



**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
CANNABIS COMMISSION**

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A meeting of the CNMI Cannabis Commission will be held on **Thursday, July 1, 2021 at 2:00 P.M.** at the Office of the CNMI Cannabis Commission Conference Room located at Ascencion 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 from prior meetings
- V. Public comment
  
- VI. New Business
  1. Introduction of incoming staff by Managing Director to Board
  2. Discussion and Vote to adopt amended regulations from Commonwealth Register Volume 43, Number 04 as published on April 28, 2021
  3. Discussion and Vote to amend typographical error found in § 180-10.1-310 Processing, under Letter j) to remove the "(j)" from the published regulations
  4. Discussion and Vote to adopt into regulation:
    - a. Door and window treatment installation requirements to prevent visibility from exterior public view into the interior of licensed and/or proposed premises in the interest of the protection of minors
    - b. Public Notice signage requirements for commercial licensed establishments
    - c. Point-of-sale system standards for licensed retail establishments
    - d. Sales reporting requirements by licensed retail establishments
  
- VII. Old Business
  1. Discussion and Vote to adopt into regulation:
    - a. Training requirements for commercial licensee employees
    - b. Accepted pesticides for use
  
- VIII. Executive Session
  1. Legal matters – AAG
  
- IX. Managing Director's Report
  
- X. Adjournment

Copies of this notice and agenda have been posted at the Administration Building Entrance Hall, the House of Representatives Entrance Hall, the 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 CNMI Cannabis Commission, through the Office of the Governor or emailed to [info@cnmicannabis.org](mailto:info@cnmicannabis.org) on or before the meeting date. Oral testimony may be presented during the meeting on Thursday, July 1, 2021.

**CNMI Cannabis Commission  
Regular Session Meeting Minutes  
July 01, 2021**

**I. Call to Order**

Chairwoman Nadine Deleon Guerrero called the CNMI Cannabis Commission's meeting to order at 2:07 p.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**

Chairwoman called roll of the commissioners:

Vice Chairman Matthew Deleon Guerrero, representing Saipan, was present;  
Secretary Journie Hofschneider, representing Tinian, was present (telephonically);  
Treasurer Valentino Taisacan, representing Northern Islands, was present;  
Member Thomas Songsong, representing Rota, was present (telephonically).

Chairwoman confirmed quorum with all five commissioners present. Managing Director Monique Sablan, AAG Keith Chambers, and soon to be commission staff Mr. Eric Basa were also present in the meeting.

**III. Consideration and adoption of Agenda**

Chairwoman motioned to adopt the agenda, seconded by Treasurer; all commissioners voted in favor of the motion, motion carried.

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

Chairwoman asked Member Songsong if the commission was up to date with its minutes. Member Songsong stated yes for 2020 until he receives audio recordings for year 2021 meetings as he has not received any for the New Year.

Secretary mentioned that she'll look into her audio meeting recordings and will furnish them to Member Songsong. Chairwoman acknowledged and moved on to public comment.

**V. Public Comment**

Chairwoman opened the floor for public comment. Treasurer verified common areas for the presence of any members of the public and reported to the Chairwoman that no one was present. Chairwoman subsequently announced that no members of the public were present for public comment.

## **VI. New Business**

### **1. Introduction of incoming staff by Managing Director to Board**

Chairwoman announced Mr. Eric Basa's ("Eric") presence in the meeting while everyone welcomed him. MD stated that Eric will not begin work with the commission until July 12<sup>th</sup> as his contract is still being routed, and introduced his background being currently with the Commonwealth Casino Commission for four years with extensive experience in inspections, permitting and licensing, and asked if he could introduce himself.

Eric stated his work history and role with the Commonwealth Casino Commission was to receive applications for **non-giving** vendors, review applications in accordance with regulatory requirements, conduct inspections, and prepare and submit an inspector's report with recommendations to the casino commission board for approval or denial.

MD explained that Eric was the supervisor and assigned as the lead inspector for the vendor licensing unit in which he also accepted and reviewed vendor applications, has additional experience in energy auditing, financial and background research and investigation, was once a program coordinator, and expressed appreciation for Eric's joining the CNMI Cannabis Commission.

Chairwoman welcomed Eric and offered him the opportunity to speak if he had any questions or feedback about the CNMI Cannabis Commission.

MD informed Eric and commission members that another employee, Mr. Kelby Royal, will be joining the commission by the end of July or first week of August, and who will be performing enforcement and compliance duties as he has extensive experience with compliance and enforcement coming out of the Department of Tax and Revenue.

MD added that she is working on hiring an administrative assistant and will update the commission upon her return from leave, and that Ms. Janina Maratita will be the commission's acting managing director during her absence who already has gained experience and knowledge with commission work acquired when she first acted in her place the last time she was on medical leave, and advised Eric that the commission members are open to assist or answer questions he may have with regulations or cannabis in general.

Vice Chairman expressed to Eric that if he notes areas that can be improved upon to please voice them so that the commission can work towards improving its system; MD reiterated the same.

MD concluded that she and Eric will be meeting tomorrow with the acting managing director to iron out administrative matters. The commission and MD thanked Eric as he exited the meeting, then the Chairwoman moved on the next agenda item.

**2. Discussion and Vote to adopt amended regulations from Commonwealth Register Volume 43, Number 04 as published on April 28, 2021**

Chairwoman announced that if there is no further discussion or question with what was previously discussed and adopted, she motioned to adopt the amendments as the commission passed then published on April 28, 2021 in the Commonwealth Register Volume 43, Number 04, seconded by Treasurer; all commission members voted in favor of the motion, motion carried.

**3. Discussion and Vote to amend typographical error found in § 180-10.1-310 Processing, under Letter j) to remove the “(j)” from the published regulations**

Chairwoman stated that this amendment under the (application) processing regulations is for a technicality or typographical error discovered and explained by the Vice Chairman in our last meeting of the unnecessary letter “(j)” following the section number that needs to be stricken out of the adopted regulations; the adopted regulations also involved other regulatory amendments, i.e., the changing of the inventory reporting requirement date from January 2020 to January 2021, to January 2021 to January 2022.

Vice Chairman briefly explained the affected section of the regulation relating to processor denial and the need for clarity and consistency of language with the use of the words “refuse” and “deny,” and other areas in the law and regulations.

Chairwoman motioned to vote to amend the typographical error found in § 180-10.1-310 Processing, under Letter j) to remove the “(j)” from the published regulations, seconded by Treasurer; all commission voted in favor of the motion, motion carried.

**4. Discussion and Vote to adopt into regulation:**

**a. Door and window treatment installation requirements to prevent visibility from exterior public view into the interior of licensed and/or proposed premises in the interest of the protection of minors**

Chairwoman stated this discussion proposes to require licensed commercial cannabis establishments’ exterior viewing doors and windows be shielded from public/youth

viewing the interior of a cannabis establishment, and asked the Secretary if she would reiterate on the matter further as she raised this issue in the commission's previous meeting.

Secretary related to a previous commission meeting discussion noting the absence of a requirement for commercial cannabis establishments in having its exterior doors or windows shielded, e.g., tinted, opaque, curtain, etc., including height requirement, from view into its interior keeping minors in mind from viewing cannabis products or activity that should be considered, and exemplified her former employment in British Columbia, Canada, as having that requirement for cannabis establishments.

Vice Chairman added that this proposed amendment would fall under Part 500 - License Premises, § 180-10.1-501 Licensed Premises Restrictions and Requirement, under a new subsection "(s)," and that a lot of these things, i.e., to the height requirement, in that it may not be beneficial to have a lot of specificity, but used in a way with language already used in the law with the homegrown registry where it detailed, e.g., "within eyesight," or somewhat a little more subjective to the inspector.

Vice Chairman asked if the commission is setting language now for voting. Chairwoman replied that the commission can do that now or comeback at a later date after framing its proposed language. Discussions continued on the subject matter...

Vice Chairman proposed the following language for regulatory amendment as, "*Public facing windows in the licensed premises shall not permit the possibility of minors viewing cannabis products within the licensed premises.*"

Discussions continued on the regulatory section and language insertion on the "*exterior window/door view*" matter, and then the Vice Chairman directed moving to the next agenda item on public notice signage requirements as it is contained in the same document.

