know, "we're
20 going to roll this out." And with the exception of the vape
21 cartridge -- you know, I understand the emergency that the
22 vape cartridge crisis, you know, presented and people were
23 happy to comply with that and understood why. I'm not a
24 scientist, but several of my friends are that teach at the
25 University of Michigan and they are, you know, tenured

1 professors, researchers. When we go on our weekend run and
2 I talk to them about all the testing changes that are going
3 on, they kind of scratch their heads and they're like,
4 "Where's the science behind this? Why did they do this" and
5 "Why did they do that" and I don't have an answer for them.
6 And I show them the documents and I show them the testing
7 protocols and they're just like, "This isn't science." So I
8 would appreciate, my clients would appreciate a heads up, an
9 ability to give feedback, an ability to talk to a scientist,
10 "Is this a real concern or not?" So with -- specifically
11 with the testing protocols, remediation for TYM, total yeast
12 and mold, why is it only allowed to be tested twice? Why
13 not a third time? Testing is not exact. They take random
14 samples. So sometimes it passes and then the second test
15 fails after the remediation has been done and it fails by a
16 hair. So why not allow that person to go back a third time?
17 If they're willing to pay the cost to keep retesting, why
18 not allow that third -- the third try? If you give me a
19 scientific reason of why that's dangerous to the public,
20 that's fine. I'll stop arguing for it. But until I hear
21 that, it makes no sense.

22 The second thing, if the medical flower fails for
23 TYM but it passes for rec because they're two different
24 levels or adult use, allow a hundred percent of that to be
25 transferred into adult use, not just 50 percent. So that

1 would be another request.

2 Okay. Briefly about the labor peace agreements.
3 I wasn't planning on speaking about them today, but I heard
4 a lot of things today out in the hallway that just don't
5 make any sense to me when people -- about people's
6 impression of what labor peace agreements are here to fix or
7 what they might cure. But, you know, the market is taking
8 care of wages. People are making way higher wages.
9 Competition for trained budtenders is fierce. I know I'm
10 out of time so I'll put the rest of my comments in writing.
11 But I heard a lot of things that just labor peace agreements
12 would not address and things that aren't even problems.

13 MS. KRONNER: Thank you.

14 MS. FOX: Christina Montague to be followed by
15 Maryrose Angelo.

16 CHRISTINA MONTAGUE

17 MS. CHRISTINA MONTAGUE: Last name is Montague, M-
18 o-n-t-a-g-u-e, first name is Christina. I've come today to
19 speak about the lack of diversity in the industry of working
20 with and reaching out to people to get product for your
21 business and things. And I want to tell you, everything in
22 this industry is not fair and equal when you're a African
23 American woman.

24 The other thing I want to talk about is when you
25 get sued because somebody just wants your location. You're

1 in your spot legally, you went through everything your local
2 people have asked you, your local government, and then you
3 get sued and then you have people harassing, threatening you
4 that, "We are going to bankrupt you and bankrupt your
5 business." I think there should be some avenue where people
6 like myself can go to some kind of watchdog, maybe
7 affiliated with the Attorney General's office. I should not
8 have to spend \$100,000 just to be safe, run my business
9 legally, and, of course, pay the attorneys. I just think
10 that we can do it better. And as a black woman been paying
11 taxes all my life, been working in the system, elected
12 official, I think I deserve better than this. We deserve
13 better than this. We should be able -- and I've heard white
14 guys who've told me it happened to them. It's just some
15 people who think they can come in, they got -- they got
16 clients with a lot of money and they sue you and all they
17 want is your location and you have to fight.

18 MS. KRONNER: Thank you.

19 MS. FOX: Thank you. Maryrose Angelo, who will be
20 followed by Jeffrey Hank.

21 MARYROSE ANGELO

22 MS. MARYROSE ANGELO: Hello. Good morning. My
23 name is Maryrose Angelo, M-a-r-y-r-o-s-e A-n-g-e-l-o. I am
24 a caregiver here in Michigan. I've been a caregiver for
25 over three years. I own an organic and vegan edible line.

1 We are currently in the Metrc system through a licensed
2 processor. Before that I was in over 50 stores on my own.
3 I have five employees. And my concern today is the deadline
4 for March 1st. You guys want to pull caregiver products
5 from the processors on March 1st and the micro business laws
6 aren't even finished being written. That is our next
7 outlet. We've done everything that we can to follow
8 standards and compliance via Metrc and LARA and I'm asking
9 for an extension in the deadline for caregiver edibles that
10 are already in Metrc and passing. I've been working with a
11 state licensed lab for over three years and we've never
12 failed. So my question is why does our business have to
13 stop on March 1st while we're going for licensing for the
14 micro business which is not going to happen overnight, or at
15 least for another however long that's going to take. So
16 that is my questions this morning and, yeah, thank you very
17 much.

18 MS. KRONNER: Thank you.

19 MS. ROGERS: Jeffrey Hank, who will be followed by
20 Conner Steinwascher.

21 JEFFREY HANK

22 MR. JEFFREY HANK: Good morning. Jeffrey Hank, H-
23 a-n-k. I was one of the drafters of Prop 1. I'm also a
24 business owner and employee, so I look at this in a lot of
25 different ways. I like to joke around that I like to take

1 credit for all the good stuff in the law and blame the
2 lobbyists, some of whom which you heard from earlier, for
3 the bad stuff. But a couple few points, testing, we've got
4 to get rid of nickel, copper, chromium. A lot of other
5 states do not have those requirements. I have heard from
6 multiple people there is a conspiracy amongst the big
7 growers in the state to implement GNP and testing standards
8 which would prevent outdoor and organic growing. It is more
9 environmentally safe and better for all of us and for
10 patients and customers to have product in the system. We
11 need product in the system. We need supply. If the testing
12 standards are too tough, it will create a further supply
13 shortage. We don't need to be growing in warehouses all the
14 time. It's good to grow on farms and in greenhouses.
15 Michigan soil has nickel, chromium, copper, these things.
16 Other states don't even test for that. So just looking at
17 the testing standards, which you've heard from, including
18 batch testing, is important and to change that so we ensure
19 as many farmers as possible have an opportunity to grow,
20 particularly small farmers.

