



**Government of the Virgin Islands of the United States of America
Department of Licensing and Consumer Affairs
Office of Cannabis Regulations**

ocr.vi.gov

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Hannah V. Carty, M.A.

Former Executive Director, Office of Cannabis Regulations

*Testimony before the 35th Legislature of the Virgin Islands'
Committee on Economic Development & Agriculture*

Javan E. James, Sr., Committee Chair

March 13, 2024

Good morning Committee Chair Javan E. James, Sr., other Committee Members, Senators of the 35th Legislature of the Virgin Islands, and the people of the Virgin Islands of the United States. My name is Hannah Carty, and as of March 8, 2024, I was the Executive Director of the Office of Cannabis Regulations or the “OCR.”

I was invited here today to discuss the implementation of Act 8680, a status update on the necessary personnel to carry out the duties of the Office of Cannabis Regulations, the path moving forward for the implementation of the medicinal and adult Cannabis industry, and a discussion on the licensing procedures for the Cannabis Industry which we previously discussed last year.

Thank you all and the members of the 35th Legislature for your continued interest in promoting the Cannabis industry here in the Virgin Islands.

Implementation of Act 8680 & the Path Moving Forward

I am proud to announce that the Cannabis program successfully launched within the guidelines written into the law by rolling out The Registry system on January 17, 2024. The Registry system is where all Practitioners, Sacramental Organizations, Patients, Sacramental Users, Cannabis Business Agents and Consultants for the Cannabis industry will go to register and receive their identification card. The Registry is currently open to Sacramental Organizations and Practitioners with scheduled openings in April for Patients and Sacramental Users, and July for Cannabis Business Agents and Consultants. This step goes a long way in ensuring our most vulnerable are protected as we begin to right the wrongs of the War on Drugs. More information is available on the OCR website under “The Registry.” The fees are currently \$250 and \$200 for biennial registration of Practitioners and Sacramental Organizations, respectively. Samples of cards designs by the OCR are attached to this Testimony (Appendix A). We issued our first practitioner certification earlier this month. The complete list of approved practitioners is available on the OCR Website under “The Registry.”

We continue to run a lean operation in anticipation of reserving funding for the program’s rollout. We received the allocation of Act 8680’s funding on September 7, 2023, and have begun

processing how we will be utilizing the funds. We created a Request for Proposal for the Track and Trace (or Seed to Sale) system, and submitted to Property and Procurement, a Request for Proposal for consultants to score the Merit-Based Application process. We are awaiting publication of this documentation.

These Amendment requests are quintessential to the access, health, safety, and running of the program. Many of our recommendations fall into this category. Here are some of the other challenges that the OCR is currently facing:

1. Hemp Enforcement: These states regulate all hemp-derived cannabinoids under the same regulatory agency as marijuana-derived cannabinoids (e.g., NY, RI, MI, MD, IA, WA, UT). Policy differs, but states are increasingly bringing intoxicating hemp products under the purview of the Cannabis regulator, where the same cannabinoids – but derived from marijuana – are being regulated.
 - a. Concerning cannabinoid hemp products, several states (e.g., CA, IN, LA, TX, HI) have banned or attempted to ban smokeable hemp to avoid renormalizing smoking following the Master Settlement against the tobacco industry.
 - b. States are in the process of adopting a range of standards for cannabinoid hemp products, with several states adopting manufacturing requirements (e.g., MI, NV, HI), minimum age of sale (e.g., NY, OR, FL, MD), required packaging and labeling standards (e.g., NY, CO, FL, CT, MD, HI), and required testing standards (e.g., CA, NY, OR, MD, HI). However, state regulations are primarily determined by state legislatures. Cannabinoid hemp is a complex topic, and this is one of many issues that state lawmakers are dealing with. Accordingly, educational gaps can impact the type of policies state legislatures enact.
 - c. The Virgin Islands could and should be doing more to protect the public from unregulated cannabinoid hemp products through legislation.
2. Staffing Shortages at Involved Agencies
3. More robust engagement, attention, and response from supporting agencies.
4. Programmatic Challenges
 - a. Virgin Islands Driver's Licenses are not scannable, which makes it difficult to verify the identification and age of patrons as they enter businesses.

