

CANNABIS CONTROL COMMISSION

December 14, 2023
10:00 AM

Via Remote Participation via [Microsoft Teams Live*](#)

PUBLIC MEETING MINUTES

Documents:

- Application Materials associated with:
 - Staff Recommendations on Changes of Ownership
 - Staff Recommendations on Renewal Licenses
 - Staff Recommendations on Provisional Licenses
 - Staff Recommendations on Final Licenses
- [Meeting Packet](#)
- Email correspondence from Equitable Opportunities Now
- Email correspondence from the Massachusetts Lodging Association
- Email correspondence from Chief John Carmichael, Jr.
- Email correspondence from Massachusetts Patient Advocacy Alliance, Inc.

In Attendance

- Commissioner Nurys Z. Camargo
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins
- Acting Chair Ava Callender Concepcion

Minutes:

- 1) Call to Order
 - The Acting Chair (AC) recognized a quorum and called the meeting to order.
 - The Acting Chair gave notice that the meeting was being recorded.
 - The Acting Chair gave an overview of the agenda.
- 2) Commissioners' Comments and Updates – 00:01:43
 - Commissioner Camargo explained the maturity of the industry and discussed the implementation of Chapter 180. Commissioner Roy thanked David O'Brien for the discussion he hosted with licensees and noted the development of the Model HCA. She discussed testing in the industry, her advocacy for veterans as medical patients, and the implementation of Chapter 180. Commissioner Stebbins mentioned his



conversation with Commissioner Camargo and House Chair Dan Donahue on social consumption. He mentioned that he would be speaking to WBUR on social consumption and had just spoken to the Lynn Chamber of Commerce regarding the entire industry. The AC reflected on the busy year and explained the work that went into implementing Chapter 180. She discussed the importance of the delivery conversation later in the meeting and commented about the need to focus on worker's safety in the upcoming year because of the death of Lorna McMurrey.

3) Acting Chair Discussion & Vote – 00:21:45

- Commissioner Stebbins noted his desire to collaborate with his fellow Commissioners by rotating the duties of the Chair. He made a motion to rotate the duties of the Chair, by alphabetical order every three months until the next Chair is selected.
- Commissioner Roy seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – No
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – No
- The motion failed, by a vote of two in favor and two opposed.

- Commissioner Camargo read into the record an email from Equitable Opportunities Now that supported the work of Acting Chair Concepcion. She agreed with the email and advocated for the AC to remain as Commissioner Concepcion. Commissioner Roy requested a recess to obtain legal counsel. Commissioner Stebbins noted this past vote had nothing to do with the performance of the AC. He mentioned that having the AC in that role during the policy discussions was helpful. He noted that the goal of his suggestion to rotate the AC responsibilities was to offer help with the burdensome requirements of the Chair's role. Commissioner Camargo disagreed with rotating responsibilities of the AC and reiterated her support for the current AC.
- Commissioner Roy made a motion to take a 15-minute recess.
- Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The motion to take a 15-minute recess passed unanimously.

- The AC reopened the discussion (00:59:38).
- Commissioner Camargo asked why Commissioner Stebbins would not nominate Commissioner Concepcion. Commissioner Stebbins noted his last motion offered Commissioners the ability to not take the AC role if they did not wish to act in that capacity. He explained that the rotation would be collaborative to help with that workload. He desired to implement his past motion and did not feel that he needed to



- make a different motion. Commissioner Camargo moved to appoint Commissioner Concepcion as the AC until a new nomination was made by the appointing authority. Commissioner Roy asked the General Counsel Kristina Gasson (General Counsel Gasson) for her opinion about the delegation of authority of the AC and referenced the conversation on the subject that she raised at the public meeting on October 16, 2023. General Counsel Gasson referred to the Legal Department's previous counsel regarding the multiple ways that a Chair or AC may be appointed.
- The AC seconded Commissioner Camargo's motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – No
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The motion passed, by a total of three in favor and one opposed.

