



State of New Jersey
CANNABIS REGULATORY COMMISSION
P.O. BOX 216
TRENTON, N.J. 08625-0216

PHILLIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DIANNA HOUEYOU, *Chair*
SAMUEL DELGADO, *Vice Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
CHARLES BARKER, *Commissioner*
JEFF BROWN, *Executive Director*

RESOLUTION 2022-10
ADOPTION OF BYLAWS

WHEREAS, the New Jersey Cannabis Regulatory Commission (“the Commission”) is established pursuant to P.L. 2019, c.153, known and cited as the “Jake Honig Compassionate Use Medical Cannabis Act,” and is charged with implementing the provisions of that Act as well as P.L.2021, c.16, known and cited as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”; and

WHEREAS, the Commission has a stated purpose of applying the values of public safety and equity in establishing and regulating a responsible medicinal and personal-use cannabis industry; and

WHEREAS, N.J.S.A. 24:6I-24a.(1) authorizes the Commission to assume all powers, duties, and responsibilities with regard to the regulation and oversight of activities authorized pursuant to P.L.2019, c.153 (C.24:6I-1 et al.) from the Department of Health for the further development, expansion, regulation, and enforcement of activities associated with the medical use of cannabis pursuant to P.L.2009, c.307 (C.24:6I-1 et al.); and

WHEREAS, N.J.S.A. 24:6I-24a.(2) authorizes the Commission to oversee the development, regulation, and enforcement of activities associated with the personal use of cannabis pursuant to P.L.2021, c.16 (C.24:6I-31 et al.); and

WHEREAS, N.J.S.A. 24:6I-24a. grants the Commission all powers necessary and proper to enable it to carry out the Commission’s duties, functions, and powers under P.L.2021, c.16 (C.24:6I-31 et al); and

WHEREAS, the Commission has determined that a set of bylaws is necessary to establish roles, procedures, and decision-making practices for the Commission; and

WHEREAS, the Commissioners and staff have reviewed, researched, and considered the appropriate sections and clauses to be included in the bylaws so that the Commission can function efficiently, transparently, and in the best interest of the State of New Jersey and the citizens of New Jersey; and

WHEREAS, the Commission has determined that the proposed bylaws are necessary and proper to guide the Commission in carrying out its duties and formally establish the responsibilities of and procedures for the Commissioners, Executive Director, and staff; and

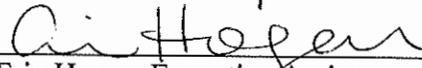
NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Cannabis Regulatory Commission, that the attached bylaws are hereby approved and adopted.

Submitted by: 

Dianna Houenou, Chair

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 27 day of January, 2022.


Erin Hogan, Executive Assistant

Vote on the Approval of This Resolution	Motion	Second	Yes	No	Abstain	Absent
Commissioner Barker				X		
Commissioner Del Cid-Kosso		X	X			
Commissioner Delgado			X			
Chairwoman Houenou			X			
Commissioner Nash	X		X			



MISSION STATEMENT: The New Jersey Cannabis Regulatory Commission seeks to establish, grow, and maintain a responsible, regulated medicinal and personal-use cannabis industry. By applying the values of safety and equity, the Commission will center its work around creating and protecting access for patients, the production of safe products, and promoting diversity and inclusion in the industry to develop a national model for sensible and fair regulatory oversight.

BYLAWS

NEW JERSEY CANNABIS REGULATORY COMMISSION

ARTICLE I

GENERAL PROVISIONS

OFFICIAL NAME: New Jersey Cannabis Regulatory Commission (“Commission” or “CRC”)

PRINCIPAL LOCATION: 225 East State Street, 2nd Floor, Trenton, NJ 08608

ARTICLE II

PURPOSE/SCOPE, POWERS, AND DUTIES OF THE NEW JERSEY CANNABIS REGULATORY COMMISSION

Section 2.01 Purpose and Scope

Purpose

The New Jersey Cannabis Regulatory Commission (hereinafter referred to as the “Commission”) is created in, but not of, the Department of the Treasury, to oversee the development, regulation, and enforcement of activities associated with the personal use of cannabis pursuant to the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act,” P.L. 2021, c.16 and assume responsibility from the Department of Health for the further development and expansion, regulation, and enforcement of activities associated with the medicinal use of cannabis pursuant to the “Jake Honig Compassionate Use Medicinal Cannabis Act,” P.L.2019, c.153 (C.24:6I-1 et al.).