b. National Verification System Access (NCIC Background Checks)

Since our last Testimony, we have:

- Hosted an OCR Lunch & Learn meeting on the Rules and Regulations;
- Continued Website Development (Press, Governance, The Registry, Google Drive Documents, Public Information and Research);
- Hosted successful Fireside Chat series where stakeholders were encouraged to join our “safe spaces” to ask questions and engage in conversations with the OCR directly;
- Released the Proposed Rules and Regulations on February 13, 2024;
- The Cannabis Advisory Board held its first meeting in December, held a second meeting in February, and scheduled all 2024 meetings in advance;
- Coordinated with other agencies;
- Developed job organizational charts and job descriptions for the creation of new roles;
- Reviewed and updated budgets;
- Developed tools for regulators looking to understand the CUA of 2023;
- Coordinated and collaborated with regulators across the US through the Cannabis Regulators Association (CANNRA);
- Finalized and rolled out the Cannabis Registry System with Tyler Technologies, which will host the registration and card processing for Sacramental Users, Medicinal Patients, Agent Identification Cards, Practitioners, and Sacramental Organizations,
- Issued our first Practitioner registration;
- Finalized and selected a vendor for the Seed to Sale or Track and Trace system; and
- Reviewed the timelines for the start of the program based on staffing levels, status of Requests for Proposals, and readiness of programs.

The Cannabis Advisory Board is moving forward with the Rules and Regulations or Medicinal Cannabis Use only! Unfortunately, this body has not moved the legislation to address the issues in the language of Act 8680, we have brought forward multiple times addressing concerns around

setting up retail programs for Adult Users or Sacramental Users. There are a number of other significant challenges in the law that need to be addressed, which I hope are addressed by the legislation requests the OCR has made over the past year and the formal request submitted by the Governor in January of this year.

At this time, I would like to take this moment to remind the public that legal Cannabis cannot begin until the Rules and Regulations are completed and the Cannabis programs and dispensaries are open. The comment period is now open and shall remain open through March 18, 2024, at 5:00 PM. It is available on the OCR Website under “Governance, Rules & Regulations” and is subject to addition, amendment, and revision.

Recently, the federal Department of Health and Human Services recommended that cannabis should be rescheduled from Schedule I (substances that lack accepted medical use and have the potential for high abuse) to Schedule III (substances deemed to have moderate to low potential for dependence). This recommendation would allow cannabis to keep company with other substances such as ketamine, anabolic steroids, and Tylenol with codeine, among other things. This recommendation would additionally enable cannabis businesses to fully participate in the business community, including receiving tax breaks and utilizing banks. This rescheduling has not happened yet. It is up to the Drug Enforcement Administration to make the ultimate decision on this issue.

Until this happens, Cannabis is still a highly regulated substance and is illegal at federal facilities in the Virgin Islands. For community members, please know that ports, airports, cargo facilities, post offices, and national parks are examples of properties under federal jurisdiction. If federal agents see an illegal act, they are empowered to act upon it.

All of the updates for the OCR are available on the website including a timeline, the rules and regs, and many other resources during this transition. You can find the website at ocr.vi.gov. The estimated timeline for implementation is available under the Cannabis Advisory Board listing.

Licensing Procedures

Outside of the language created by Act 8680 under subsections 786 through 799, licensing procedures will be established under the Rules and Regulations. The OCR will provide more details on the final licensing procedures through its newsletter once the Rules and Regulations are finalized. Interested parties can register for the newsletter online at ocr.vi.gov.

We anticipate the license application will be using the fully digital system mygov.us which the government currently uses for Hemp, allowing us the best flexibility in receiving and processing applications. The approach will also be announced via the newsletter.