4) Minutes for Approval – 01:11:10

- September 18, 2023
 - Commissioner Stebbins moved to approve the minutes for the September 18, 2023, Commission public meeting.
 - Commissioner Roy seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the minutes for the September 18, 2023, Commission public meeting.
- September 20, 2023
 - Commissioner Camargo moved to approve the minutes for the September 20, 2023, Commission public meeting.
 - Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the minutes for the September 20, 2023, Commission public meeting.

5) Acting Executive Director's and Commission Staff Report – 01:12:36

- The Acting Executive Director Deborah Hilton-Creek (AED Hilton-Creek) described the transformation taking place as the Commission moves from a start-up to a mature



agency and reflected on the leadership and staff changes. She noted that it may be time to revisit and revise goals set by the former ED and potentially focus on new projects. She highlighted the high performance from agency staff. Commissioner Stebbins asked the AED to revisit the Commission's goals and the evaluation process for the ED. AED Hilton-Creek updated Commissioners on the development of an organizational training plan to support staff and improve conflict resolution. She noted that the Commission was in the process of recruiting a new ED and provided a high-level outline of what that process would entail. Commissioner Stebbins stated that he had previous experience searching for an ED for state agencies and emphasized that one of the Commissioners should be involved in the process. AED Hilton-Creek explained the different roles of internal and external groups in the search process which would work simultaneously. Lastly, AED Hilton-Creek noted the need for a DEI/EE Relations Director, which she stated was critical to the Commission's success as a collective body.

- Licensing Director Kyle Potvin (Director Potvin) updated the Commissioners on the implementation of Chapter 180. He stated that the draft charter had been approved, the first draft of the Model HCA had been completed and the identification of deliverables was underway. Priority deliverables included new and modified MassCIP applications, data capture, guidance documents, a Model HCA and updates to the Commission's website. Director Potvin presented highlights from licensing data noting a 31.6% increase in the number of licensees which received approval to commence operations over the same period in 2022. Director Potvin continued and provided the statistics for Microbusinesses and Minority-Owned Businesses (MBEs) noting that data on the latter was self-reported and that through the implementation of Chapter 180, there would soon be more accurate information which will be available online. Director Potvin provided an overview of non-active licenses by stage. Finally, Director Potvin provided an overview of all licensing applications. Commissioner Roy expressed an interest in increasing the number of Research Facility licenses.
- Commissioner Roy moved to recess for 45 minutes.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the motion to recess for 45 minutes until 1:45PM. (RETURNED AT 03:36:21).

6) Staff Recommendations on Changes of Ownership – 03:36:33

- Licensing Analyst Derek Chamberlin (Licensing Analyst Chamberlin) presented on behalf of the licensing department the Staff Recommendations for Changes of Ownership, Renewals, Provisionals and Final licenses.

1. Curaleaf Massachusetts, Inc.



- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
2. Curaleaf North Shore, Inc.
- Commissioner Roy moved to approve the Change of Ownership.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
3. Curaleaf Processing, Inc.
- Commissioner Stebbins moved to approve the Change of Ownership.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
4. Ganesh Wellness, Inc.
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
5. In Good Health, Inc.
- Commissioner Roy moved to approve the Change of Ownership.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:



- Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
6. Nature’s Alternative, Inc.
- Commissioner Stebbins moved to approve the Change of Ownership.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
7. Northeastcann, Inc.
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
8. Turnbuckle Consulting Inc.
- Commissioner Roy moved to approve the Change of Ownership.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
- 7) Staff Recommendations on Renewals – 03:43:16
- Commissioner Roy made a motion to approve items numbered 1-12, 15-37, 39-56, 59-61, 64-69 and 71-77 on the agenda.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes



- Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal roster of items numbered 1-12, 15-37, 39-56, 59-61, 64-69 and 71-77 on the agenda.
- Caregiver-Patient Connection (#MCR140616)
- Commissioner Stebbins requested a condition.
 - Proposed condition: Within thirty business days of approval of Application for Renewal, contact CCC Licensing Division for an update to identify any goals for hiring people of color, veterans, residents with disabilities, and LGBTQ+ people under licensee’s Diversity Plan in accordance with 935 Code Mass. Regs. § 500.101(1)(c)8k and 935 Code Mass. Regs. § 500.103(4)(b).
- Commissioner Stebbins moved to approve the renewal of item 13 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal of item 13 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- KRD Growers, LLC (#MRR206704)
- Commissioner Stebbins requested two conditions.
 - Proposed condition: Within 30 business days of License renewal, contact CCC Licensing Division with an update to confirm your training and recruitment partners and eligibility to support your activities in accordance with 935 Code Mass. Regs. § 500.101(1)(c) 8k.
 - Proposed condition: Within 30 business days of License renewal, contact CCC Licensing Division with any update to your Positive Impact Plan and Goal #1 in accordance with 935 Code Mass. Regs. § 500.101(1)(a)11 and 500.103(4)(b).
- Commissioner Camargo moved to approve the renewal of item 38 on the agenda, subject to the conditions articulated by Commissioner Stebbins.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes



- The Commission unanimously approved the renewal of item 38 on the agenda, subject to the conditions articulated by Commissioner Stebbins.
- QPS Massachusetts Holdings LLC (#MPR244038) and QPS Massachusetts Holdings LLC (#MCR140561)
- Commissioner Stebbins requested a condition.
 - Proposed condition: Within thirty business days of approval of Application for Renewal, contact CCC Licensing Division for an update to identify any goals for hiring veterans, residents with disabilities, and LGBTQ+ people under licensee’s Diversity Plan in accordance with 935 Code Mass. Regs. § 500.101(1)(c)8k and 935 Code Mass. Regs. § 500.103(4)(b).
- Commissioner Roy moved to approve the renewal roster of items 57 and 58 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal of roster items 57 and 58 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Sanctuary Medicinals, Inc. (#MPR244080) and Sanctuary Medicinals, Inc (#MCR140596)
- Commissioner Stebbins requested a condition.
 - Proposed condition: Within 30 business days of License renewal, contact CCC Licensing Division with an update to confirm your progress and data toward Goal #2 under your Positive Impact Plan in accordance with 935 Code Mass. Regs. § 935 Code Mass. Regs. 500.101(1)(a)11 and 935 Code Mass. Regs. § 500.103(4)(b).
- Commissioner Stebbins moved to approve the renewal roster of items 62 and 63 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal roster items 62 and 63 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Western Front, LLC (#MRR206705)
- Commissioner Camargo recused herself.



- Commissioner Roy moved to approve the renewal of item 70 on the agenda.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo - Recused
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission approved the renewal roster of item 70 on the agenda by a vote of three in favor and one recused.

- Resinate, Inc. (#RMD1345)
- Commissioner Roy recused herself.
- Commissioner Camargo moved to approve the renewal of item 78 on the agenda.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy - Recused
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission approved the renewal of item 78 on the agenda by a vote of three in favor and one recused.

8) Staff Recommendations on Provisional Licenses – 03:59:33

1. CommCan, Inc. (#MRN284925), Retail
 - Commissioner Camargo moved to approve the Provisional License.
 - Commissioner Roy seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the Provisional License.

2. Flora Holdings, LLC (#MRN284981), Retail
 - Commissioner Roy commented that this licensee is a woman owned business.
 - Commissioner Roy moved to approve the Provisional License.
 - Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes



- The Commission unanimously approved the Provisional License.
3. FreeMarketMA, LLC (#MPN282279), Product Manufacturing
- Commissioner Roy requested a condition.
 - Proposed Condition: Prior to final licensure please inform the Commission of your “Additional Operational Plans for Product Manufacturers” as it relates to Quality Control Samples in accordance with 935 Code Mass. Regs. 500.130(5)(k) and 935 Code Mass. Regs. 500.130 (9).
 - Commissioner Stebbins moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
 - Commissioner Camargo seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the Provisional License, subject to the condition requested by Commissioner Roy.
4. New England Organics, LLC (#MRN281936), Retail
- Commissioner Camargo recused herself.
 - Commissioner Roy moved to approve the Provisional License.
 - Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Recused
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission approved the Provisional License by a vote of three in favor and one recused.
5. Yellow House Cannabis, LLC (#MRN284969), Retail
- Commissioner Roy celebrated that this licensee was a veteran owned business.
 - Commissioner Stebbins moved to approve the Provisional License.
 - Commissioner Camargo seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the Provisional License.
- 9) Staff Recommendations on Final Licenses – 04:06:17



1. 617 Therapeutic Health Center, Inc. (#MC28414), Cultivation, Tier 2 / Indoor
2. Charles River Remedies, LLC (#MR283511), Retail
3. Grass Appeal, LLC (#MC282123), Cultivation, Tier 3 / Indoor
4. Green Flash Delivery, LLC (#MD1298), Marijuana Delivery Operator
5. Health Circle, Inc. (#MC281787), Cultivation, Tier 2 / Indoor
6. Hoop City Ventures, LLC (#MR284806), Retail
7. MRM Industries, LLC (#MP281798), Product Manufacturing
8. Natural Agricultural Products, LLC (#MR284177), Retail
9. Pioneer Valley Trading Company, LLC (#MR284022), Retail
10. Sweetgrass Botanicals, LLC (#MP282058), Product Manufacturing
11. Sweetgrass Botanicals, LLC (#MR284185), Retail
12. Theory Wellness, Inc. (#MR284150), Retail
13. Twisted Growers, LLC (#MC281714), Cultivation, Tier 11 / Indoor
14. Twisted Growers, LLC (#MP281909), Product Manufacturing
15. Union Twist, Inc. (#MR284038), Retail
16. Grass Appeal, LLC (#MTC3770), Vertically Integrated Medical Marijuana Treatment Center
17. Green Gold Group (#MTC3831), Vertically Integrated Medical Marijuana Treatment Center
 - Commissioner Camargo noted the in-person attendance of some licensees and moved to approve the final license roster from one to seventeen as indicated on the agenda.
 - Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the final license roster from one to seventeen as indicated on the agenda.

10) Commission Discussion and Votes – 04:10:18

- The AC explained an accommodation request to change the order of topics in the Commission Discussion and Votes section of the agenda and discuss the COVID administrative orders first.
- Commissioner Stebbins moved to change the order of the Commission Discussion and Votes section to discuss the COVID administrative orders first.
- Commissioner Camargo seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes



- The Commission unanimously approved the motion to change the order of the agenda.

1. COVID Administrative Orders

- General Counsel Gasson explained how, during COVID, the Commission had issued a temporary order allowing for healthcare providers to submit a waiver and use telehealth services to issue their initial written certificate of registration. She stated that this order would expire on December 31, and had relied on the continuing risks of COVID as its authority. General Counsel Gasson advised that if the order was allowed to expire, there was a regulatory requirement for an in-person visit for healthcare providers to issue an initial certificate of registration, but that there was also a provision for healthcare providers to request a waiver of this requirement. She also noted that these regulations could be revisited in light of the fact that the Board of Registration and Medicine and the legislature have redefined and broadened the term “telehealth”. Regarding the temporary order, General Counsel Gasson stated that in her opinion, the commission could no longer reasonably rely on COVID as an authority, but that the Commission could continue to allow waivers through the motion language she had supplied which indicated that the Commission planned on amending the relevant regulations. The AC read into the record an email she had received from Jeremiah McKinnon of the Cannabis Advisory Board stating that telehealth had become an invaluable part of medical marijuana. Responding to questions from Commissioners Roy and Stebbins, General Counsel Gasson clarified that her proposed motion language would extend and amend the existing order such that it would no longer rely on the risk of COVID but instead on the intent of the Commission to revisit regulations requiring an in-person appointment for the first written certificate of registration. The Commissioners and General Counsel Gasson discussed the proposed motion language.
- Commissioner Roy moved to extend all waivers granted pursuant to the order allowing for telehealth consultations for patients until the Commission promulgates the regulatory amendments approved by the Commission at the December 14, 2023, public meeting.
- Commissioner Camargo seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved Commissioner Roy’s motion.