21 Next point, social equity. I think you need to
22 expand the social equity program to allow social equity
23 applicants to apply in other communities. Since it's
24 limited at this point, most of those communities have not
25 opted in. You can look at Detroit, you can look at East

1 Lansing, you can look at Saginaw. A lot of these places
2 will not allow their own people to apply for social equity.
3 Allowing those applicants to go to other communities or to
4 have a different standard other than the 50.1 percent
5 majority ownership would expand opportunity which is
6 important, which this whole law is about. It's about
7 opportunity. It would create jobs. Just the same thing
8 with the testing standards. Testing standards are too
9 tight, we don't create jobs, we don't create tax revenue.
10 We keep the unlicensed market going and we avoid -- we don't
11 get all the benefits we're supposed to get.

12 Third point, designated consumption lounges. We
13 need rules that would allow for food and beverage at these
14 places. I understand there's local health departments and
15 all that, let them do their thing. But at the MRA level for
16 a viable business and just for common sense, I think we
17 ought to be able to have food and beverage as part of that.

18 So, let's see, we've covered testing, we've
19 covered the need to expand, social equity. We covered
20 designated consumption lounges and I had one other one but I
21 think I'll leave it at that. Thank you very much.

22 MS. KRONNER: Thank you.

23 MS. FOX: Conner Steinwascher? Aubrey Rose, who
24 will be followed by Josey Scoggin.

25 AUBREY ROSE

1 MS. AUBREY ROSE: Good morning. My name is Aubrey
2 Rose. I am here just to show you the patient side of things
3 as well as the employees of caregivers. I quit my full-time
4 job about four months ago now to work for a caregiver full-
5 time because they were able to get in through Metrc, pass
6 all of the testing. I am also a patient so that, you know,
7 is another side. If we stop allowing caregiver product into
8 dispensaries, it very limits the edibles and the
9 dispensaries to be made with distillate only. I have
10 scoliosis back pain along with IBS and that's what I use the
11 edibles for. Distillate does not solve those problems for
12 me. So I would just like to have an extension on that so I
13 could, you know, keep my job while we work on other
14 licensing, and then also have better access to medication.
15 Thank you.

16 MS. KRONNER: Thank you.

17 MS. FOX: Josey Scoggin, who will be followed by
18 Nico Pento.

19 JOSEY SCOGGIN

20 MS. JOSEY SCOGGIN: My name is Josey from Benton
21 Harbor, so represent. I have worked exclusively in the
22 industry for nine years. I was the first minor patient here
23 in Michigan. I have a daughter who's 4-years-old.

24 UNIDENTIFIED SPEAKER: Hold on one second. We
25 want to make sure people can hear you.

1 MS. JOSEY SCOGGIN: Do I have to restart?

2 UNIDENTIFIED SPEAKER: Yeah, please do. I'll hold
3 it here for you.

4 MS. JOSEY SCOGGIN: This is service. You guys do
5 this? Amazing. MRA is doing it. My name is Josey. I'm
6 from Benton Harbor. Represent. I've worked exclusively in
7 the industry for nine years. I was the first minor patient
8 here in the state of Michigan. I love the state of Michigan
9 not only because we have the most coastline, but because
10 we're doing things that make sense. We're legalizing
11 marijuana with social equity. We're legalizing marijuana
12 with provisions for labor peace agreements. Working
13 exclusively in the industry I have worked in gray markets, I
14 have worked in black markets, and I have worked in legal
15 markets. I have a bachelor's degree in HR, in human
16 resources, and I think I can speak articulately.

17 With that being said, I was recently offered \$14
18 an hour for an assistant management position in Portage. I
19 don't know how many of you are familiar with Portage, but
20 the average one-bedroom apartment is about \$1200 a month,
21 also the price of my rent. So I turned that one down pretty
22 quickly. I've never been offered a 401(k) or health
23 insurance. When I first got into the legal market I was so
24 excited. We're going to get health insurance.

25 I had been kicked off my -- I feel like it's

1 important to tell you I had been kicked off my insurance
2 when I turned 21 despite being fully disabled because I was
3 21. The state has a children's special health care which
4 provides help to people under 21 who are disabled before
5 they're 21. So now my insurance, which would use to cover
6 doctor's visits and hospitals and medications, were all out-
7 of-pocket and it costs me about \$87 to refill my
8 prescription of 800 milligram ibuprofen twice a month. I
9 haven't had any prescription refills since we started legal
10 markets. I also haven't been to a doctor in, like, three
11 years.

12 So I think that the main push here is for safe and
13 accessible health care and I think that people are
14 mistakenly believing that the labor peace agreements means
15 unionizing or requiring the union to come in and it's just
16 opening a conversation. So I really want to commend you
17 guys for doing common sense things. I think this is
18 amazing. I'm totally 100 percent and in support of the
19 labor peace agreements. Thank you.

20 MS. KRONNER: Thank you.

21 MS. FOX: Nico Pento, who will be followed by
22 Marco Smith.

23 NICO PENTO

24 MR. NICO PENTO: Good morning. My name is Nico
25 Pento, last name P-e-n-t-o. Just want to take a moment and

1 thank you guys for this opportunity to hear from the public
2 and thank you for all the hard work that you're doing to get
3 these rules done as expeditiously as possible. I have a
4 number of comments that I'll be submitting in writing
5 because they're, you know, very nuanced. But one thing I
6 wanted to bring to attention today is Rule 420.304,
7 specifically (2)(b) which talks about the sample size for
8 harvest batches. It requires right now in written rule five
9 percent of whatever your harvest batch is and the limit on
10 the harvest batch is 15 pounds. So if we do the math on
11 that, that equals three-quarters of a pound of a sample size
12 for testing. That's just too much marijuana to send to the
13 lab. Current practices are usually around a few grams of a
14 harvest batch to get an accurate sample, and so I would just
15 strongly encourage you to reconsider that five percent of
16 the harvest batch because it's just very large. And I'll be
17 submitting deeper dive comments in writing, but I want to
18 put that on notice. Thank you.