#### **b. Public Notice signage requirements for commercial licensed establishments**

Vice Chairman explained the following proposed amendments to § 180-10.1-505 under the regulatory signage requirements for consideration:

- Under (a)(1), the original language reads, "*At every licensed premises a sign that read;*" the word "*read*" is replaced with the word "*state*";
- Under (i), quotation mark removal from, "*No Minors Permitted Anywhere on This Premises*";

- Under (ii), quotation mark removal from, “*No On-Site Consumption of Marijuana,*” and bracket removal from “[*lounge area*]”;
- Under (2), replace the word “reads” with “states, and removal of quotation marks around the signage statement requirement on limited access areas; and
- Under (b)(1), strike out, “*not less than 12 inches wide and 12 inches long*”.

Chairwoman inquired with Secretary about her work on the template on public signage, and the different language for different licensees. Secretary acknowledged and stated that the commission decided not to create those templates because the regulations already provided for that specific language; discussion continued on signage issues...

### **c. Point-of-sale system standards for licensed retail establishments**

Chairwomen called for discussion of the proposed language for the point-of-sale system.

MD communicated her receipt of an email from a licensed retailer, who is preparing to open up their marijuana retail shop, asked a few questions on information that is to be taken at the point-of-sale as current regulations does not stipulate any and suggested its in-store contact information for repeat customers to avoid duplicate paperwork; MD, however, felt that that was their prerogative if they wanted to do that and compared ABTC’s required responsible evaluation of regulars to satisfy the age requirement.

Vice Chairman raised the fact that the commission is amending § 180-10.1-705 on Retailer Operational Requirements, in which the additions of new subsections are being recommended to read:

- *(c) Retail point-of-sale systems will adhere to standards and capabilities as established by the commission; and*
- *(d) Retailers must submit to the commission a monthly report on itemized quantities and values of marijuana items sold the preceding month.*

and explained that the commission has internal controls - the ability to determine internal controls and minimum standards under the law - and that also could possibly be by policy.

Chairwoman reiterated the MD’s statement that the licensee wants to know what kind of information the commission wants obtained from customers at the point-of-sale. MD added that the licensee also asked if they can retrieve customer contact information and

stated that a customer can refuse to give that information. Chairwoman concurred that that is personal information.

Chairwoman stated that the commission should consider listing the types of information it may want to gather for data purposes. MD acknowledged and related to the regulatory requirement of exceeding sales limits at any one-time transaction per person.

Chairwoman then asked the kinds of information the commission may be interested in knowing, and felt that amounts and volume sold are good information to collect.

Vice Chairman stated that the commission does not need to know who is buying, the less the commission knows on whose buying would be better, but retailers need to know who is buying because they cannot sell to the same person as set forth by regulatory limits on sales per transaction; to that point, we want to be able to regulate it, and the thing that matters here because of the time period is the homegrown registry identification card that retailers need to maintain in their records for inspection, in which there is a regulatory record keeping provision requiring keeping records on site, or wherever, and that it be made available whenever requested to pull homegrown registry card ID numbers, for purposes of screening qualification and number of immature plants sold to homegrown registry card holders recorded by registry card number.

Chairwoman asked the MD and Secretary a question relating to an inspection they conducted and the point-of-sale system demonstrated on the particular system that was utilized. MD stated that IndicaOnline was the POS system used and created for cannabis transactions, so his cannabis transactions would be logged in IndicaOnline while his other non-marijuana products are logged on a separate system; the licensee demonstrated the ability to pull reports and taxation information, and other data, e.g., date and time of sale, etc. In comparison to another licensee, they are doing their own point-of-sale system manually, so that is the question about the commission's standard way of recording sales transactions.

Chairwoman expressed concern, in the absence of a commission cannabis tracking system, over the ability to track sales, BGR reporting, fraudulent sales reporting, and audits; discussion continued on cannabis tracking issues, tracking by weight, sales reporting inventory, record keeping, point-of-sale data...

Vice Chairman suggested language in the regulation that instead of, "*Total quantity sold*" to "*Total quantity of marijuana item sold,*" "*itemized quantity sold, date of sale, type of marijuana sold,*" take out purchaser, and "*Total cost of the sale, total cost of sales for the month,*" and a separate section, "*Retailers must maintain a record of immature plants sold to homegrown marijuana registry card holders recorded by registry card number,*

*and must make these records available to the commission upon request,”* retailers are not required to obtain identifiable information outside of homegrown registry card holders.