Necessary Personnel

Attached to this testimony is a preliminary Organizational Chart containing the positions we anticipate for the initial rollout of the Cannabis regulatory program (Appendix B). I have prepared a budget (Appendix C) that conforms with the \$1 million allocated to the OCR. However, it does not go far enough. Based on comparing salaries for similar positions nationally and locally, the OCR will likely require a more considerable investment to hire and fund the program than the money allocated in the Act based on these introductory numbers over the program's first two years. Appendix D explains the full scope of the OCR's anticipated budget over the next two years. We are looking at hiring, at minimum, sixteen (16) full-time employees, of which eleven (11) are for compliance and enforcement-related activity over the next two years. This structure is critical for our adult-use market. In speaking with other regulators, we must have the persons onboard our team to bring the illicit market into the legal market, particularly in the beginning.

As a preliminary draft of the personnel, this may mold and change as our understanding of our local industry changes. We aim to convert the legacy market and encourage all community members to join the legal industry! As such, enforcement activity will be critical, as well as persons to process license applications, coordinate training, ensure compliance, and operate our office locations, phones, etc. A significant component of our program is contingent on our request that our office maintains responsibility for exclusively regulating the legal market and that the VIPD and other relevant enforcement officers remain responsible for regulating the illicit market. This

differentiation will dramatically influence the total amount of personnel necessary to continue this program.

Conclusion

Thank you for the opportunity to testify today about the Cannabis Industry and the plans and intentions for the Office of Cannabis Regulations here in the Virgin Islands. I want to ensure that Cannabis is successful in the Virgin Islands. In 1972, a conservative columnist and editor advocated, "Even if one takes every reefer madness allegation of the prohibitionists at face value, marijuana prohibition has done far more harm to far more people than marijuana ever could." It is time for us to end the prohibition on cannabis here in the Virgin Islands. Even though I am no longer in the position of Executive Director, I continue to advocate for Cannabis regulation and reform in the Virgin Islands and support the continued efforts of the OCR.

