



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
CANNABIS COMMISSION

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A regular meeting of the CNMI Cannabis Commission will be held on **Tuesday, January 31 2023, at 10:30 AM**, at the office of the CNMI Cannabis Commission Conference Room at Ascension Ct. Bldg. 1341, Capitol Hill, Saipan.

AGENDA

- I. Call to Order
- II. Roll Call/Determination of Quorum
- III. Consideration and adoption of Agenda
- IV. Consideration and adoption of Minutes of prior meetings
- V. Public Comment
- VI. Acting Chair Report
  
- VII. New Business
  1. Personnel Committee Appointments
  2. Licensing Committee Appointments
  3. Administrative Issues
  
- VIII. Old Business
  
- IX. Acting Managing Director's Report
  
- X. Executive Session
  
- VIII. Adjournment

Copies of this notice and agenda have been posted at the Administration Building Entrance Hall, House of Representative Entrance Hall, Senate Entrance Hall and [www.cnmicannabis.org](http://www.cnmicannabis.org), the CNMI Cannabis Commission's official website.

Written comments on the agenda may be submitted to the office of the CNMI Cannabis Commission located at Ascension Ct., Bldg. 1341, Capitol Hill, Saipan or emailed to [info@cnmicannabis.org](mailto:info@cnmicannabis.org) on or before the meeting date. Oral testimony may also be presented during the meeting on Wednesday, January 31, 2023.

**CNMI Cannabis Commission**  
**Regular Session Meeting Minutes**  
**January 31, 2023**

**I. Call to Order**

Acting Chair Mathew Deleon Guerrero called the CNMI Cannabis Commission's meeting to order at 10:30 a.m., which was held at the Office of the CNMI Cannabis Commission Conference Room located at Ascencion Ct., Bldg. 1341, Capitol Hill, Saipan.

**II. Roll Call/Determination of Quorum**

Acting chair recognized the following individuals present in the meeting - Mr. Carl Dela Cruz from the attorney general's office, Ms. Leilani Ogumoro from the AG's office, Messrs. Thompson and Benson, and Mr. Cris Ogo (Kuri) and friends of Kuri of Rota (via Zoom), and then proceeded to call roll of the commissioners:

Secretary Journie Hofschneider, representing Tinian, was present (via Zoom); and Member Thomas Songsong, representing Rota, was present (via Zoom).

Acting Managing Director Erik Basa and Administrative Specialist Natasha Palacios were also in attendance.

**III. Consideration and adoption of Agenda**

Acting chair asked if there was a motion to adopt the agenda. Secretary motioned to adopt the agenda, seconded by Member Songsong. There was no discussion, all commissioners voted in favor of the motion, motion carried.

**IV. Consideration and adoption of Minutes of prior meetings**

Acting chair thanked Member Songsong for putting together prior meeting minutes and asked if there was a motion to adopt minutes of prior meetings.

Member Songsong indicated that if there were no amendments needed to the recent meeting minutes that were emailed to the commissioners for review, he would like to motion for the adoption of the *March 16, 2022* and *March 25, 2022* meeting minutes, seconded by the secretary. There was no discussion, all commissioners voted in favor of the motion, motion carried.

**V. Public Comment**

Acting chair opened the floor for public comment starting with the friends of Kuri (Mr. Cris Ogo) of Rota and acknowledged the commission's receipt of his letter, and asked that conversations be limited to five minutes since other individuals are also present to comment in the meeting.

Mr. Ogo introduced himself and acknowledged the presence of those accompanying him, Messrs. Gabriel Manglona, Robert Atalig Meyers and Matias Taisacan, and then went on to say that in a preliminary meeting about a month ago, it was mentioned that they were disseminating Homegrown Marijuana Registry applications, and in doing so, they were always asked if they [Homegrown Marijuana Registry permittees] were able to sell items [marijuana items], and that is why a letter was addressed to Acting Managing Director Erik Basa, which posed that question, and asked if they could receive a response soon; they want to open this as a conversation and indicated the understanding that an event plan was required to be submitted and are ready to do that, however, the question always posed to them was about the ability to sell marijuana products; the regulations were reviewed and there are some areas that they would like clarified by the commission; for example, subsections 1510 and 1520, where it talks about designation of premises and other provisions; one of the reasons this event was planned is to promote inter-island tourism through the legalization of cannabis and want to help the municipality by introducing the idea of a festivity and referred to the music artist's JD Crutch's famous song "Rota Buds," and then yielded the floor to his company starting with the eldest Mr. Matias Taisacan.