19 MS. KRONNER: Thank you.

20 MS. FOX: Marco Smith and after Mr. Smith will be
21 Brandon Massay.

22 MARCO SMITH

23 MR. MARCO SMITH: Good morning. My name is Marco
24 Smith and I currently reside in Charlotte, Michigan. I have
25 lived here for the past 17 years and I have come here today

1 to voice my support for a fair and stable recreational
2 cannabis industry in Michigan. That is why I support the
3 labor peace language and the regulations for both renewals
4 and initial license applications. The marijuana industry is
5 going to create a lot of jobs for Michigan and labor peace
6 agreement will ensure that those jobs are good jobs. There
7 are too many industries in America today where the workers
8 lack a united voice. Every worker deserves the right to
9 create a stable environment for themselves, their coworkers,
10 and managers. I believe when the states create a climate
11 that deters workers from having a united voice, everyone in
12 Michigan suffers. Let's make sure we don't make the same
13 mistake in this industry as we have in others. We have the
14 opportunity here to get this right from the beginning and
15 show other states why Michigan is a great place to live,
16 work, and raise a family. I am raising my family here and I
17 have a child on the way. I want my kids to have the same
18 chance to have their voices united and heard when they enter
19 the workforce as I have. Thank you for the opportunity to
20 testify today.

21 MS. KRONNER: Thank you.

22 MS. FOX: Brandon Massay, who will be followed by
23 Eric Foster.

24 BRANDON MASSAY

25 MR. BRANDON MASSAY: Hello. My name is Brandon

1 Massay from Ann Arbor, Michigan. Last name is M-a-s-s-a-y.
2 Something I've wanted to address for quite awhile is that in
3 my opinion as a grower, the licenses should not be based on
4 the number of plant counts. It should be based on power
5 consumption used. Most properties will have a 200 amp power
6 count and you can roughly get about 30 lights out of those
7 200 amps as well as all your auxiliary systems. Underneath
8 of those 30 lights you could grow one plant a light. You
9 could grow a big plant and you could get 30 pounds of your,
10 you know, depending on how that's divvied out. Now, you
11 also with those same 30 lights, you could put 16 little
12 plants under each light in which case you would 480 plants.
13 You would still only get the same 30 pounds. So a more
14 appropriate way to judge how the growers are going to be
15 sized is going to be based on power consumption.

16 My proposal is that you would buy a token and then
17 that would allow you to buy a transformer from the power
18 company, 800 amps, 1600 amps. What this is going to do is
19 this is going to allow the -- all of the grows to get a
20 better idea of what they're actually producing. If a
21 grow -- when I see some of these bigger grows stack their
22 licenses and they're saying "I've got six of these 1500
23 plant count licenses" -- so what is that, six would be
24 three, like, 18 -- whatever that math is, are they small
25 plants or are they big plants? Is this a huge factory

1 operation or are they basically going from Solo cups to one
2 gallons and then flipping it? So I know that's a totally
3 different system, but it would be a more appropriate system
4 for how the product is produced and how the different size,
5 scales of businesses are licensed. So thank you.

6 MS. KRONNER: Thank you.

7 MS. FOX: Eric Foster, who will be followed by
8 Travis Klinger.

9 ERIC FOSTER

10 MR. ERIC FOSTER: All right. I guess we're on.
11 First I want to say thank you, Andrew, and the team. You
12 all have done great work and in my opinion as you're
13 stewarding this new industry which I liken from an analogy
14 vantage point as to a 15-month-old, when my sons were coming
15 up, the things that you have to do in terms of the
16 excitement and the growth, but then the -- also the prudence
17 of guidance and communication. So you all have done great
18 work in that aspect. So thank you.

19 A few things I wanted to mention today, one --
20 and, actually, just kind of add into something that the
21 gentleman before me was saying. Possibly as this industry
22 is evolving, the medical and the recreational side, the
23 creation of a innovation council where you can have those
24 that are either on the ancillary supply side as well as
25 within the intra-industry side, to work together to look at

1 innovative techniques, approaches, and solutions that can be
2 cascaded across the industry that can allow for improvements
3 and advancements in production, manufacturing, retail
4 distribution, testing, and research compliance. So that's
5 one thing to think about.

6 A couple of things I wanted to hit on real quick,
7 one is continuing to do the things that you're doing and
8 ensure that we have two viable commercial markets, a medical
9 market and a recreational market. One of the challenges of
10 why we're not going to be able to get any change federally
11 in terms of decriminalization, descheduling, and
12 legalization is the states that are more mature than us that
13 have in some instances rushed to flip from medical to only
14 rec, it tends to leave a bad taste in the legislative mouths
15 in DC wherein you have a Colorado or a Pennsylvania that has
16 the potential to be -- and Massachusetts -- strong, dual,
17 medical, and recreational markets. And doing everything we
18 can in Michigan to ensure both is critical for us to be a
19 demonstrative that the medical side is really for health
20 care and patient access and advancements and addressing
21 health issues and separately the recreational is the civil
22 libertarian issue.

23 Secondly, the -- when dealing with the
24 municipalities and we spend a lot of time in our work
25 working with, on behalf of our clients, the local municipal

1 governments, a few things to think about. One is from an
2 incentive vantage point to get more than the 215 that have
3 opted in for medical or rec right now to consider might be
4 to look at intra-industry transaction excise tax where the
5 transactions that take place between the growers, the
6 processors, the safety testing labs, the secure
7 transporters, and the provision incentives or retailers have
8 a one to one and a half percent tax that could be applied to
9 them that could be earmarked towards the local community,
10 the local county, and the local school district of the host
11 community where those businesses operate. It gives them
12 additional tools for the community to be able to invest and
13 demonstrate value from the industry.