Chairwoman and MD agreed with the proposed language presented by the Vice Chairman citing the commission’s unnecessary need to collect personal consumer information. Chairwoman inquired with AAG whether the proposed point-of-sale regulation can be published under an emergency regulation; discussion followed...

#### **d. Sales reporting requirements by licensed retail establishments**

Discussion continued on § 180-10.1-705 on Retailer Operational Requirements with the tracking/recording of cannabis waste/disposal, measurement of wet/dry product weight or immature plant destroyed/disposed; MD cited the AAG’s proposed language of part (d) to read, *“At the total dollar amount of marijuana sold.”*

Discussion continued on purchase invoice, sales receipt, waste measurement and disposal, marijuana producer, processor, wholesaler, etc. After much discussion, Chairwoman subsequently announced the commission’s move to vote as was stated in today’s agenda.

Vice Chairman then motioned for the adoption of the following regulatory amendments:

To amend § 180-10.1-501, Licensed Premises Restrictions and Requirement, to add in a new section to read:

- *Public facing windows in the licensed premises shall not permit the possibility of minors viewing cannabis products within the licensed premises.*

To amend § 180-10.1-505, Signage, (a)(1) to read, *A licensee must post at every licensed premises signs that ~~read~~ state:*

- *(i) No Minors Permitted on This Premises;*
- *(ii) No On-Site Consumption of Marijuana if the location is not licensed under 4 CMC § 53026 lounge area; and*
- *(2) At all areas of ingress or egress within the limited access area a sign that reads: Do Not Enter – Limited Access Area – Access Limited to Licensed Personnel and Escorted Visitors.*

To amend (b)(1) to read, *All signs required by § 180-10.1-505(a) must be:*



- *Legible, ~~not less than 12 inches wide and 12 inches long~~ composed of letters not less than one-half inch in height.*

And to amend § 180-10.1-705 on Retailer Operational Requirements to establish sections (c), (d), and (e) to read:

- *(c) Retail point-of-sale systems will adhere to standards and capabilities as established by the commission;*
- *(d) Retailer must submit a report to the commission on the last Tuesday of each month reporting the itemized quantity of marijuana item sold, the date of sale, the type of marijuana product sold, dollar amount of marijuana sales for the month, a copy of purchase invoices made between retailer and a licensed marijuana producer, processor, wholesaler, or another retailer; and*
- *(e) Retailers must maintain a record of immature plants sold to homegrown registry card holders recorded by registry card numbers and must make these records available to the commission upon request; retailers are not required to maintain any other identifiable information outside of the homegrown registry card numbers.*

Seconded by Chairwoman, who then asked if there were any more discussion before moving to vote; hearing no further discussion, all commissioners voted in favor of the Vice Chairman's motion for the adoption of the above-mentioned regulatory amendments, motion carried.

## **VII. Old Business**

### **1. Discussion and Vote to adopt into regulation:**

#### **a. Training requirements for commercial licensee employees**

Chairwoman mentioned that this matter was discussed in a previous meeting as one of the important components of ensuring licensees are well versed in what they are doing for consumer protection, product safety, and that the Secretary pointed out the importance of required cannabis training to ensure consumer confidence with the product and that it is in the best interest of the commission to implement minimum cannabis training requirements.

Chairwoman opened the floor to discuss the matter further and pointed out one licensee's required employee training with CulturEd, an online eLearning cannabis training site that issues training certifications on various topics, e.g., bud tending, processing, cannabis regulations, cultivation, etc.

Member Songsong brought up another cannabis training institution known as Cannabis Training University or CTU, among several others, which was cited by cannabisreports.org as the top online cannabis training institution, however, other online training institutions seem acceptable, and that the commission agrees on the necessity for cannabis training certifications.

Secretary elaborated on the various training certifications offered, e.g. dispensary technician, identifying signs of customer impairment/intoxication, valid and counterfeit identification, cannabis regulation and product knowledge, etc., that are crucial for retail staff, and expressed that minimum training requirements be established and implemented as soon as possible because the commission takes these matters seriously.

Chairwoman agreed and acknowledged the need to provide sufficient time for licensees' employees to obtain cannabis training certifications.

Chairwoman stated that for the producer side and called on Member Songsong, in which he replied that cannabis training certification on cultivation is an important component because that is where producers will learn and be certified on the various types and acceptable use of specific pesticides on cannabis, especially natural or organic pesticides, and plant stages when to apply or not apply pesticides, which ultimately leads to a final marijuana product being as safe and clean as possible for consumers.

