1. Working group name:

*Retail Establishments*

1. Individual sponsor(s):

*Riana Durrett, Executive Director, Nevada Dispensary Association*

*Paulina Oliver, Deputy Director of Compliance, Nevada Dept. of Taxation*

1. Describe the recommendation:

*The Operations-Retail Establishment working group recommends that Nevada Legislature transfer the responsibility for regulating the Nevada medical marijuana program from the Department of Health and Human Services to the Department of Taxation. The working group recommends that the Nevada Legislature enact any necessary legislation to transfer the duties, responsibilities, and budgets relating to medical marijuana from Department of Health Human Services to the Department of Taxation during the 2017 regular legislative session.*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 2 - Be responsive to the needs and issues of consumers, non-consumers, local governments, and the industry*

*Guiding Principle 4 - Propose efficient and effective regulation that is clear and reasonable and not unduly burdensome*

*Guiding Principle 6 - Establish regulations that are clear and practical, so that interactions between law enforcement (at the local, state, and federal levels), consumers, and licensees are predictable and understandable.*

1. What provision(s) of Question 2 does this recommendation apply to?

*This recommendation pertains to the mandate under Question 2 that the Department of Taxation regulate marijuana establishments and retail marijuana. This mandate creates two different regulatory structures and state departments when they are both essentially regulating the same product.*

1. What issue(s) does the recommendation resolve?

*This recommendation would resolve inefficiencies created by regulation of medical and retail marijuana by two different state Departments. Oregon and Colorado officials in their departments of health and taxation have advised Nevada officials to avoid regulation of medical and retail under two different departments. Regulation by two different departments creates unnecessary inefficiencies, wastes State resources, and causes confusion as to which department is responsible for enforcement of certain issues.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*Jennifer DeLett-Snyder of Join Together Northern Nevada and the Nevada Statewide Coalition Partnership dissents for this reason: Medical Marijuana is currently under the Department of Public and Behavioral Health since it’s a public health matter; therefore, it should be regulated in a manner separate than recreational marijuana since it’s being considered medicine. If the state would like Medical Marijuana and Recreational Marijuana to be co-located under one department, I suggest the creation of an Alcohol and Marijuana Control Board as was done in Alaska and Washington state.*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*Revise NRS 453A to allow the Department of Taxation to perform any function required by the Department of Health and Human Services. Request input from Department of Taxation and Department of Health and Human Services as to whether any other chapters must be addressed to transfer the medical marijuana program from Department of Health and Human Services to the Department of Taxation.*

1. Additional information (cost of implementation, priority according to the recommendations, etc.).

*None*