

CANNABIS CONTROL COMMISSION

**July 28, 2023
10:00 AM**

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

PUBLIC MEETING MINUTES

Documents:

- [Meeting Packet](#)
- Report on Identifying Disproportionately Impacted Areas by Drug Prohibition in Massachusetts
- Memorandum: I&E's Municipal Equity Impact Statement

In Attendance:

- Chair Shannon O'Brien
- Commissioner Nurys Z. Camargo
- Commissioner Ava Callender Concepcion
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

Minutes:

1) Call to Order

- The Chair recognized a quorum and called the meeting to order.
- The Chair gave notice that the meeting is being recorded.
- The Chair gave an overview of the agenda.

2) Commissioners' Comments & Updates – 00:01:16

- Commissioner Camargo thanked the Commissioners and staff for their efforts during the previous day's public meeting.
- Commissioner Concepcion recognized the members of both the Host Community Agreement (HCA) and Municipal Equity working groups, as well as individual staff who contributed to the suitability regulations.
- Commissioner Roy thanked Director of Licensing Kyle Potvin (DOL Potvin), Enforcement Counsel Rebecca Lopez (EC Lopez), the HCA Working Group and Commissioners for their hard work and expertise.
- Commissioner Stebbins recognized the working groups, Commission staff and Commissioners for their work on the regulatory drafts.



- The Chair thanked the working groups, Commission staff and Commissioners for their efforts toward the previous day public meeting discussion.

3) Commission Discussion and Votes – 00:04:03

1. