

- (1) Is eighteen years of age or older.
- (2) Has never been convicted of a felony.
- (3) Does not have and has never had a material financial interest in the medical marijuana or hemp industry in Louisiana.
- (4) Is a citizen of the U.S. and has been a resident of Louisiana for at least one year immediately prior to appointment.

Proposed law requires members to sign a nondisclosure agreement to protect a licensee's proprietary information.

Proposed law requires members to serve terms concurrent with the commissioner and vacancies to be filled in the same manner as the original appointments.

Proposed law prohibits members of the commission from receiving any compensation.

Proposed law requires the commission to meet upon the call of the chairman or upon the request of any three members. The commission shall meet at least two times per calendar year.

Proposed law requires the members of the commission to annually elect a chairman and vice chairman, and such other officers as they deem necessary.

Proposed law authorizes the commissioner to employ a director and an assistant director in the unclassified service.

Present law (R.S. 40:1046(H)) authorizes the Dept. of Agriculture and Forestry to develop rules and regulations regarding the extraction, processing, and production of recommended therapeutic marijuana and the facility producing therapeutic marijuana and grant licenses for the production of recommended marijuana for therapeutic use.

Proposed law retains present law.

Proposed law provides the commission with the following powers:

- (1) To advise the commissioner on the qualifications and requirements for the issuance of licenses, certificates, and permits pursuant to R.S. 40:1046(H).
- (2) To hold adjudicatory hearings on alleged violations of the provisions of R.S. 40:1046(H) or of the rules and regulations adopted pursuant to the provisions of R.S. 40:1046(H).
- (3) To advise the commissioner on the civil penalties to be imposed or the injunctive relief to be sought to punish and restrain violations of the provisions of R.S. 40:1046(H) or of the rules and regulations adopted pursuant to the provisions of R.S. 40:1046(H).

- (4) To advise the commissioner on rules and regulations promulgated pursuant to R.S. 40:1046(H).
- (5) To recommend that the commissioner suspend or revoke licenses, certificates, and permits or impose probation on holders of licenses, certificates, or permits.
- (6) To hold hearings and conduct investigations.
- (7) To adopt bylaws for the orderly management of the affairs of the commission.
- (8) Should it become legal to grow hemp plants as an agricultural crop in Louisiana, the commission shall:
 - (a) Advise the commissioner on the qualifications and requirements for the issuance of licenses, certificates, and permits.
 - (b) Hold adjudicatory hearings on alleged violations and advise the commissioner on civil penalties to be imposed or the injunctive relief to be sought to punish and restrain violations.
 - (c) Advise the commissioner on rules and regulations within his authority.

Proposed law requires all adjudicatory hearings convened by the commissioner to be conducted in accordance with the provisions of the APA.

Proposed law authorizes the commission to issue subpoenas and make an initial determination on all matters.

Proposed law requires the commissioner to make the final determination on all matters and issue a written opinion if his determination differs from the initial determination of the commission.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 36:802(intro para); adds R.S. 3:3901-3905 and R.S. 36:629(T))