

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
MEDICAL MARIJUANA INDEPENDENT LABORATORY ADVISORY  
COMMITTEE**

**BYLAWS**

**ARTICLE I  
NAME**

- A. The name of this advisory committee shall be the INDEPENDENT LABORATORY ADVISORY COMMITTEE as set forth in NAC 453A.666.

**ARTICLE II  
PURPOSE and ROLE**

- A. Pursuant to NAC 453A.666, the purpose of this Advisory Committee shall be to advise and make recommendations to the Division of Public and Behavioral Health of the Department of Health and Human Services (hereinafter referred to as “the Division”) concerning the testing of medical marijuana.
- B. The role of this Advisory Committee pursuant to 453A.666 shall be to: (1) provide recommendations to the Division regarding the testing of medical marijuana; (2) make recommendations to the Division for any changes to NAC 453A relating to the testing of medical marijuana; and (3) assist the Division in creating and updating a policy manual to be used by the Division to guide the testing of edible marijuana products and marijuana-infused products by independent testing laboratories.

**ARTICLE III  
DUTIES**

- A. The Advisory Committee shall:
- a. Assist the Division staff in determining key issues related to the testing of medical marijuana, edible marijuana products and marijuana-infused products.
  - b. Determine the acceptable parts per million for 1 gram of finished extract of residual solvent or gas in accordance with NAC 453A.592(7). Determine the acceptable tolerance of residual solvents and/or gas in finished medical marijuana extract.
  - ~~c. Establish a list of pesticides approved for use in the cultivation and production of marijuana, edible marijuana products and marijuana infused products in accordance with NAC 453A.658(9). Determine a list of analytes to use in the testing of medical marijuana.~~

**ARTICLE IV  
MEMBERSHIP and TERMS**

- A. The Advisory Committee shall be composed of seven (7) to nine (9) members appointed by the Administrator from a list of persons provided by the Medical Marijuana Program which “ensure that the membership of the Advisory Committee is representative of the independent testing laboratories and other medical marijuana establishments in this State” in accordance with the provisions of NAC 453A.666(1).
- B. Members shall serve a two-year term. Any member of the Advisory Committee may be reappointed.
- C. Each member is expected to participate in a majority of the meetings and activities. The Advisory Committee may, after discussion, request a member resign due to absences.
- D. Any member may be removed from the Committee with or without cause by an affirmative vote of the majority of members present at a regularly called meeting when a quorum is present. A fifteen (15) day written notice of the proposed removal shall be given to all members with the notice of the meeting. The member sought to be removed will be given fifteen (15) day written notice informing him or her of the proposed removal and providing the opportunity to be present, to be heard and to vote at the next meeting at which his or her removal is considered or sought. The written notice shall be sent to the most recent electronic mail address with return receipt and/or certified mail with return receipt provided by the member.
- E. Upon the occurrence of any vacancy, the Advisory Committee shall make recommendations to the Administrator to appoint a new member. When a member is appointed to fill an unfinished term, that member shall complete the unfinished term and will be eligible to be appointed for additional terms.

**ARTICLE V  
OFFICERS**

- A. The Advisory Committee shall:
  - a. At its first meeting and annually thereafter, elect a Chair and Vice Chair from among its members.
  - b. The Chair shall preside at all meetings and generally supervise the affairs of the Advisory Committee, or designate a representative to do so.
  - c. The Vice Chair shall assist and assume the duties of the Chair in case of his/her absence.
  - d. Terms of office shall be for one (1) year with eligibility for re-election for one additional consecutive term.

**ARTICLE VI  
MEETING PROCEDURES and PROTOCOL**

- A. The Advisory Committee shall meet at the call of the Division Administrator. The Advisory Committee may also meet at the call of the Advisory Committee Chair, subject to the approval of the Division Administrator.
- B. A majority of the members of the Advisory Committee constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Advisory Committee.
- C. All proceedings and actions shall be conducted in accordance with the Nevada Open Meeting Law in Chapter 241 of the Nevada Revised Statutes.
- D. Advisory Committee members shall, to the extent practicable, inform department staff at least twenty-four (24) hours in advance of an anticipated absence.
- E. In the event that a videoconference is scheduled to accommodate Advisory Committee members or the public, the following procedures will be observed:
  - a. Speakers will identify themselves to the Chair for the benefit of remote participants;
  - b. The Chair will restate the names of members who make and second motions requiring action;
  - c. All members will facilitate the process by observing the following:
    - i. Refraining from informal speech or conversation that is not intended for public consumption;
    - ii. Proactive inclusion of members from remote sites; and
    - iii. Attentiveness to speakers from remote sites.

## **ARTICLE VII WORK GROUPS**

- A. The Chair of the Advisory Committee or Interim Chair if a Chair has not been appointed may appoint groups composed of members of the Advisory Committee, former members of the Advisory Committee and members of the public who have relevant experience or knowledge.
- B. Work groups may be formed for the purpose of considering specific problems or matters related to and within the scope of activities of the Advisory Committee.
- C. Work groups may take action with a majority of members present.
- D. Work groups are subject to the open meeting law requirements (posting of agenda, minutes, etc.).
- E. All recommendations approved by work groups will be forwarded to the Independent Laboratory Advisory Committee for further action.

## **ARTICLE VIII EXPENSES**

- A. All members of the Advisory Committee will serve without compensation, while engaged in the business of the Advisory Committee.
- B. A member of the Advisory Committee who is an officer or employee of this State or a political subdivision of this State must be relieved from his/her duties without loss of his regular compensation so he may prepare for and attend meetings of the Advisory Committee and perform any work necessary to carry out the duties of the Advisory Committee in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Advisory Committee to:
  - a. Make up the time he/she is absent from work to carry out his/her duties as a member of the Advisory Committee; or
  - b. Take annual leave or compensatory time for the absence.

**ARTICLE IX**  
**CONFLICT OF INTEREST**

- A. The Division will survey its Advisory Committee members annually to collect information regarding their affiliations outside the department. Each member is responsible for fully disclosing all current affiliations.
- B. Conflicts of interest must be declared by members prior to discussion of any matter that would provide direct financial benefit for that member, or otherwise have the appearance of a conflict of interest. When funding or other decisions are made regarding an organization with which the member has an affiliation, the member shall state his intention to abstain from making specific motions or casting a vote, before participating in related discussion. The Chair or a majority of the Advisory Committee may also declare a conflict of interest exists for a member, and ask that the member be removed from the voting process.

**ARTICLE X**  
**AMENDMENTS**

- A. These operating procedures may be altered, amended, or repealed by a majority of the Advisory Committee members at any of its regularly scheduled meeting subject to affirmation of the Administrator.