- Commissioner Roy moved for a five-minute recess.
- Commissioner Camargo seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes



- Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved Commissioner Camargo’s motion for a five-minute recess until 2:55PM. (Returned at 04:46:21).
- Commissioner Stebbins noted additional orders issued in light of COVID which allowed licensees to hold virtual community meetings, and which delineated Medical Marijuana Treatment Center’s (MTC’s) curbside as a part of their retail floor. General Counsel Gasson explained the administrative orders and that the orders would expire on December 31, 2023, if not extended. She noted that there is no regulatory requirement for community meetings to be held in-person and the only necessary step to allow for community meetings to be held virtually would be revision of guidance documents. Commissioner Stebbins indicated that a future topic for the Commission could be requiring for community meetings to be held both in-person and virtually. The AC stated that delivery operators could address the needs of anyone who stood to benefit from curbside pickup and Commissioner Roy mentioned that there was previous data indicating curbside pickup was not a popular option. General Counsel Gasson advised that if the administrative order regarding curbside pickup was allowed to expire, that MTCs would no longer be able to offer this option and that a similar adult-use order had already been allowed to expire. Commissioner Stebbins stated that no additional action was required of the Commissioners and Commissioner Roy clarified that there was a need for the communications team to indicate any changes in guidance to licensees.

2. Regulatory Review Discussion: Delivery License Type

- Commissioner Camargo described the delivery license types and discussed the Commission’s responsibility to determine whether to end or extend the exclusivity period. Director of Government Affairs and Policy Matt Giancola (Director Giancola) gave an overview of the delivery license types and compared other states’ policies regarding similar licenses. Commissioner Roy read aloud a letter from Chief John Carmichael, Jr. in support of amending the regulations to reduce the two-agent rule. Commissioner Stebbins stated that he had not taken a position as to the two-agent rule. He noted his reluctance to lower a security measure in order for the license type to become more lucrative or for the Commission to require licensees to disclose their finances in order to qualify. Commissioner Stebbins brought up additional items to revisit in the regulations regarding the maximum value that a driver may carry and to potentially allow for a single agent to deliver to regular customers. Commissioner Camargo listed the regulatory requirements regarding security for delivery license types and noted that many licensees had not found it to be significantly less capital intensive. She stated that she found the data from other jurisdiction’s rate of incidences surrounding marijuana delivery convincing. The AC stated that she had initially shared Commissioner Stebbins’ reluctance to remove the two-agent rule but indicated that she had been moved by the opinions from the public safety community and through witnessing licensees’ training practices. Commissioner Roy cautioned



licensees that they are responsible for training their employees and described incidences of violence against delivery drivers in other states. Commissioner Stebbins recalled that the two-agent rule was not amended when delivery was revisited and operators still pursued the license type. He noted the requirement that delivery operators text every thirty-minutes could be affected by reducing the number of agents in a vehicle. Commissioner Camargo agreed with his points and read the language of her motion which would require staff to amend the language which will be brought back to the Commissioners for review and vote. Commissioner Roy noted that she was in support of the motion but that she would be looking at prioritizing safety upon the policy discussion.