14 And then also when there's the question of equity
15 which we title like more economic inclusion and community
16 investment as we've talked about in the past, ensuring that
17 we're doing it on both sides, the medical side and the
18 recreational, not just limiting it to medical, I mean, to
19 recreational. But in some of our more mature states that
20 have those programs for the medical side like Massachusetts
21 and Colorad- -- well, not so much Colorado but Massachusetts
22 and Illinois, ensuring that we work to infuse those
23 activities into the medical side because we're still, five
24 years from now, going to have licensees that are only
25 medical providers and we're going to have dual and we're

1 going to have just rec. So making sure we're doing that.

2 And then the last piece was medical research and
3 stuff that we've been working on, a companion or a similar
4 item to what Pennsylvania has in their Chapter 19 and 20 in
5 their statutes for medical marijuana research would be a
6 Michigan Medical Marijuana Research Act. So it's something
7 that hopefully between the agency, but then also the
8 industry can be supportive of because we can codify things
9 on a state level with the Blumenauer Amendment as our
10 backdrop like Pennsylvania is doing and really push research
11 and address the questions and concerns of efficacy, potency,
12 but also health impacts and improve on a health justice
13 dynamic. Thank you. That's everything.

14 MS. KRONNER: Thank you.

15 MS. FOX: Travis Klinger, who will be followed by
16 Matt Craven.

17 TRAVIS KLINGER

18 MR. TRAVIS KLINGER: Good morning. My name is
19 Travis Klinger, K-l-i-n-g-e-r. I'm actually a city
20 commissioner in the city of Sturgis, Michigan about a mile
21 and a half from the Indiana border. A couple things I
22 wanted to touch on today. One was consumption lounges or
23 the licensing on them. The idea of a consumption lounge is
24 quite an idea for this industry. It's something very new
25 that no someone's -- no one's ever tried before. With the

1 limitations you've currently set on them, whether it be with
2 the FDA rulings of no food and drink for beverages allowed
3 within the establishment, that limits the -- the overall
4 viability of the business model. Looking at these down the
5 line as a city commissioner as we saw these emergency rules
6 come into play, the discussion came up of what exactly does
7 a consumption lounge do and does it benefit anyone in the
8 long run? Yes, as a consumer it does, very clear.
9 Unfortunately, though, without the allowance by the
10 municipalities to opt in and allow those consumption
11 lounges, places like ours at the border, like I said, nearly
12 a mile and a half from the Indiana border with high
13 fluctuation of traffic coming in and out from outside
14 tourists, we run the risk of being that -- being that stigma
15 that still exists that we're allowing illegal activity to
16 leave out state. So, of course, the state of Indiana at
17 this time.

18 Ideas that could help curb that, whether it could
19 be maybe adaptive language or adaptive licensing that offers
20 provisioning centers, recreational provisioning centers the
21 allowance for consumption as well, or possibly opening up
22 the doors for food and beverage sales and allowing ancillary
23 businesses to provide to those consumption lounges.

24 The other thing I had to communicate about today
25 was a little bit of frustration -- Rick Thompson touched on

1 it this morning -- and that was the recent ad campaign that
2 rolled out regarding cannabis use in the state of Michigan.
3 As the MRA, we would expect and hope that you would protect
4 the positive and safe use and distribution of cannabis to
5 consumers in the state of Michigan, but that ad campaign
6 from my understanding, was supported and funded by the
7 Medical Marijuana Operations and Oversight Grant Program
8 through a health department somewhere in the state. That is
9 not -- that does not accompany the overall goal of the MRA
10 to allow safe access and to create a safe response for
11 cannabis. I'd suggest maybe something along the lines of
12 creating an entity within the MRA, whether it be a branch
13 that oversees that or just maybe some oversight. You guys
14 are already here to regulate. Why not regulate what is
15 going out as far as the communication and the marketing for
16 safe access to cannabis? I appreciate your guys' time.
17 Thank you very much.

18 MS. KRONNER: Thank you.

19 MS. FOX: Matt Craven, who will be followed by
20 Nate Noel.

21 MATT CRAVEN

22 MR. MATT CRAVEN: Hello. My name is Matt Craven,
23 C-r-a-v-e-n. I'm here to speak about the micro business
24 licensing stuff. The things that I am concerned that I have
25 with the license that I'm going for which would be -- that

1 would be the plant count number, that the 150 plant count
2 that they would allow. How would the R&D side of the things
3 be separated from your plant count and then on the aspect of
4 that, a possibility of bringing in other licensed product
5 because where I live currently, which is down in Burr Oak,
6 Michigan, it's not a very big community. We're pretty much
7 a rural area. If I happen to run out of product because of
8 the supply and demand, I'm not able to keep up, how is that
9 going to affect my business on making me close being I would
10 not have product to put on my storefront to sell? So that's
11 what I was here to talk about today. Thank you for your
12 guys' time.

13 MS. KRONNER: Thank you.

14 MS. FOX: Nate Noel, who will be followed by Kari
15 Massay.

16 NATE NOEL

17 MR. NATE NOEL: Good morning. My name is Nate
18 Noel and I currently work as a cannabis worker. I'm a
19 member of the USEW. I'm here to support the labor peace
20 language in both renewals and the initial license
21 applications. Every worker has the right to create a
22 stable -- stable work environment for themselves, their
23 coworkers, and their families. I have two small children.
24 When my youngest was born two years ago our family's
25 out-of-pocket medical expenses were \$2500. I've got an

1 amazing health insurance plan that costs my family \$5 a
2 week. In addition to being able to afford having another
3 child, I was able to take four weeks off. It worked for my
4 coworkers, it worked for my family, and it's an opportunity
5 that coworkers in my industry should be afforded as well and
6 at least have an opportunity to vote on. Our working
7 relationship with my employer and the union has been
8 fantastic. I serve on our local executive board so I see
9 what our union is doing at the community and what it's doing
10 to expand cannabis from where I'm from, and we're focused on
11 safety as well as expanding patient access and
12 affordability. Thank you for your time.