Scope

These bylaws shall govern the activities of the Commission, its board members, and staff. The Commission shall comply with all applicable laws, including but not limited to the “Jake Honig Compassionate Use Medicinal Cannabis Act,” P.L.2019, c.153 (C.24:6I-1 et al.) and the “New Jersey Cannabis Regulatory Enforcement Assistance, and Marketplace Modernization Act,” P.L.2021, c.16 (C.24:6I-31 et seq.), as well as the “State Agency Transfer Act,” P.L.1971, c.375 (C.52:14D-1 et seq.), the “New Jersey Employer-Employee Relations Act,” P.L.1941, c.100 (C.34:13A-1 et seq.), and the “Senator Byron M. Baer Open Public Meetings Act”, (C.10:4-6 et seq.).

Section 2.02 Powers, Duties, and Functions Related to Personal-Use and Medicinal Use

The Commission shall exercise all powers incidental, convenient, or necessary to enable the Commission to administer or carry out the provisions of the P.L.2019, c.153 and P.L.2021, c.16, or any other law of this State that charges the Commission with a duty, function, or power related to personal use cannabis. The Commission shall have the power and duty to:

Oversee the development, regulation, and enforcement of activities associated with the medicinal use of cannabis authorized pursuant to P.L.2019, c.153 (C.24:6I-1 et al.);

Oversee the development, regulation, and enforcement of activities associated with the personal use of cannabis pursuant to P.L.2021, c.16 (C.24:6I-31 et al.), including, but not limited to:

1. The regulation of purchasing, selling, cultivating, producing, manufacturing, transporting, and delivering of cannabis or cannabis items;
2. Granting, refusing, suspending, revoking, cancelling, or taking actions otherwise limiting licenses or conditional licenses for the sale, cultivation, production, manufacturing, delivering, transporting, or wholesaling of cannabis items, or other licenses in regard to cannabis items, and to permit, in the Commission’s discretion, the transfer of a license between persons;
3. Investigating and aiding in the prosecution of violations of the statutory laws of the State of New Jersey relating to cannabis and cannabis items and to cooperate in the prosecution of offenders before any State court of competent jurisdiction;
4. Adopting, amending, or repealing regulations as necessary to carry out the intent and provisions of P.L.2021, c.16 (C.24:6I-31 et al.);

Issue subpoenas;

Compel attendance of witnesses;

Administer oaths;

Certify official acts;

Take depositions as provided by law;

Compel the production of books, payrolls, accounts, papers, records, documents, and testimony;

Establish fees in addition to the application, licensing, and renewal fees, provided that any fee established by the Commission is reasonably calculated not to exceed the cost of the activity for which the fee is charged;

Adopt rules regulating and prohibiting the advertising of cannabis items in a manner that is appealing to minors; that promotes excessive use; that promotes illegal activity; or that otherwise presents a significant risk to public health and safety;

Regulate the use of cannabis and cannabis items for scientific, pharmaceutical, manufacturing, mechanical, industrial, and other purposes;

Purchase, seize, possess, and dispose of cannabis and cannabis items;

Adopt an annual schedule of regular meetings, and hold special meetings at the call of the Chair;

Establish and, from time to time alter, a plan of organization and employ personnel as it deems necessary under the direct supervision of a full-time Executive Director for the Commission;

Sue and be sued in any court, employ legal counsel to represent the Commission in any proceeding to which it is a party and render legal advice to the Commission upon its request, as well as contract for the services of other professional, technical, and operational personnel and consultants as may be necessary to the performance of its responsibilities;

Incur additional expenses within the limits of funds available to it to carry out its duties, functions, and powers; and

Designate its powers and authority as it deems necessary and appropriate to carry out its duties and implement the law and regulations.

Section 2.03 Notice Acceptance

Whenever any law or regulation requires that a party provide notice to or file any application, petition, or other submission with the Commission or Chair, the Commission may provide written notice to such party designating the Executive Director or other staff member authorized to accept such notice or filings on behalf of the Commission or Chair.