Vice Chairman asked the MD about standard operating procedures and specification of employee qualifications and training, and what did licensees' SOPs specify.

MD responded to the Vice Chairman that licensee SOPs specified training on cannabis law, company policy, security, prevention on entry of minors, personal protective equipment, relating to their specific SOPs, e.g., security, operations, etc. Vice Chairman answered back with, "Business training not on cannabis training."

Discussions followed on the various cannabis training curriculum, requirements, proposed regulatory language, incorporation of the processor training requirement standards, cannabis training levels/updates, advisement of licensed retailers about the

proposed minimum training requirements, additional cost to licensee and allowable time frame to come into compliance, the commission's conduct of more research into the training curriculum requirements it will enact, cannabis license renewal period...

Chairwoman concluded that the commission will come up with the cannabis training curriculum in the coming month(s) and will inform licensees of them while in the process of being adopted and incorporated into regulation, and at the same time creating a positive relationship with licensees without making it feel like another burdensome requirement.

**b. Accepted pesticides for use**

Chairwoman stated that pesticide use is another issue the commission would want inserted into regulation, and asked Member Songsong if he happened to have a list of acceptable pesticides for use on cannabis.

Member Songsong replied that if the commission remembered a draft informational pamphlet that he created about pesticides, it showed examples of various natural or organic pesticides, however, he did look into approved pesticides lists from various states, e.g., Colorado, Oregon, etc., which showed similar natural or organic pesticides which the commission may consider; whether it would adopt portions of a stateside pesticide lists that are considered natural or organic, however, many of them various types of pesticides are not available on Rota and not aware if they are available either on Saipan; two organic pesticides were noted on Rota though known as Bt and insecticidal soap, while others were chemical based, such as Sevin and Malathion, and not recommended for use on cannabis.

Member Songsong continued that in addition to selecting specific organic pesticides from stateside lists, the commission may also pass its pesticide list to Dr. Verna, a horticultural scientist of NMC's Cooperative Research, Extension and Education Services, for his confirmation of its natural, organic character, chemical-free, and safe for use. Dr. Verna was brought up since he had made an indication of working towards a hemp grant, which also involves, besides textile hemp, a certain hemp variety cultivated for CBD oil extraction that looks like a THC marijuana plant that could involve pesticide use.

Discussion continued on the Bureau of Environmental and Coastal Quality (BECQ) regulating pesticide importation, restriction, and the safe handling and applicator pesticide training certification, but not regulating pesticide use on specific crops, and the Department of Lands and Natural Resources' Division of Agriculture also not

regulating specific pesticide use on specific crops, the incorporation of pesticide training certification, Oregon cannabis pesticide regulation...

Chairwoman motioned for the tabling of agenda items VII (1) (a) and (b) under old business for inclusion into the commission's next meeting agenda for further discussion, seconded by Vice Chairman; all commissioners voted in favor of the motion, motion carried.

## **VIII. Executive Session**

1. **Legal Matters:** No legal matters requested or presented.

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

MD updated the commission on current cannabis applications indicating that most applications are up-to-date with either being completed applications or those that are pending have been appropriately informed of lacking documents to complete application, and that she'll be meeting tomorrow with Acting Managing Director Janina Maratita and permitting/licensing staff Eric Basa to go over administrative matters before her going on maternity leave.

Vice Chairman questioned the process in that if a license fee is paid, how long is that license good for, that application?

MD replied that if an application is still under processing, for example this year, and time lapses reaching the statutory September 30<sup>th</sup> license expiration/renewal date, she assumes, as the commission previously discussed, will allow that application to move into the next cycle year because it is still under processing.

Vice Chairman suggested that after this month, anything in August or maybe even mid-July, applicants should be given the option and asked if they want their applications - licenses effective October 1<sup>st</sup>. Chairwoman and MD agreed.

Discussion continued on meeting with the house legislative cannabis committee on issues concerning the CNMI Cannabis Commission, and with the handling of applications and administrative matters.

## **X. Adjournment**

Chairwoman motioned for meeting adjournment, seconded by Vice Chairman; all commissioners voted in favor of the motion, motion carried. Meeting adjourned at 5:28 p.m.