13 MS. FOX: Kari Massay, who will be followed by
14 Andrea Hartdegan.

15 KARI MASSAY

16 MS. KARI MASSAY: Good morning. My name is Kari
17 Massay, last name is M-a-s-s-a-y, and I'm here to
18 represent -- I am a prequalified small class A license and I
19 would like to make the suggestion that we could extend the
20 deadline because we are also falling into that challenge of
21 finding solutions as far as having a township that will
22 allow us to buy property or lease property -- our preference
23 is to buy property -- in the ag area. So that's --
24 that's -- you know, I really hope that that's a solution we
25 can come up with so many of these prequalified licenses that

1 are potentially having the same challenges that we're
2 having.

3 And then I also have in regard to testing prior --
4 testing prior -- prior to moving product between entities,
5 R420.303(6) and R420.304 and R430.305. So the
6 considerations are when moving product between cultivation
7 and processing the proposed system of testing would be
8 inefficient. If product is tested prior to moving between a
9 cultivator and a processor and then again before it reaches
10 consumers, it would have an adverse effect on the industry
11 due to costs. It also has adverse effects on testing
12 facilities which are already overburdened and have been the
13 source of bottleneck and flower getting to market. It's our
14 understanding this is being implemented, but we want to make
15 a note about it anyways. So our recommendation solution
16 would be to remove or do not move forward with this
17 unnecessary requirement not only between co-located
18 entities, but between co-owned entities as well.

19 The next thing I'd like to talk about is requiring
20 permission to remediate failed product, Rule 46R333.246.
21 The consideration is product will need to pass testing in
22 order to enter the market. However, requiring permission to
23 remediate creates additional and unnecessary steps that slow
24 down the production process. So our recommendation and
25 solution would be to remove this unnecessary requirement.

1 And then lastly, sale and transfer, 420.501
2 through 511. The considerations are with the supply
3 shortage on cannabis biomass and the high retail price of
4 flour, there are no current processors that are producing
5 excess distillate for sale, for resale, sorry. This will
6 have an adverse effect on any processor that does not have
7 an associated cultivation facility that produces biomass for
8 extraction. So the recommendation solution would be to
9 allow for the intake of caregiver concentrate for infused
10 product production and caregiver RSO which is the Rick
11 Simpson Oil for medical, allow for the ability to transfer a
12 hundred percent of medical flour to adult use if it passes
13 all testing requirements. Thank you for your time.

14 MS. FOX: Andrea Hartdegen?

15 ANDREA HARTDEGEN

16 MS. ANDREA HARTDEGEN: Hello. My name is Andrea
17 Hartdegen, H-a-r-t-d-e-g-e-n. I've lived in Michigan my
18 whole life and I work for a caregiver who owns an edibles
19 company in Ann Arbor and they set a very high standard for
20 high quality hash edibles using organic ingredients,
21 offering gluten free and vegan options and never using
22 distillate, which is very uncommon to see in dispensaries.
23 My employer has spent the last three years jumping through
24 hoops to be LARA compliant. We have passed all full panel
25 testing through Metrc and LARA compliance, and we are

1 currently in ten dispensaries. Come March 1st, processors
2 will only be accepting caregiver flour. I would like to see
3 an extension for caregivers who sell edibles who made it
4 into Metrc while they are transitioning to a micro business
5 and the micro business laws are still being determined.
6 Thank you.

7 MS. FOX: Matthew Abel, who will be followed by
8 Rebecca Colett.

9 MATTHEW ABEL

10 MR. MATTHEW ABEL: Good morning. Thank you for
11 holding his hearing. We appreciate it, although it's
12 required by law. We understand that. So I have two
13 major -- two major points. One is the consumption lounge
14 language I believe is over broad. "Any place where goods or
15 services are sold and cannabis is consumed" implicates a lot
16 more entities than I believe was anticipated. We appreciate
17 that there will be consumption lounge licenses, but I think
18 it should be permissive rather than restrictive, and by that
19 I mean that if an entity has a license, that that would
20 allow delivery at that location by retail stores and micro
21 businesses. As long as that's not occurring it should not
22 be required to have a consumption lounge license.

23 My second point is one of just clarity of
24 language. The language of counting plants that flower is
25 vague and when -- as a lawyer when my clients ask me for

1 advice what that means, I don't really want to have to say
2 well, that's similar to the language of the MMFLA or the
3 Medical Marijuana Law and close down all sides but the base.
4 We've had ten years of not knowing what that means and I
5 really don't want to have ten years of not knowing what
6 plants that flower means or female plants that flower. Does
7 that mean all female plants? Does that mean female plants
8 that I'm intending to flower? Does that mean plants that
9 are in flower currently? And it makes a huge difference as
10 to the design of the facility what that language actually
11 means, and so we would appreciate some clarification of
12 that.

13 I think the labs should be allowed to test
14 caregiver product whether or not that caregiver product is
15 still going to be allowed in the Metrc system or not.
16 There's no reason not to allow a caregiver to have their
17 product tested for their own knowledge and for the safety of
18 their patients. On 420.203(2)(a)(1), a consumption of food
19 is not allowed onsite at a -- even at a consumption lounge.
20 So it would be illegal to have a pizza delivered at a
21 consumption lounge. When somebody gets the munchies, what
22 are you going to do then? You have to leave the lounge and
23 then come back. There's requirement 420.203(2)(c) that
24 designated structures must be contiguous. I don't
25 understand the necessity of that and so perhaps that should

1 be removed unless there's some good reason for that to be
2 that way. We've had clients who've purchased properties
3 with buildings and separate locations on the same property,
4 but they can only use one of them because they're not
5 contiguous. That makes less real estate available.