APPENDIX A: Card Designs

VIRGIN ISLANDS OFFICE OF

CANNABIS REGULATIONS



PATIENT



LAST FIRST INITIAL ALP000000001

EFFECTIVE DATE:
OCTOBER 24, 2025

EXPIRATION DATE:
OCTOBER 24, 2026

LIMITATIONS:
NONE

MEDICAL CANNABIS REGISTRATION CARD

VIRGIN ISLANDS OFFICE OF

CANNABIS REGULATIONS



CAREGIVER
ON BEHALF OF PATIENT
PAT000000009



LAST FIRST INITIAL ALP000000001

EFFECTIVE DATE:
OCTOBER 24, 2025

EXPIRATION DATE:
OCTOBER 24, 2026

LIMITATIONS:
NONE

MEDICAL CANNABIS REGISTRATION CARD

VIRGIN ISLANDS OFFICE OF

CANNABIS REGULATIONS



CANNABIS
BUSINESS AGENT

LAST FIRST INITIAL ALP000000001

EFFECTIVE DATE:
OCTOBER 24, 2025

EXPIRATION DATE:
OCTOBER 24, 2026

LIMITATIONS:
NONE

REGISTRATION CARD

VIRGIN ISLANDS OFFICE OF

CANNABIS REGULATIONS



SACRAMENTAL

LAST FIRST INITIAL ALP000000001

EFFECTIVE DATE:
OCTOBER 24, 2025

EXPIRATION DATE:
OCTOBER 24, 2026

LIMITATIONS:
NONE

SACRAMENTAL CANNABIS
REGISTRATION CARD

VIRGIN ISLANDS OFFICE OF

CANNABIS REGULATIONS



CANNABIS
CONSULTANT

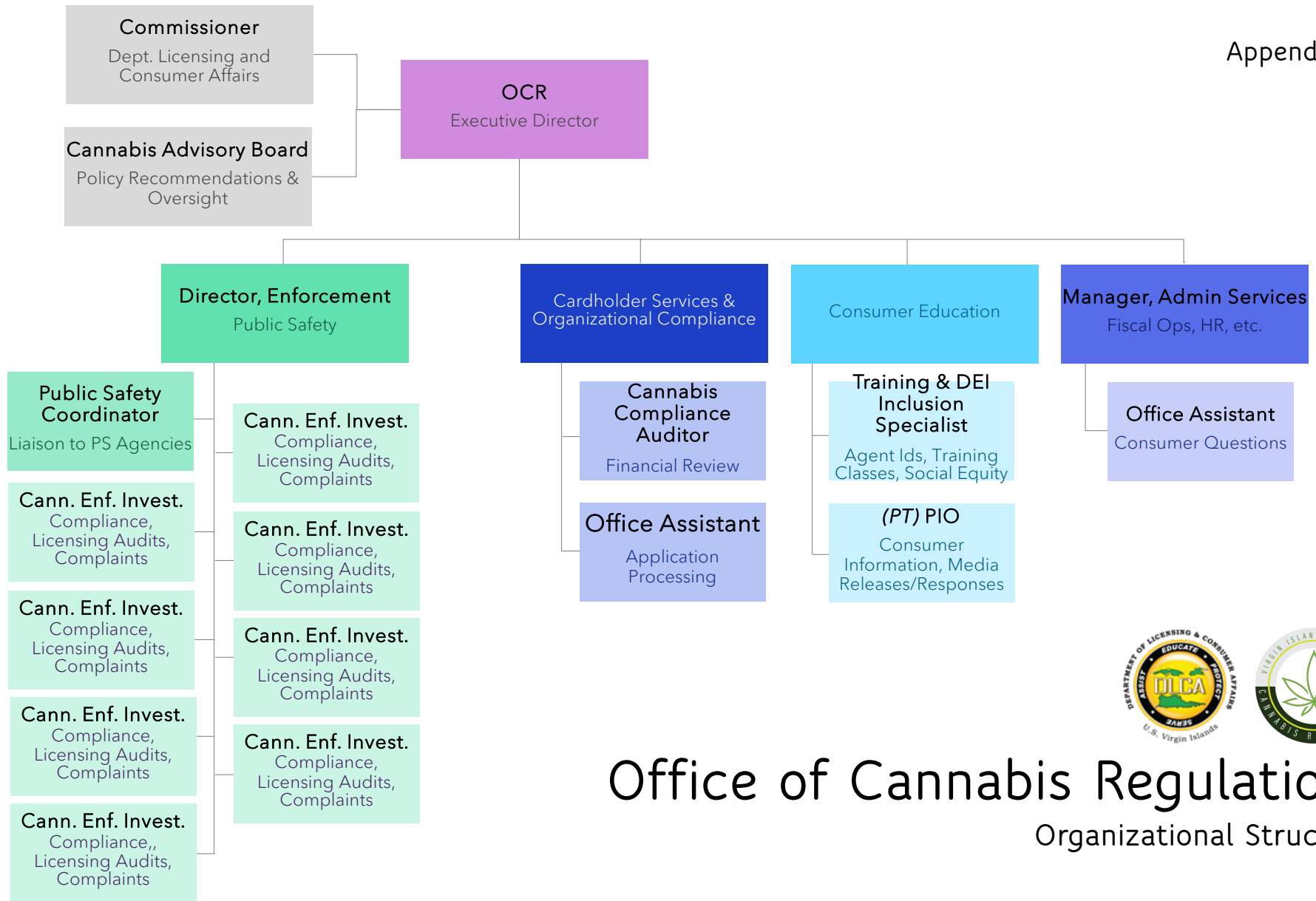
LAST FIRST INITIAL ALP000000001

EFFECTIVE DATE:
OCTOBER 24, 2025

EXPIRATION DATE:
OCTOBER 24, 2026

LIMITATIONS:
NONE

REGISTRATION CARD



Office of Cannabis Regulations

Organizational Structure

\$1 mil Budget Projection

Appendix C

THIS IS A DRAFT FILE AND FOR DISCUSSION PURPOSES ONLY.