ARTICLE III

COMPOSITION OF THE COMMISSION

Section 3.01 Members

Pursuant to N.J.S.A. 24:6I-24, the Commission shall consist of five members (hereinafter collectively referred to as “the Board of Commissioners” or “the Board”), one of whom shall be designated by the Governor as the Chair, and one of whom shall be designated the Vice-Chair in accordance with the appointment process set forth herein.

The members of the Commission shall be appointed by the Governor as follows:

1. One member shall be appointed upon recommendation of the Senate President;
2. One member shall be appointed upon recommendation of the Speaker of the General Assembly;
3. Three members, including the Chair, shall be appointed without any needed recommendation;
4. At least one member shall be a current State representative of a national organization or State branch of a national organization with a stated mission of studying, advocating, or adjudicating against minority historical oppression, past and present discrimination, unemployment, poverty and income inequality, and other forms of social injustice or inequality

Appointments made after the initial appointments made by the Governor, including reappointments of members initially appointed, shall be made in a manner consistent with N.J.S.A. 24:6I-24.

All five members shall be residents of this state. All five members shall possess education, training, or experience with legal, policy, or criminal justice issues, corporate or industry management, finance, securities, or production or distribution, medicine or pharmacology, or public health, mental health, or substance use disorders.

The Commission members shall be the fiduciaries of the agency, charged with adopting sound, ethical, and legal governance, regulatory and financial management policies for the Commission. All members, prior to being seated on the Commission, are obligated to swear an oath of office to perform all official duties “faithfully, impartially and justly.” All members are also required to execute a Confidentiality Agreement. Both the oath and confidentiality agreement obligate Commission members to keep confidential all information and internal discussions about confidential, sensitive, or proprietary information, including but not limited to information related to future plans, potential agenda items to be considered at a public meeting, patients, employees, vendors, contract partners, state or federal agencies, regulated entities, applicants for permitting or licensure, and all other forms of sensitive information or materials that may be shared during internal discussions and briefings.

Section 3.02 Roles and Responsibilities of Commissioners

The Board shall serve as the governing body of the Commission responsible for issuing final agency decisions, adopting regulatory policy, and ensuring the Commission operates in accordance with sound fiscal principles and with the highest ethical standards. The Legislature has assigned the

Commission complete oversight of the development, regulation, and enforcement of activities associated with the personal and medicinal uses of cannabis, and the Commission shall endeavor to further develop, expand, and improve the cannabis industry for the benefit of this industry and the citizens of New Jersey.

The Board of Commissioners is charged with the following responsibilities:

- (a) establish regulatory policies for the Commission by promulgating rules and regulations;
- (b) work with Commission staff in the governance of the Commission’s overall activities in a manner consistent with these Bylaws; and
- (c) act on any matter duly before the Commission in accordance with law.

Each member of the Commission is required to adhere to the terms and conditions of the:

Open Public Meetings Act, N.J.S.A. 10:4;

Open Public Records Act, N.J.S.A. 47:1A;

“New Jersey’s Executive Branch Ethical Standards”;

New Jersey Conflict of Interests Law; N.J.S.A. 52:13D-12 through 28

Oath sworn upon taking Office

Confidentiality Agreement signed upon taking Office; and

Any other law, regulation, or executed agreement pertaining to their role as Commissioner or employee of the State of New Jersey.

Section 3.03 Terms of Office

The Chair and the other members shall serve for terms of five years; provided that, for the two other members initially appointed by the Governor without any needed recommendation, one shall be appointed for a term of four years, and one shall be appointed for a term of three years. Members shall serve in their respective capacities throughout their entire term and until reappointed or until their successors shall have been duly appointed and qualified.

Section 3.04 Vacancies

Any vacancy in the Commission occurring for any reason other than the expiration of a term, including a vacancy occurring during the term of the initial Chair or another initial member, shall be filled in accordance with the requirements for subsequent appointments set forth in N.J.S.A. 24:6I-24 for the remainder of the unexpired term only.

Section 3.05 Removal

Any member of the Commission may be removed from office by the Governor, for cause, upon notice and opportunity to be heard at a public hearing. Any member of the Commission shall automatically forfeit the member's office upon conviction for any crime. “Cause” may be established by a members’

failure to adhere to the terms and conditions of the laws, standards, oath, or agreement listed above in Section 3.02. Failure to adhere to any applicable code of ethics, or failure to adhere to the roles and responsibilities as established by these bylaws.