6 Under Section 420.203(2)(g), drive-thrus are
7 prohibited. Again, I'm not certain the necessity of that
8 requirement. I do understand the prohibition on mobile
9 businesses, but that's something different. There's no
10 definition of live resin. And while many people in the
11 community understand what that means, we don't all. And is
12 live resin only something that's made from plants that are
13 freshly harvested or can plants be frozen and then made into
14 live resin? Is that still live resin?

15 The temporary event license is required to be
16 applied for 90 days before the event. I believe that's too
17 long, much too long. That a period of something like ten
18 days might be more reasonable. I don't think it will take a
19 lot of time to vet these applications once there's an
20 understanding of all of the requirements about what those
21 are. So maybe in the beginning it could be 90 days, but
22 perhaps it could be reduced once that gets rolling.

23 420.4(13), the spell check wouldn't have picked
24 this up because the word "begin" appears to -- it should
25 have been "being" and that would clear spell check but, you

1 know, that's just an error.

2 We do support extending the prequalification
3 deadline because so many communities have not opted in.
4 People are finding a difficult time getting a location. So
5 with that, again, my, my main points are regarding
6 consumption lounges being over broad and that definition of
7 plants that flower, please tell me what that means so I can
8 tell my clients. Thank you. Again, I'm Matthew Abel. I'm
9 sorry I didn't introduce myself in the beginning. I am the
10 executive director of Michigan Normal. We represent
11 cannabis consumers. I'm also the senior partner at Cannabis
12 Counsel, PLC. And my name is spelled A-b-e-l. Thank you.

13 MS. FOX: Rebecca Colett?

14 REBECCA COLETT

15 MS. REBECCA COLETT: Hello. Last name spelled
16 C-o-l-e-t-t. I'm here just to comment on a couple of
17 things. First is equity in the industry, labor peace
18 agreement, and the extension of the prequal.

19 My partner and I have been caregivers in the state
20 of Michigan for the last ten years. So my -- as you can
21 imagine, it is very difficult to be a woman of color in this
22 industry. Right now there's really no equity. I would ask
23 for expansion of the social equity program to include
24 medical. Right now social equity just including adult use
25 to me is pointless and only allows us to go after the

1 smaller license types which does not allow us to take
2 advantage of this billion dollar industry. We have already
3 spent half a million dollars in the medical licensing
4 process. It is difficult for us to find investors, for us
5 to find real estate. So I would ask for expansion of that
6 social equity program to include medical and not only adult
7 use. I am in support of a labor peace agreement and I would
8 ask for the social equity program not to only include
9 reduction of application fees, but to allow us opportunities
10 for funding, allow us opportunity for partnership. I mean,
11 just, you know, a couple of dollars off \$6,000 doesn't help
12 really anything. Thank you.

13 MS. FOX: Is there anyone else who's not had the
14 opportunity to speak today? Okay.

15 MR. BRISBO: So we're going to -- what's the
16 language? -- stand at ease. It's not a military tribunal.

17 MS. FOX: We'll take a recess.

18 MR. BRISBO: Take a recess. Just so everyone here
19 is aware, from noon until 1:00 o'clock, because this is a
20 new building that's being expanded, we're going to have fire
21 drills. So you don't have to leave. If you hear the sirens
22 and the lights going off, it's just testing the new system.
23 That'll happen intermittently hopefully from 12:00 until
24 12:15, but could take up to an hour. So you can just
25 disregard those unless I come back and tell you it's real,

1 and then by all means leave. So we will stand at recess and
2 gather other comments. We will reconvene between now and
3 noon if anyone wishes to make additional comments. Without
4 that, I think we'll reconvene at 1:00 o'clock to open the
5 floor again for additional comments. Thank you.

6 (Off the record)

7 MS. FOX: And the hearing is called back to order
8 at 1:00 p.m. Just a reminder, we are here for a public
9 hearing today on the proposed administrative rule sets:
10 Marihuana Licenses; Marihuana Licensees; Marihuana
11 Operations; Marihuana Sampling and Testing; Marihuana
12 Infused Products and Edible Marihuana Products; Marihuana
13 Sale or Transfer; Marihuana Employees; Marihuana Hearings;
14 Marihuana Disciplinary Proceedings; Industrial Hemp for
15 Marihuana Businesses; and Medical Marihuana Facilities
16 Rescinded.

17 As a reminder, we are here today to receive
18 comments on the proposed rules. If you wish to speak,
19 please fill out a comment card with your name and the rule
20 number or citation that you are commenting on. When you
21 come forward to speak, please state your name and spell your
22 last name so that our transcriptionist can take down that
23 information and so it will be in the hearing report.
24 Particularity in your comment is appreciated as it will help
25 staff review your comments moving forward. Please try to

1 limit your comments to approximately three minutes. If your
2 comments are going to be longer than that, written comments
3 can be submitted until Monday, February 17th, 2020, at 5:00
4 p.m., and the details for providing those written comments
5 are in the meeting notice.

6 So at this time, we will again be taking public
7 testimony. And I have a comment card for Mr. Paul Samways.

8 PAUL SAMWAYS

9 MR. PAUL SAMWAYS: Good morning or good afternoon.
10 My name is Paul Samways. I'm a certified public accountant
11 with Cannabis Accounting, Incorporated. The number one rule
12 I want to talk about is the reporting requirements. In the
13 law and the MMFLA it says "reviewed financial statement" and
14 then the Department came out with a whole list of different
15 stuff to test differently than a reviewed financial
16 statement. And it was my understanding in talking to the MI
17 CPA it's because we didn't have "reviewed" capitalized in
18 "reviewed financial statement" when Senator Jones made the
19 change in the law. So I would ask you guys to take a look
20 at that because we all know in the accounting business what
21 a reviewed financial statement is and we know how to track
22 it. That makes it simple for everybody. Adding -- doing
23 one-offs for everything drives cost and it's a pain in the
24 butt.