Mr. Taisacan greeted everyone, introduced himself, mentioned being the landowner of the Rota Cave Museum of twenty-six years and indicated that a certain group and other people are eyeing Rota's proposed cannabis event, and expressed the suitability of his private land, which is being proposed to host the home growers' cannabis event.

The floor was then passed to Mr. Gabriel Manglona who reiterated the similar questions that Mr. Ogo pointed out relating to selling marijuana products by permitted home growers during the proposed Rota cannabis event or "Rota Buds Festival."

The floor was passed to Mr. Robert Meyers who expressed that he is some form of legal counsel providing legal advice for the 420 group, and mentioned that the statute seems to be unclear, but to him it is clear though, that behind events, it is limited in time, place and manner, and who could sell in events; if it's someone whose supposed to have a license, then why even have an event if one could sell every day of the week at any place; to him, the statute says it is allowable to anybody, individual or otherwise, the ability to sell in events; and that would make sense, because they are doing outreach to Rota farmers, tourists love Rota, and so they are hoping that the answer the commission will provide

after review by the attorney general's office or the commission's legal counsel will indicate that it is okay to sell marijuana products at events as a registered marijuana home grower, as a start; the statute or regulation says individual or other, and there is a need for clarification on can we sell, one ounce or less; if they have this information, it would be easy to move forward with the event plan, and then asked the commission if there were any questions they would like to ask him.

Acting chair asked if there was anybody else in the room that wanted to make a statement.

Mr. Meyers responded that it is just them for now and that there are others that want to join the 420 group; the event would probably be non-profit and any money to be made will probably be allocated to get farmers going, maybe they may want to start a dispensary, and expressed his own interest is starting-up his cannabis dispensary, including getting people interested with the Homegrown Marijuana Registry; if they have a way to grow rather than having a black market, they have a way to crush sellers stuff, and thinks the statute would thrive with this event, it's positive, it's like you can get a fund raiser license rather than get a real license, it is limited in time, place, and manner, and are hoping that is the same idea.

Acting chair thanked the friends of Kuri for providing this input and expressed that it's been good being kept updated with their progress and know that they're on a time line to get at least the thirty-day notice for the special events plan to be put into place prior to April, it is something that can be followed; and his letter has been helpful, which was discussed with the staff, and that there is some uncertainty as to the language on both the homegrown and the temporary event plan; a request will be sent to the attorney general's office so that we can be especially clear about what is allowed and as soon as a response is received, they will be informed.

Mr. Ogo expressed knowing about the submittal of the special events plan and has a timeline, and that if he goes back to the people that are interested in participating in the event and they do not have an answer as to whether home growers can sell marijuana at the event, a lot of things are happening, they can put forward a plan for themselves to submit their plan, they went through the regulatory provisions and understand what they need to submit, and that is why they brought their private landowner who will provide the venue to let the commissioners know that they are serious, they will try to submit their special events plan once they receive an answer to their question, hopefully within a week or two, by February 15<sup>th</sup>, that should be ample time for the commission to review and meet the thirty-day notice requirement deadline and for the community to make any comments prior to April 20; of course they can submit their plan within fifteen days and

the timeline will be met, that thirty-day period that is required, so the sooner they receive a response from the commission on their request indicated in his letter, the faster they can get things rolling; imagine, \$2000 to spend unless he did not include the part that says the commission has the discretion to exempt the event fee; there are many things in the rules and regulations that can be done by the commission and they are trying their best to follow the law for Rota and support the commission, it would be helpful on this side of the commonwealth, but let's not hide ourselves, people are going around planting without, and they are trying to encourage them to follow the law and they are doing their part in advocating it, and thanked the commission for their assistance and understanding.