- Commissioner Camargo moved to direct the sponsoring Commissioner to confer with Compliance, Legal, and Policy staff to develop and draft regulations modifying the Marijuana Courier, Marijuana Delivery Operator, and Marijuana Establishment with Delivery endorsement license types to allow these licensees the option of delivering marijuana and marijuana products to consumers, with one Marijuana Establishment agent in a vehicle at a time. The sponsoring Commissioner shall present the draft regulations at a future meeting for the full Commission’s deliberation and vote.
- Commissioner Roy seconded the motion and asked for clarification on who the sponsoring commissioner is for the purpose of the motion.
- Commissioner Camargo stated that both she and the AC were the sponsoring Commissioners and amended her motion to read “Commissioners” instead of “Commissioner”.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – No
 - Acting Chair Concepcion – Yes
- The Commission approved the Commissioner Camargo’s motion by a vote of three in favor and one against.

- Commissioner Camargo explained that Delivery Operator or Marijuana Courier licenses were capped at two licenses upon promulgation of regulations in 2020 and Director Giancola explained the historical reasoning that past Commissioners had been concerned that a licensee with three delivery licenses in addition to retail licenses could saturate the market.
- Commissioner Camargo moved to direct the sponsoring Commissioner to confer with Compliance, Legal, and Policy staff to develop and draft regulations modifying the ownership and control regulations for individuals and licensees to own and control no more than 3 delivery licenses. The sponsoring Commissioner shall present the draft regulations at a future meeting for the full Commission’s deliberation and vote.
- Commissioner Roy asked her fellow Commissioners if they thought there could be any unexpected consequences of raising the cap on delivery licenses. The AC responded that in light of the scale of businesses seeking this license type, she thought unexpected consequences were unlikely. Commissioner Roy noted that she did not



see any issues during the exclusivity period, but wanted to be thoughtful of what could happen when it expires. Commissioner Stebbins asked whether the motion language would allow for licensees to potentially hold three Marijuana Courier and Marijuana Delivery Operator Licenses. The AC responded that the motion allowed for the working group to discuss this issue. Commissioner Roy read aloud the current regulation capping the number of delivery and courier licenses. She stated that, in her reading, licensees were currently allowed to hold two of each, and the motion in its present form could potentially reduce the number of licenses. The Commissioners discussed how to amend the motion so that it did not unintentionally reduce the license cap with input from General Counsel Gasson.

- Commissioner Camargo requested a five-minute recess to seek legal advice.
- The Acting Chair stated the Commissioners would recess until 4:25PM.
(RETURNED 06:16:18)

- General Counsel Gasson clarified the current regulations regarding delivery licenses for the Commissioners, stating that there are three delivery type licenses and licensees are limited to possessing two delivery licenses of any type they choose. General Counsel Gasson continued and explained that the motion on the table allowed for a working group to consider raising the cap to three of the delivery-type licenses.
- Commissioner Camargo moved to direct the sponsoring Commissioner to confer with Compliance, Legal, and Policy staff to develop and draft regulations modifying the ownership and control regulations for individuals and licensees to own and control no more than 3 delivery licenses. The sponsoring Commissioner shall present the draft regulations at a future meeting for the full Commission's deliberation and vote.
- The AC seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved Commissioner Camargo's motion.

- Commissioner Camargo discussed the topic of repackaging for Delivery Operators.
- Commissioner Camargo moved to direct the sponsoring Commissioner to confer with Compliance, Legal, and Policy Staff to develop and draft regulations modifying the Marijuana Delivery Operator license type to allow these licensees to repackage marijuana and marijuana products, subject to and in compliance with all current requirements of repackaging. The sponsoring Commissioner shall present the draft regulations at a future meeting for the full Commission's deliberation and vote.
- The AC seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes



- Acting Chair Concepcion – Yes
- The Commission unanimously approved Commissioner Camargo’s motion.
- The AC read into the record the number of municipalities which are currently “no delivery” towns, stated that current regulations allowed for MTCs to deliver to “no delivery” towns and listed Maine, New Jersey and California as jurisdictions which allow for marijuana deliveries regardless of whether or not a municipality opted in to permit cannabis within their community.
- Regarding delivery to hotels, Commissioner Stebbins stated that he had spoken with the Executive Director of the Mass Hospitality Association who had presented concerns regarding smoking in hotel/motel rooms and the potential of medical emergencies. He and Commissioner Camargo agreed to work together on the issue of delivery to hotels.