Section 3.06 Compensation

The Chair and other members of the Commission shall devote full time to their respective duties of office and shall not pursue or engage in any other business, occupation, or gainful employment. Each member shall receive an annual salary to be fixed and established by the Governor in accordance with P.L.2019, c.153

Section 3.07 Chair

The initial designation and all subsequent designations of the Chair shall be made by the Governor.

The Chair shall preside at all meetings of the Commission. The Chair, working with the Commission's Executive Director, shall oversee the preparation and distribution of the agenda for all Commission meetings. The Chair shall be accountable to the Commission as a whole and shall perform such other duties as may be assigned by the Commission.

Section 3.08 Vice-Chair

At the Commission's inaugural meeting when called by the Chair, the Commission shall elect a Vice-Chair, by most of the total authorized membership of the Commission. Vice-Chair will be one of the members who is appointed based upon the recommendation of the Senate President or Speaker of the General Assembly. The elected Vice-Chair shall serve during that member's term.

A new Vice-Chair shall be elected upon the expiration of the current Vice-Chair's term, even if that member remains on the Commission until that member's successor is duly appointed and qualified.

The Vice-Chair shall be empowered to carry out all the responsibilities of the Chair during the Chair's absence, disqualification, recusals, or inability to serve, as provided in these Bylaws. The Vice-Chair shall perform the duties and responsibilities that may be delegated by the Chair.

Section 3.09 Executive Director

The Executive Director of the Commission shall serve as the administrative head of the Commission responsible for daily operations management, as well as any personnel under the direct or indirect supervision of the Executive Director. The initial Executive Director shall be appointed by the Governor, and thereafter every subsequent Executive Director shall be appointed by the Governor with the advice and consent of the Senate. The Executive Director shall serve at the pleasure of the appointing Governor during the Governor's term of office and until a successor has been duly appointed and qualified. Any vacancy in the office occurring for any reason other than the expiration of a term, including a vacancy occurring during the term of the initial Executive Director, shall be filled for the unexpired term only in the same manner as the appointment of any subsequent Executive Director as set forth in N.J.S.A. 24:6I-24. The Executive Director shall receive an annual salary to be fixed and established by the Governor pursuant to P.L.2019, c. 153.

Section 3.10 Plan of Organization

The Commission shall establish, and from time to time alter, a plan of organization, and employ personnel as it deems necessary under the direct or indirect supervision of a full-time Executive Director for the Commission. The plan of organization shall include the Office of Minority, Disabled Veterans, and Women Cannabis Business Development established by section 32 of P.L.2019, c.153 (C.24:6I-25) and any other Offices or positions as deemed necessary by the Commission to effectuate the purposes of the Acts.

The plan of organization shall be deemed to include the approval and delegation of all necessary authority as outlined in the plan to effectuate the purposes of P.L.2019, c.153 (C.24:6I-1 et al.) and P.L.2021, c.16 (C.24:6I-31 et al.).

Section 3.11 Employee Classification

All employees of the Commission under the direct supervision of the Executive Director, except for secretarial and clerical personnel, shall be in the State's unclassified service. All employees under the direct supervision of the Executive Director shall be deemed confidential employees for the purposes of the "New Jersey Employer-Employee Relations Act," P.L.1941, 3 c.100 (C.34:13A-1 et seq.).

Employees from the Department of Health who are employed by the Commission as part of the process conducted under N.J.S.A. 24:6I-24(c)(1)(b)(ii) shall retain as an employee of the Commission the seniority, and all rights related to seniority, that the employee had with the Department of Health as of the last day of employment with the Department; provided, however, that such seniority and seniority rights shall be retained only by an employee who was transferred from employment with the Department to employment with the Commission, and shall not be retained by an employee who was removed from employment with the department due to layoff procedures or who resigned from a position with the Department prior to being hired by the Commission.

Section 3.12 Delegation of Authority

For any action required or allowed to be done by a specific member of the Commission pursuant to the Acts and implementing regulations, the specified member will act as the designated officer of the Commission and has all the powers necessary to permit the discharge of the duty or duties delegated. At all times, however, the Commission retains authority to designate itself or another staff member of the Commission to perform that function in a particular case or as circumstances require.