Acting chair thanked Mr. Ogo and mentioned that the commission will be discussing it in executive session, and mentioned that they may continue attending the commission's meeting if they wish, and then opened the floor for any other public comment.

Mr. Scott Thompson, representing Mariana Farms, 420 Lounge, and Green Room Retail, took the floor and thanked the board for the hard work they've done and expressed hope and appreciation that the work continues and that whoever comes in next upholds all that.

Acting chair asked if there were any other public comment. There were no further public comments.

## **VI. Acting Chair Report**

Acting chair stated that he has some critical information to share with the commission, the first being that this will be his last commission meeting; the second item is that the commission lost two of its staff, Mr. Kelby Royal who was temporarily designated from the finance department, Division of Revenue and Taxation, who supported the commission's enforcement; with the transition, Kelby was withdrawn back to the finance department, and that was one of the request the commission was interested in making with the administration to reinstate that partnership with revenue and taxation so that the commission could have additional manpower, which is still pending.

Acting chair continued that there is the job vacancy announcement for the managing director position that will be discussed in the acting managing director's report and indicated that the commission has gone through the process of establishing the JVA, and then asked the managing director about its status.

Acting managing director replied that there was expressed concern over the JVA's managing director's salary. The acting chair indicated that may be associated with preference.

Acting chair expressed his pleasure working with the commission and thanked the commission's staff for their hard work, and concluded that administrative matters could be discussed further in executive session.

## **VII. New Business**

### **1. Personnel Committee Appointments**

Acting chair stated that last month, the commission issued an order establishing two committees, one was the personnel committee on the hiring of the managing director and the other was the licensing committee that should be in the register this month; these committees were established in the eventuality that with the transition, the commission wouldn't have a three person quorum to conduct business, so within the personnel committee, the framework was to have that committee be the one to review and go through the hiring process of the managing director, and has the commission's approval, which was granted within the order of the approval of the commission whatever the decision to hire, and the personnel committee can operate with one or two members.

Acting chair then made an official appointment to the personnel committee, appointing Secretary Hofschneider and Member Songsong, if they are able and willing to be appointed to that committee. Secretary Hofschneider and Member Songsong accepted the appointment.

Acting chair stated that it would be a separate meeting, a separate OGA schedule, it would just be the personnel committee holding a meeting and doing the same 72-hour public notice and agenda, and in the first meeting, arrangements for the selection of the two member committee would need to be made for chair and vice chair, and then asked if there were any questions. There were no questions.

### **2. Licensing Committee Appointments**

Acting chair moved to officially appoint Commissioners Hofschneider and Songsong to the licensing committee, to go through and be granted the authority to review applications that have been put forth from the commission staff, and approvals for official licensure, and the quorum on that is going to be two members; that will also be a separate meeting, separate OGA requirement for the review of those licenses, and then asked if there was any question on that.

Acting managing director asked in the case where an application is in review and with the knowledge of Commissioner Hofschneider having to provide assistance in the reviews, because of this committee, would he be given the opportunity where she could help out.

Acting chair replied that was a good question and conveyed that they took the approach of having Secretary Hofschneider participate in and assist with the permitting process, and recuse herself in the final decision as a cautious measure, to be extremely cautious and safe, but it wasn't exactly necessary because the structural requirements of how licenses get approved isn't set within the statute, it was just commission approves licenses; the process by which we approve whether or not we are involved with the application, that is something that can be decided on and thinks Commissioner Hofschneider can have reasonably good discretion as to the lines that she's going into, but doesn't see any issue with what we've been doing in the past with any issues, questions or relations, and with the process of reaching out.

Acting managing director indicated that he did reach out to Commissioner Hofschneider for assistance on recently submitted application(s).

Acting chair stated that as the commission starts refilling its role, with Mayor Valentino Taisacan to make his appointment to the commission, and to present a process into appointments for Saipan, that the structure can remain the same with the two person licensing committee, which would open up the opportunity for an appeals committee, and the appeals committee being separate from the licensing committee would save the commission from having trouble with the supreme court for any appeals, and is sort of a requirement that is in place now; and expressed that how the commission is now works and hopefully can be built upon as the roles are getting filled.