3. FY 2025 Budget Request

- AED Hilton-Creek described the Commission’s internal budget process and reviewed the budget request for fiscal year (FY) 2025. AED Hilton-Creek clarified for Commissioner Roy that she was able to rely upon notes kept by the former Chief Operating Officer (COO) regarding the Commissioners’ priorities. AED Hilton-Creek noted that the agency was largely self-funded and showed the growth of the agency through revenue collections. She described the process used by department heads to dictate their budget. AED Hilton-Creek presented the final request for Commission consideration of \$25.9 million which includes line items for public education which had not been included in FY24. Commissioner Roy appealed to her fellow Commissioners to focus on their legislative outreach regarding public education, noting the upcoming issue of social consumption. Commissioner Stebbins agreed and stated that he thought collaboration with the Department of Public Health on public education regarding social consumption was important. He described a recent meeting with Commissioner Camargo and the ED of Nevada’s Cannabis Compliance Board in which their ED stated he wished he had focused on public awareness before rolling out their social consumption program. AED Hilton-Creek stated that she had discussed the Commission’s internal budgeting process with the finance team and had decided on a new ongoing budgeting process which will run continuously throughout the year to better serve the Commission’s needs.
- Commissioner Roy moved to approve the FY25 budget request as outlined by Commission staff.
- The Commissioner Camargo seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the FY25 budget request as outlined by Commission staff.



4. CY 2023 Secretary's Report

- Commissioner Roy thanked the legal staff and thanked the new members of the department. She recalled the sets of minutes completed and the records requests over the past year. She noted the legal team's work in the regulations during the implementation of Chapter 180. She discussed potential trainings in the new year and her desire to revisit the proposed working group reviewing the Enhanced Code of Ethics and Employee Handbook.

5. Job Description: Director of Operations

- AED Hilton-Creek explained the need for this role and stated she wanted to bring it before the Commission due to the wide-ranging responsibilities of the position. She stated it would be an option for promotion for internal candidates and that it would also be posted externally. Commissioner Camargo noted that the Commission had considered eliminating the COO position and asked the AED, in light of that and other vacant leadership roles, how the organizational chart might be affected. AED Hilton-Creek stated that she had considered the structure of the Commission and Commissioner Stebbins cautioned against restructuring the Commission before the onboarding of a new ED so that they had the opportunity to leave their imprint on the Commission. AED Hilton-Creek clarified that she had not intended to restructure but to prepare a proposal which the new ED may act on at their own discretion. Commissioner Roy stated that there was a list of delegations of Commission responsibilities which had been delegated to the former ED. She stated that the list should be reviewed as it would affect the search for an ED. The AED stated that she would prepare a packet for Commission review which would address structural issues and would be informed by delegations. Chief of Investigations and Enforcement Yaw Gyebi asked that commissioners be careful when reviewing delegations as some responsibilities had been delegated to staff who are better able to quickly serve the needs of licensees such as the case of changes of ownership.
- Commissioner Stebbins moved that the commission approve the director of operations job description as posted in the commission meeting packet subject to any nonmaterial grammatical changes that need to be made.
- Commissioner Roy seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved Commissioner Stebbins motion.

11) Next Meeting Date – 07:25:38

- The Acting Chair noted that the next meeting would be on January 11, 2024.
- The Acting Chair gave a tentative schedule for the remainder of the calendar year.



12) New Business Not Anticipated at the Time of Posting – 07:26:31

- No new items were identified.

13) Adjournment – 07:26:34

- Commissioner Camargo moved to adjourn.
- Commissioner Stebbins seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the motion to adjourn.