25 The second thing I want to talk about, one of the

1 things I don't see in the rules is I don't see any rules
2 propagated for LARA employees working in the cannabis
3 industry outside after they're done working here. You had
4 the former director who was working for Dykema, one of the
5 largest law firms in the state, and was being solicited for
6 business, was soliciting for business as a subject matter
7 expert, was getting paid for it which is in direct
8 contradiction of the spirit and purpose of the MMFLA. I
9 could quote you the sections, but I'm not an attorney. You
10 guys need to let people know they can't just go running out,
11 start working. You need to propagate it for the
12 recreational as well so there's no loopholes because I know
13 how much we love to have a revolving door in this state for
14 people to use their government service time to go out and
15 make money in the private sector afterwards. Okay? So you
16 need to propagate that, put in some sort of training for
17 everybody who comes onboard. They know they can't go work
18 in the industry for four years, four years after they're
19 done working. Okay? So I'm looking forward to seeing those
20 come out. Thanks.

21 MS. FOX: Thank you.

22 MR. GALICKI: Thanks.

23 MS. FOX: Next to comment, Tom Farrell. And
24 please spell your last name for the transcriptionist. Thank
25 you.

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TOM FARRELL

MR. TOM FARRELL: Sure. It's F-a-r-r-e-l-l.

MS. FOX: Thank you.

MR. TOM FARRELL: Cool. So my name is Tom Farrell. I'm with Refine Michigan Co. We're a provisioning center out in Kalamazoo, Michigan. I came from the caregiver market and just transitioned into the license market and appreciate all the hard work you guys have done.

Just one of the -- my biggest concern, I guess, is the microbial testing. I've done a lot of research on it. I actually have about 200 pages of data here discussing the total yeast and mold and that it's really just kind of an umbrella mold. It's really just telling us that there is a generic, arbitrary number of mold. I've looked at a lot of other states and what they've done. A lot on the west coast, Oregon, California, Washington have all removed the total yeast and mold off of it because they were having a supply issue getting product to market. And what they actually found with that is that the total yeast and mold test doesn't allow enough incubation time and heat applied to actually come up with aspergillosis as the test. And aspergillosis has actually been one of the causes for immunocompromised patients. So at the end of the day, California and Oregon, a few of these other states decided to go to species specific testing using a quantitative PCR

1 style testing. And so they really honed in on about the
2 seven to nine toxins that were going to be harmful for
3 immunocompromised patients. There's about seven species of
4 aspergillosis, salmonella and E. coli were the other two.
5 So I would just urge that the state move to that. I think
6 it would help the supply issue. It'd bring down our price
7 on the flour and it'd also make it a lot safer for our
8 patients at the end of the day for the end consumer.

9 MS. FOX: Thank you.

10 MR. TOM FARRELL: Yeah. Thank you.

11 MS. FOX: Is there anybody else who would like to
12 comment at this time that has not filled out a comment card?
13 Okay. We will take a brief recess and we will reconvene at
14 1:30.

15 (Off the record)

16 MS. FOX: Good afternoon. We're back on the
17 record at 1:31 p.m. to receive more public testimony on the
18 administrative rules. And for comment next is Matt Ramirez.
19 Again, speak directly into the microphone and spell your
20 last name for the transcriptionist. Thank you.

21 MATT RAMIREZ

22 MR. MATT RAMIREZ: R-a-m-i-r-e-z. Just as a
23 commercial cultivator, just a real easy fix I think for
24 the -- for on our side to make our life a little easier and
25 get more product to market would be to change the 1500 plant

1 count rule. Right now it has us tagging plants anything
2 over eight inches which is kind of an arbitrary number for a
3 plant. That means we have to buy the tags, use these single
4 use plastic strips to tag plants that we might cull or kill
5 when they don't make the cut down the road. Maybe they're
6 just a runt, they didn't keep up with everybody else. Well,
7 I've spent the money, I've made the little ecological impact
8 for really nothing and it does limit me to, let's say if I
9 have a 1500 plant license, I'm trying to flower a 1,000 of
10 them and then I'm having to hold back 500 because that's
11 what I need to keep these 1,000 going. Those 500 could be
12 flowering plants if I wasn't forced to tag those and veg at
13 the vegetative state and that would give us just more
14 flexibility as an industry, maybe even just for genetics and
15 moving things around for the state, helping other growers
16 get growing. But mostly as an individual 1500 plant license
17 holder, having to hold back those 500, tag those 500, just
18 because they're eight inches tall it just doesn't really
19 make a ton of sense for us. We don't make money off that
20 size plant. It just doesn't do much for us. So if we could
21 swap that to 1500 flowering and just basically give us a
22 different set of rules to live by and veg that made a little
23 bit more sense, I think that would help the industry in
24 general. That's it.

25 MS. FOX: Thank you. Is there anyone else who

1 would like to make comment this afternoon who has not filled
2 out a comment card? We will hold the record open until 1:45
3 p.m. Okay. If in the meantime you would like to make a
4 comment, please fill out a comment card and give that to one
5 of the staff and you will come forward to make your public
6 comment.

7 (Off the record)

8 MS. FOX: It is now 1:45 p.m. Is there anyone
9 else present who would like to make a comment this
10 afternoon? Okay. There being no further comments, I hereby
11 declare the hearing closed at this time. Any additional
12 comments regarding the proposed rules may be submitted to
13 MRA-legal@michigan.gov. Again, that is
14 MRA-legal@michigan.gov. And written testimony will be
15 received until Monday, February 17th, 2020 at 5:00 p.m.
16 Thank you.

17 (Proceedings concluded at 1:45 p.m.)