The Commission may, in its discretion and as permitted by law, delegate its powers and authority to perform any of its functions under the law to one or more members of the Commission's staff as it deems necessary and appropriate to carry out its duties and statutory obligations. Except as provided in these Bylaws, such action shall for all purposes be deemed the final action of the Commission, without approval, ratification, or other further action by the Commission.

Any delegation of Commission authority shall be affected through the adoption of a formal resolution at a public meeting of the Commission. Such resolution shall specify the following, without limitation:

1. The specific authority delegated;
2. The staff member or staff members to whom such authority is delegated; and
2. Any limitations or conditions imposed on the authority delegated.

All delegations of authority shall remain in effect indefinitely, unless otherwise specified in the implementing resolution. Any delegation of authority previously approved by the Commission may be revoked or modified by the Commission through the adoption of a subsequent formal resolution. All previous delegations of authority shall be reviewed by the full Commission, concurrent with each readoption of this chapter, to determine whether each delegation should be retained.

Any determination by the executive director or staff member pursuant to delegated authority shall be presented for review by the full Commission, upon timely written request by the Commission or any party adversely affected by such determination.

Notwithstanding any other provision of this section, any matter which has otherwise been delegated to the Executive Director may alternatively be presented to and determined by the full Commission on its own motion or at the discretion of the Chair, or upon the request of the executive director.

Where a party is required to provide notice to, or file any application, petition, or other submission with, the Commission or Chair, the Commission may provide written notice to such party designating the Executive Director or other staff member authorized to accept such notice or filings on behalf of the Commission or Chair.

ARTICLE IV

MEETINGS OF THE COMMISSION

Section 4.01 Meetings

Regular meetings shall be held on such dates and at such times and places as the Chair or the Commission shall establish, unless extenuating or emergent circumstances prohibit the ability to hold a public meeting on the date and at the time established. The Commission shall adopt annually a schedule of regular meetings, and special meetings may be held at the call of the Chair. The regular meeting schedule shall be posted annually by January 10.

All Commission members shall be notified in writing by the Chair not less than 24 hours in advance of the special meeting, and notice shall be posted to the Commission website not less than 24 hours before the meeting start time. Such notification shall include time, place, and purpose of the special meeting. All meetings of the Commission shall follow the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.

Meetings of the Commission may be held corporeally, telephonically, or by other means of communication equipment, provided that adequate public notice specifies the location or mode of the meeting.

Section 4.02 Conduct of Meetings

A. Open Meetings

The Commission has an obligation to conduct its business and activities in a manner accessible to the public and make its affairs known to members of the public. In accordance with this obligation, the Commission shall follow the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. Sufficient advance notice shall be provided to the members of the general public of all meetings to be held in open public or closed executive session, and if in closed executive session, the reason(s) thereof. Where meetings are held in open public session, anticipated agendas for such meetings shall be provided to members of the general public and representatives of the press sufficiently in advance of such meetings. Materials reflecting actions taken in open public and closed executive session, including minutes of meetings of the Commission, shall be released to members of the public. The Commission is encouraged to public broadcast its meetings (other than meetings held in closed, executive session), to the extent technologically feasible.

The term “meeting” as used herein shall refer to any gathering, whether corporeal or by means of communications equipment, which is attended by, or open to, members of the Commission, held with the intent, on the part of the Commissioners present, to discuss or act as a unit upon the specific public business of the Commission; provided, that the term “meeting” does not mean a gathering (1) attended by less than a quorum, or (2) attended by or open to all the members of three or more similar public bodies at a convention or similar gathering. The term “public business” shall refer to matters that relate in anyway, directly, or indirectly, to the performance of the functions of the Commission or the conduct of its business.

While public participation at Commission meetings is not required under the Open Public Meetings Act, the Commission is encouraged to solicit and accept comments from the public or invited guests on matters under the purview of the Commission.

Motions to go into closed session, to go into recess, or to adjourn shall not be considered agenda action items on which an individual may speak. Comments or presentations from the public must relate to an agenda item or other matter under the purview of the Commission and shall be subject to reasonable time limits, which shall generally be three minutes per speaker.