This document has been designed to provide an estimation of the amount of funds OCR will generate and require for the successful implementation of the Cannabis program in the Virgin Islands of the United States. It includes several assumptions, based on data collected from across the US on how cannabis is used. Where possible, the references are included. As this would be the first year of the program, there is no historical data that can be used to generate future reference points. Finally, it does not include all possible operating expenses that may be required for the use of the Office of Cannabis Regulations.

NOTE: THIS FILE IS ALMOST FULLY AUTOMATED. ONE CHANGE IN A SECTION OF THE DOCUMENT, MAY IMPACT SEVERAL AT A TIME. PLEASE USE CAUTION WHEN MAKING EDITS.

All data contained within this file is confidential and is subject to change.



\$1mil Budget Projection

Budget Area	Summary	Adjustment for Program Start	Lag Time Differential
Year 1 Personnel	\$ 613,796.65	\$ 613,796.65	0.00
Expenses	\$ 356,100.00	\$ 356,100.00	0.00
One Time Expenditures	\$ 30,103.35	\$ 30,103.35	0.00
Annual Expenditures	\$ 1,000,000.00	\$ 1,000,000.00	

Estimated Program Start Date	10/1/23
End of Year	9/30/24
% of Time Operational (Lag Time)	100%

Year 1

Personnel

Position Name	Hourly Base Wage	Annual Hours	Salary
Training Specialist	\$ 27.40	2,080.00	\$ 57,000.00
Office Assistant	\$ 24.04	2,080.00	\$ 50,000.00
Cannabis Investigator (STT)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STT)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STX)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STX)	\$ 32.21	2,080.00	\$ 67,000.00
Public Information Officer	\$ 23.56	1,040.00	\$ 24,500.00
Total Personnel	\$ 203.85	13,520.00	\$ 399,500.00

6	Number of Full-Time Employees
1	Number of Part-Time Employees

Fringe Benefits

TYPE	COST	TOTAL
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Position Name	Hourly Base Wage	Annual Hours	Salary
GERS	26.5%	\$	105,867.50
Health Insurance	\$ 8,539.44	\$	51,236.64
Insurance Supplemental	\$ 517.92	\$	3,107.52
Workers Compensation	\$ 3,920.54	\$	23,523.24
FICA	6.2%	\$	24,769.00
Medicare	1.45%	\$	5,792.75
Total Personnel		\$	214,296.65

SALARY TOTAL (WAGE & FRINGE)	\$ 613,796.65
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TOTAL EMPLOYEES	7.00
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\$ 1 mil Budget Projection

YEAR I

Operating Expenses	Budget	Multiplier	Total
Seed to Sale System	\$ 75,000.00	1.00	\$ 75,000.00
Application Processing & Review	\$ 25,000.00	10.00	\$ 250,000.00
Office Supplies	\$ 10,000.00	0.75	\$ 7,500.00
Advertising	\$ 5,000.00	1.00	\$ 5,000.00
Cell Phones	\$ 50.00	72.00	\$ 3,600.00
Catering	\$ 15,000.00	1.00	\$ 15,000.00
Total Operating Expenses	\$ 130,050.00	85.75	\$ 356,100.00

TOTAL OPERATING EXPENSES (2-YEAR)	\$ 356,100.00
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One Time Expenditures

YEAR I

Operating Expenses	Budget	Multiplier	Total
Application Framework Development	\$ 10,717.60	1.00	\$ 10,717.60
Computers	\$ 1,850.00	7.00	\$ 12,950.00
FFE	\$ 6,435.75	1.00	\$ 6,435.75
Total Operating Expenses	\$ 19,003.35	9.00	\$ 30,103.35

TOTAL OPERATING EXPENSES (2-YEAR)	\$ 30,103.35
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2-Year Budget Projection

Appendix E

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This document has been designed to provide an estimation of the amount of funds OCR will generate and require for the successful implementation of the Cannabis program in the Virgin Islands of the United States. It includes several assumptions, based on data collected from across the US on how cannabis is used. Where possible, the references are included. As this would be the first year of the program, there is no historical data that can be used to generate future reference points. Finally, it does not include all possible operating expenses that may be required for the use of the Office of Cannabis Regulations.