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<p style="text-align: center;">A</p> <p>A-b-e-l 69:12 A-n-g-e-l-o 46:23 a-n-k 47:23 a.m 1:8 3:2,4 5:8 Aaron 2:5 6:12,12 6:14,15,15,17 7:1 7:4,5 abdicated 22:24 Abel 2:22 66:7,9,10 69:8 ability 16:19,22,25 20:17 31:9,10 37:2 39:25 41:3 44:9,9 65:11 able 12:15,22,22 13:13 16:21 17:5 30:10 38:23 39:23 40:2 41:4,7,14 46:13 49:17 50:5 57:10 58:12 62:8 63:2,3 accepting 66:2 access 13:14 31:5,6 50:14 57:20 61:10 61:16 63:11 accessible 52:13 accident 25:16 accidental 23:20 accidents 7:13 accommodating 3:8 accompany 61:9 accomplished 35:16 accountable 21:19 accountant 72:10 accounting 72:11,20 accurate 53:14 acquire 23:25 act 5:2,4 8:19,21 11:5 22:18 28:20 59:6 action 17:22 26:10 actions 21:1 active 37:7 actively 16:16 activities 58:23 activity 60:15 acts 24:22 ad 61:1,5 adaptive 60:19,19 add 56:20 added 16:14 39:12</p>	<p>adding 37:20 39:7 72:22 addition 26:12 63:2 additional 3:22 39:7 39:8 58:12 64:23 71:3,5 77:11 address 5:25 27:5 45:12 55:2 59:11 addressing 18:12,13 57:20 adhered 9:1 Adjournment 2:25 adjudicated 11:11 administering 22:17 administration 23:8 administrative 4:11 9:16,19 19:4,16 71:9 75:18 admission 24:2 adopt 36:4 adult 22:13 23:6 24:18 26:15 33:2 33:3 44:24,25 65:12 69:24 70:6 advancements 57:3 57:20 advantage 23:12,14 70:2 adverse 64:10,11 65:6 advice 67:1 advisory 26:13 29:15 advocate 16:7 Affairs 1:2 29:16 affect 62:9 affiliated 46:7 afford 41:17 63:2 affordability 63:12 affordable 27:8 afforded 63:5 affords 12:20 afraid 18:25 African 45:22 afternoon 72:9 75:16 77:1,10 ag 63:23 agencies 39:3 agency 1:3 3:7 4:25 6:5 9:25 16:2,8 23:4 24:17,19 27:17,19 39:14,21 59:7</p>	<p>agent 8:20 ago 16:6 25:15 28:4 50:4 62:24 agreement 6:20 7:8 10:14,24,25 11:17 12:14 19:9 20:1 20:13,17,20 21:14 21:20 22:2 26:24 41:15 42:3 54:6 69:18 70:7 agreements 6:21 7:9 8:11 13:11 14:10 15:9 17:17 21:9 35:1,2,11,18 36:5 38:8 41:22 43:11 45:2,6,11 51:12 52:14,19 air 36:24 alcohol 16:1 41:10 alive 25:19 Allison 2:14 40:15 42:23,25 43:1,2 allow 9:8 30:18 36:4 37:11,16,18 38:17 39:12,14,20 40:5 42:14 44:16,18,24 48:22 49:2,13 55:17,19 57:2 60:10 61:10 62:2 63:22 65:9,11 66:20 67:16 70:1 70:9,10 74:20 allowance 60:9,21 allowed 3:12 40:9 40:12 44:12 60:2 67:13,15,19 allowing 38:11 39:16 40:11 49:3 50:7 60:15,22 allows 22:2 30:23 33:14,19 34:19 69:25 alternative 37:21 amazing 51:5 52:18 63:1 amended 8:10 Amendment 59:9 America 54:7 American 45:23 Ameritech 26:9 amount 32:5 34:16 41:23 amounts 34:1</p>	<p>amp 55:5 amps 55:7,18,18 analogy 56:13 ancillary 24:13 29:17 56:24 60:22 Andrea 2:21 63:14 65:14,15,16,16 Andrew 1:10 3:5 18:15 56:11 Angeles 11:15,16 Angelo 2:15 45:15 46:19,21,22,23 Ann 43:3 55:1 65:19 announce 4:3,4 answer 44:5 answers 6:5 anticipated 66:16 anxiety 21:5 anybody 18:11 19:12 28:11 75:11 anyways 64:15 APA 17:23 apartment 51:20 appear 26:1 appears 68:24 applicable 11:21 applicants 28:19 48:23 49:3 application 28:24 70:9 applications 54:4 62:21 68:19 applied 58:8 68:16 74:20 apply 48:23 49:2 appreciate 3:7,7,13 4:6 39:11 44:8,8 61:16 66:11,16 67:11 74:8 appreciated 4:8 71:24 approach 33:16 approaches 57:1 appropriate 55:14 56:3 approval 24:5 33:24 34:15 37:22 approximately 23:5 72:1 arbitrary 74:14 76:2 Arbor 43:3 55:1 65:19</p>	<p>area 32:2,4,11 62:7 63:23 arguable 10:20 arguing 44:20 arrow 35:2 articulately 51:16 Ashley 2:8 13:21 14:19,21,22,22 asked 46:2 asking 47:8 aspect 23:7 56:18 62:3 aspergillosis 74:21 74:22 75:4 assistant 26:6 51:18 associated 65:7 Associates 43:3 association 6:13 7:21 8:1 9:14,25 14:20 15:15,20,21 15:24 16:6 36:22 assurances 35:7 assure 35:9 attack 24:8 attempting 20:21 attend 22:11 attention 26:17,18 53:6 attorney 46:7 73:9 attorneys 46:9 attractive 34:3 Aubrey 2:16 49:23 49:25 50:1,1 auditorium 5:9 authority 4:24 10:16,19,20 11:2 11:6,8,19,20 authorized 4:25 auto 25:16 automotive 36:15 auxiliary 55:7 available 3:17 68:5 avenue 1:7 32:7 46:5 average 51:20 avoid 49:10 aware 70:19 awhile 55:2</p> <p style="text-align: center;">B</p> <p>b 53:7 B-u-r-n-h-a-m 36:13</p>
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