The agenda for each meeting will be prepared by the Chair of the Commission in consultation with the Executive Director as further specified in the Bylaws of the Commission. This agenda will be posted on the Commission’s website <https://www.nj.gov/cannabis/meetings> within a reasonable time before the meeting and will be distributed to the press and to members of the public upon request. At the meeting, the Commission Chair, in their judgment, may remove agenda items, or in accordance with the Open Public Meetings Act, may add agenda items.

Public meetings of the Commission held in person shall be accessible to members of the public in accordance with the fire safety capacity limits of the room. The places for members of the public will be filled, prior to the start of the meeting, on a first-come, first-served basis. Individuals who have been admitted to the meeting room are not guaranteed to be readmitted if they exit from the meeting room before or during the meeting.

Persons who engage in disruptive activities at the meeting, including the failure to honor the public speaking procedures noted above or established by the Chair, may be required to leave the meeting and may be subject to arrest and/or disciplinary proceedings in accordance with State and local laws.

B. Closed Executive Session

In certain limited circumstances, such as when publicly discussing any business and/or affairs of the Commission may endanger the public interest or constitute an unwarranted invasion of the personal privacy of individuals (including Commission employees), the Commission may determine to act on or discuss only such subjects in closed, executive session. Consistent with the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et seq, matters that may be considered in closed, executive session include, but are not limited to: (i) public safety or law enforcement; (ii) proposed, pending, or current litigation, judicial or administrative proceedings, and external or internal investigations or audits; (iii) ongoing bargaining or negotiations, reviews of contracts or proposals where disclosure could affect the public interest; (iv) facts that, if made public, would constitute an unwarranted invasion of an individual's personal privacy; and (v) necessary facts that are deemed confidential, privileged, or private pursuant to federal or state law, regulations, rules or decisions of the court.

Section 4.03 Presiding Officer at Commission Meetings

The Chair shall preside at all meetings of the Commission. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, the most senior member attending shall preside. Seniority of the members of the Commission shall be determined by the order of their respective appointments to the Commission.

Section 4.04 Quorum

A majority of the total authorized membership of the Commission shall constitute a quorum for all meetings of the Board of Commissioners.

Section 4.05 Votes

The vote of all Commissioners shall be recorded upon all meeting minutes, resolutions or amendments thereto presented at any meeting of the Commission. A Commissioner who is absent or unable to attend a public meeting may provide written notice to the Chair, Vice-Chair, and Executive Director before the public meeting is called to order designating another Commission member as the Commissioner's proxy for the purposes of voting. Proxies shall not be used for the purposes of establishing a quorum.

Any action taken by a simple majority of those Commission members present at a meeting at which a quorum is established is deemed an act of the entire Commission.

Section 4.06 Absences

If three (3) or more Commissioners are absent from any scheduled open public meeting or closed executive session, no quorum exists, and the Commission shall take no official action at the meeting.

Section 4.07 Meeting Minutes

Minutes shall be taken by the Commission staff at every regular and special Commission and meeting and shall be approved by a majority vote of the Commission as appropriate.

ARTICLE V

COMMITTEES OF THE COMMISSION

Section 5.01 Committees

The Commission shall have permanent, standing committees as set forth in Section 5.02. A standing committee shall not be subject to dissolution unless the Commission has adopted a resolution amending Section 5.02 to reflect the dissolution of the standing committee. The Commission Chair may establish or dissolve any ad hoc committees upon a determination that such action will enhance the functions of the Commission. The Chair shall have authority to assign Commission members to, or remove Commission members from, any standing or ad hoc committee. The Executive Director shall have authority to assign staff members to, or remove staff members from, any standing or ad hoc committee.

Each committee's membership shall include at least one Commissioner, but never more than two Commissioners, and at least one staff member.

Section 5.02 Standing Committees

The following standing committees of the Commission are hereby established:

The Audit Committee, that will be responsible for the review and monitoring of (1) the Commission's financial statements and the adequacy of its financial controls, (2) the results of any audit, and (3) compliance with all legal, regulatory, and ethical requirements. The Audit Committee will also be responsible for, in coordination with the Executive Director, coordination, review, drafting, and approval of regular annual, biennial, and other statutorily required reports before submission for consideration by the Commission. The Audit Committee is also responsible for securing a study to be conducted by a public research university at the 3-year anniversary of the inaugural Commission public meeting to review the Commission's organization, activities, and effectiveness.