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2-Year Budget Projection

Budget Area	Summary	Adjustment for Program Start	Lag Time Differential
Year 1 Personnel	\$ 760,924.55	\$ 760,924.55	0.00
Year 2 Personnel	\$ 1,700,065.15	\$ 1,700,065.15	0.00
Annual Expenditures (2-Years)	\$ 3,002,400.00	\$ 3,002,400.00	0.00
One Time Expenditures	\$ 969,200.00	\$ 969,200.00	0.00
Average Annual Expenditures	\$ 3,216,294.85	\$ 3,216,294.85	
Total Additional Expenditures over Two Years	\$ 6,432,589.70	\$ 6,432,589.70	

Estimated Program Start Date	10/1/23
End of Year	9/30/24
% of Time Operational (Lag Time)	100%

		<u>Tourism Advertising Revolving Fund (\$1,000,000.00) until</u>	<u>Projected Shortfall</u>
Year 1	\$ 2,256,300.00	\$ (1,000,000.00)	\$ 1,256,300.00
Year 2	\$ 3,914,865.15	\$ -	\$ 3,914,865.15

Virgin Islands Office of Cannabis Regulations

Year 1

Personnel

Position Name	Hourly Base Wage	Annual Hours	Salary
Executive Director	\$ 48.08	2,080.00	\$ 100,000.00
Training & DEI Inclusion Specialist	\$ 27.40	2,080.00	\$ 57,000.00
Office Assistant	\$ 24.04	2,080.00	\$ 50,000.00
Cannabis Investigator (STT)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STT)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STX)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STX)	\$ 32.21	2,080.00	\$ 67,000.00
Public Information Officer	\$ 23.56	1,040.00	\$ 24,500.00
Total Personnel	\$ 251.92	15,600.00	\$ 499,500.00

7	Number of Full-Time Employees
1	Number of Part-Time Employees

Fringe Benefits

TYPE	COST	TOTAL
GERS	26.5%	\$ 132,367.50
Health Insurance	\$ 8,539.44	\$ 59,776.08
Insurance Supplemental	\$ 517.92	\$ 3,625.44
Workers Compensation	\$ 3,920.54	\$ 27,443.78
FICA	6.2%	\$ 30,969.00
Medicare	1.45%	\$ 7,242.75
Total Personnel		\$ 261,424.55

SALARY TOTAL (WAGE & FRINGE)	\$ 760,924.55
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TOTAL EMPLOYEES	8.00
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Virgin Islands Office of Cannabis Regulations

Year 2

Personnel

Position Name	Hourly Base Wage	Annual Hours	Salary
Executive Director	\$ 48.08	2,080.00	\$ 100,000.00
Manager, Admin Services	\$ 40.87	2,080.00	\$ 85,000.00
Director, Enforcement	\$ 38.46	2,080.00	\$ 80,000.00
Cannabis Compliance Auditor	\$ 33.65	2,080.00	\$ 70,000.00
Public Safety Coordinator	\$ 28.85	2,080.00	\$ 60,000.00
Training & DEI Inclusion Specialist	\$ 27.40	2,080.00	\$ 57,000.00
Office Assistant	\$ 24.04	2,080.00	\$ 50,000.00
Office Assistant	\$ 24.04	2,080.00	\$ 50,000.00
Cannabis Investigator (STJ)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STJ)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STT)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STT)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STT)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STX)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STX)	\$ 32.21	2,080.00	\$ 67,000.00
Cannabis Investigator (STX)	\$ 32.21	2,080.00	\$ 67,000.00
Public Information Officer PT	\$ 23.56	1,040.00	\$ 24,500.00
Total Personnel	\$ 546.63	34,320.00	\$ 1,112,500.00