Acting chair stated that he could not imagine that the commission will have quorum for an official meeting in February, unless the commission gets a third person appointed from Saipan or Northern Islands, and that any pending licenses would just be to the licensing committee; if there are no comments or questions about those actions, the commission can move on to administrative issues, some of which was already talked about.

### **3. Administrative Issues**

Acting chair reiterated the loss of temporary commission staff Mr. Kelby Royal who returned to the Division of Revenue and Taxation, and the resignation of another

enforcement staff, Mr. Dominic Pangelinan, who resigned last week Friday; the commission has some vacancies and the potential transition report indicated that there was a need to fill vacancies, which should be highlighted to the administration, and the commission's effort to make sure that it has the necessary funding; the commission did get a good chunk of its budget this year through ARPA and did not note an indication that the commission's budget was affected, but there is always the opportunity that a revised budget could come soon or beyond that would affect the commission's resources; he has not heard for the budget call yet and asked the commission staff if they received a budget call in which they replied that they have not.

Acting chair expressed the need to look after, as the situation progresses going forward, is primarily on commission staffing, a managing director needs to be hired, that is what personnel [Office of Personnel Management] hopefully can move forward on once the commission gets over some hurdles, and to start working on where the budget is located and getting the job vacancy announcements out, or designations for filling these positions; and watching out for the budget call, submitting the commission's ideal budget that incorporates things and hopefully incorporates funds for the cannabis tracking system request, and then stated that is all his agenda on administrative issues and asked if there were any questions or discussion.

Acting chair moved on with mentioning the process of resignations for himself being different from other commissioners was a little bit uncertain so no items were placed on the agenda requiring an official board vote or action, and moved on to the acting managing director's report being that there were no old business.

### **VIII. Old Business**

There were no old business items to discuss.

### **IX. Acting Managing Director's Report**

Acting managing director reported the following:

- New applications – since his December 2022 report, four new applications were received for one Lounge Class 1 and three Retail licenses; all applications were reviewed with one application requiring submittal of pending documents, and that Commissioner Hofschneider was requested to assist in the review of the two other applications;



- Active licenses – there are nine active licenses and operational;
- Inactive applications – there are four inactive applications;
- Pending applications - five are pending with four of the applications coming from the Tu Group who recently visited the commission on January 5<sup>th</sup> to discuss their pending applications, expressed interest in working on one of the applications for a retailer license in Garapan and are moving forward with its completion while contemplating the withdrawal of its other three pending applications;
- Approval-In-Principal - eleven approval-in-principal letters were issued, with one recently issued to Cannabliss, an applicant for a retailer license;
- Homegrown Marijuana Registry – there are eighteen active permits, ten inactive, and four pending;
- Enforcement - the loss of two enforcement staff was covered earlier;
- Licensees monthly reports – are being submitted accordingly, but because of the lack of staff, dissemination of the work load is being decided amongst the remaining two staff;
- Site inspections – the enforcement team conducted an inspection on January 19<sup>th</sup> on a licensed producer, Top Shelf, who submitted a proposal to expand their flower room and storage area; upon inspection, everything went smoothly with all proper measures in place, compliance requirements met, i.e., signage, video surveillance, etc.;
- Administrative matters – both commission staff (acting managing director and administrative specialist) attended the time keepers training.

Acting chair asked if there were any questions with the acting managing director's report. Hearing no questions, acting chair moved to enter into executive session to discuss with the legal counsel issues with personnel.

Secretary Hofschneider motioned to move into executive session, seconded by Member Songsong. All three commissioners voted in favor of the motion, motion carried.

## **X. Executive Session**

## **1. Legal matters – AAG**

Acting chair announced executive session was entered at 11:13 a.m. Secretary Hofschneider motioned to exit executive session at 11:34 a.m., seconded by Member Songsong. All three commissioners voted in favor of the motion, motion carried.

## **XI. Adjournment**

Secretary Hofschneider motioned to adjourn meeting, seconded by Member Songsong. All commissioners voted in favor of the motion, motion carried. Meeting adjourned at 11:35 a.m.