The Public Engagement and Education Committee, that will be responsible for reviewing and approving public awareness campaigns that require full consideration by the Commission. The Public Engagement and Education Committee will also organize public hearings required by statute to communicate with the public regarding recommendations for the appropriation of social equity excise fee revenues. It will also be the responsibility of the Public Engagement and Education Committee to review, assess, and make recommendations on the need for new research or investigation of the influence of cannabis on consumers driving ability, and methods to determine intoxication in consumers of cannabis.

The Product Safety, Packaging, and Labeling Committee, that will be responsible for monitoring complaints from patients and consumers to identify trends or patterns in product safety concerns. The Product Safety, Packaging, and Labeling Committee will also be charged with reviewing packaging and labeling issues for medicinal and personal-use cannabis, and for periodically reviewing Commission regulations concerning product safety, packaging, and labeling and soliciting related recommendations from stakeholders.

The Permitting/Licensing Committee, that will evaluate the regulations promulgated by the Commission for permitting and licensing of alternative treatment centers and cannabis businesses to ensure efficient licensing and permitting process for applicants. The Permitting/Licensing Committee will also review the numbers of licenses issued for each type of cannabis business to ensure the Commission is issuing an adequate number of licenses and permits to keep up with market demand.

ARTICLE VI

CODE OF ETHICS

Section 6.01 Definitions

“Employee” shall mean any person employed by the Commission

“Member” shall mean any of the five Commissioners, however so appointed, and any other individuals officially designated to lawfully vote on Commission matters, all who comprise the Board of Commissioners.

Section 6.02 Supplemental Ethics Code

All employees and members of the Commission are responsible for reviewing and abiding by all permissions, prohibitions and responsibilities established by the New Jersey Conflicts of Interest Law (c.182, P.L.1971, as amended by c.359, P.L.1972, and N.J.S.A. 52:13D-12 *et seq.*; herein referred to as “the uniform code”); P.L. 2019, c.153; P.L. 2020, c.16; as well as any supplemental ethics code hereafter adopted by the Commission.

The Commission recognizes the uniform code as the primary code of ethics. Any violation of a supplemental code of ethics or the uniform code shall be cause for removal, suspension, demotion, or other disciplinary action, including any penalty which may be imposed by the applicable law

subject to the review and approval of the Executive Commission of Ethical Standards within the State Ethics Commission.

ARTICLE VII

RULES AND REGULATIONS

The Commission shall establish rules and regulations consistent with State law applicable to the development, expansion, regulation, and enforcement of all activities associated with the medicinal use of cannabis and personal use of cannabis. The Commission shall re-adopt, amend, or rescind any rule or regulation as appropriate to effectively carry out its statutory functions.

ARTICLE VIII

ANNUAL REPORTS

In compliance with its statutory obligations, the Commission shall release reports to the Governor and Legislature in accordance with P.L.2019, c. 153 and P.L.2021, c. 16.

ARTICLE IX

FISCAL YEAR

The fiscal year shall be from July 1 through June 30.

ARTICLE X

RESERVATION OF POWERS

The powers not delegated by these Bylaws are reserved to the Board of Commissioners. The powers vested in any committees by or pursuant to these Bylaws shall not be construed or deemed to limit the authority of the Board of Commissioners to act in any instance. If such authority is exercised by the Board of Commissioners, it shall not be construed or deemed to affect the power of the Committees to act in similar cases thereafter. The powers vested in the Executive Director shall not be construed or deemed to affect the power of the Board of Commissioners to act in any case, nor shall any power vested in the Executive Director be construed or deemed to affect the power of any Committee to act where such power is also vested in a Committee, but where either the Board of Commissioners or any Committee exercises a power in any such case, such action shall not be construed or deemed to affect the power of the Executive Director to act in similar cases in the future.

ARTICLE XI

BYLAWS APPROVAL AND AMENDMENTS

Section 11.01 Bylaws Approval

These bylaws will become effective upon approval of the Commission at a duly convened meeting.

Section 11.02 Amendments

These Bylaws may be amended by a resolution duly adopted at any regular or special meetings of the Commission.