16
1

Number of Full-Time Employees
 Number of Part-Time Employees

Position Name	Hourly Base Wage	Annual Hours	Salary
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Fringe Benefits

TYPE	COST	TOTAL
GERS	26.5%	\$ 294,812.50
Health Insurance	\$ 8,539.44	\$ 136,631.04
Insurance Supplemental	\$ 517.92	\$ 8,286.72
Workers Compensation	\$ 3,920.54	\$ 62,728.64
FICA	6.2%	\$ 68,975.00
Medicare	1.45%	\$ 16,131.25
Total Personnel		\$ 587,565.15

SALARY TOTAL (WAGE & FRINGE)	\$ 1,700,065.15
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TOTAL EMPLOYEES	17.00
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2-Year Budget Projection

YEAR 1

Operating Expenses	Budget	Multiplier	Total
Seed to Sale System	\$ 125,000.00	1.00	\$ 125,000.00
Medicinal Registry	\$ 250,000.00	1.00	\$ 250,000.00
Application Processing & Review	\$ 25,000.00	25.00	\$ 625,000.00
Personnel Training/Education	\$ 1,500.00	7.00	\$ 10,500.00
Gas Usage (per vehicle)	\$ 4,550.00	5.00	\$ 22,750.00
Interisland Travel	\$ 850.00	12.00	\$ 10,200.00
National Travel	\$ 2,000.00	6.00	\$ 12,000.00
Office Supplies	\$ 10,000.00	1.00	\$ 10,000.00
Consultants	\$ 25,000.00	3.00	\$ 75,000.00
Maintenance and Repairs	\$ 10,000.00	1.00	\$ 10,000.00
Postage	\$ 200.00	1.00	\$ 200.00
Advertising	\$ 25,000.00	1.00	\$ 25,000.00
Legal and auditing	\$ 50,000.00	1.00	\$ 50,000.00
Cell Phones	\$ 50.00	7.00	\$ 350.00
Rent or mortgage		12.00	\$ -
Catering	\$ 15,000.00	1.00	\$ 15,000.00
Residual (Unanticipated Expenses)	\$ 20,000.00	1.00	\$ 20,000.00
Total Operating Expenses	\$ 564,150.00	86.00	\$ 1,261,000.00

YEAR 2

Operating Expenses	Budget	Multiplier	Total
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Operating Expenses	Budget	Multiplier	Total
Seed to Sale System	\$ 125,000.00	1.00	\$ 125,000.00
Medicinal Registry	\$ 250,000.00	1.00	\$ 250,000.00
Application Processing, Review, & On-going Audit	\$ 25,000.00	40.00	\$ 1,000,000.00
Personnel Training/Education	\$ 1,500.00	16.00	\$ 24,000.00
Gas Usage (per vehicle)	\$ 4,550.00	10.00	\$ 45,500.00
Interisland Travel	\$ 850.00	48.00	\$ 40,800.00
National Travel	\$ 2,000.00	16.00	\$ 32,000.00
Office Supplies	\$ 8,000.00	1.00	\$ 8,000.00
Consultants	\$ 25,000.00	3.00	\$ 75,000.00
Maintenance and Repairs	\$ 10,000.00	1.00	\$ 10,000.00
Postage	\$ 250.00	1.00	\$ 250.00
Advertising	\$ 30,000.00	1.00	\$ 30,000.00
Legal and auditing	\$ 50,000.00	1.00	\$ 50,000.00
Cell Phones	\$ 50.00	17.00	\$ 850.00
Rent or mortgage		12.00	\$ -
Catering	\$ 10,000.00	1.00	\$ 10,000.00
Residual (Unanticipated Expenses)	\$ 40,000.00	1.00	\$ 40,000.00
Total Operating Expenses	\$ 582,200.00	171.00	\$ 1,741,400.00

TOTAL OPERATING EXPENSES (2-YEAR)	\$ 3,002,400.00
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One Time Expenditures

YEAR 1

Operating Expenses	Budget	Multiplier	Total
Vehicles	\$ 45,000.00	5.00	\$ 225,000.00
Furniture	\$ 750.00	8.00	\$ 6,000.00
Computers	\$ 1,850.00	8.00	\$ 14,800.00
Application Framework Development	\$ 250,000.00	1.00	\$ 250,000.00
Total Operating Expenses	\$ 297,600.00	22.00	\$ 495,800.00

YEAR 2

Operating Expenses	Budget	Multiplier	Total
Vehicles	\$ 50,000.00	5.00	\$ 250,000.00
Furniture	\$ 750.00	9.00	\$ 6,750.00
Computers	\$ 1,850.00	9.00	\$ 16,650.00
Audit Framework Development	\$ 200,000.00	1.00	\$ 200,000.00
Total Operating Expenses	\$ 252,600.00	24.00	\$ 473,400.00

TOTAL OPERATING EXPENSES (2-YEAR)	\$ 969,200.00
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APPENDIX E

Legislative Recommendations

- **Practitioner:** Should include podiatrists.
- **Smoking:** Should include vaporization, sublimation, or general inhalation of gas; it can have other implications in the law since these different methods are not included.
- **Board Indemnification, Protected Action, & Communication:** According to current law, the Board does not explicitly have the protections other Boards have, such as the Board of Medical Examiners (outlined in 27 VIC 1 § 13). Such items should include immunity and indemnity.
- **Testing Facility:** It may be a fiscal reality that we cannot sustain three labs on each island, particularly on St. John. In many other jurisdictions, such as Hawaii, the lab is on one island, and samples are flown to it for testing. In our opinion, we would benefit from having one testing facility for licensees, with the OCR operating a second facility (a state-managed reference lab) for spot-checking and as a backup.
- **Qualified Patient's Bill of Rights:** (section b) should be parent... under 21 years of age, not 18. Since 18-20, YO's still require someone to do the listing
- **Distance requirements for Licensees Inconsistent:** Standard language indicates not less than 500 or 1000 feet, depending on type. Subsection 792, etc., says 250 feet.; Adult-Use Lounges say 500 ft.
- **Restricted Access Area:** Says only Owners, Consultants, and Patients are allowed; however, Adult-Use individuals, Sacramental Users, properly registered visitors, and law enforcement (OCR) will also need access. [SS 794d]
- **R&D Facilities:** Research & Development producers should not be able to introduce Cannabis products to the industry for sale to a consumer. If the intent is for nurseries, a nursery license should be created under the Act. An R&D facility should not be allowed to buy or sell if it is also operating a testing facility.
- **Suspension, Revocation, and Fines:** clarification needed on what subsection e means;
 - No cash payments at all to OCR? Just fines? (Would be worth doing no cash)
 - Specificity may be needed on how these monies will get into the Cannabis fund.

- **Medical Recommendations:** For Cannabis use under the age of 21, patients should receive two recommendations, one from a pediatrician or another general practice doctor.
- **Fees:** Revenue from the application fees should be directly given to OCR.
- **Enforcement:** OCR should be responsible for regulating the legal market, and the VIPD and other relevant entities should regulate the illicit market (remove criminals from the Act).
- **Taxes:** Should be specific on what is for the OCR and what remains with the general government for other uses; the OCR should be funded first to ensure operational needs are met.
- **Taxes:** Subsection 802 d5 should be e; e becomes f
- **Background Check:** Need to add language specifying the Background Check must come from the Federal Database and that the person(s)/agencies that have the authority to access the information must be by law and not by rule.
- **Board Member Confirmation & Quorum:** Need to add language specifying that Board Members seated by the confirmation process “ex-officio” would not be required to return to the Senate for a second confirmation. It makes the Board more likely to lose their quorum in the interim.

APPENDIX E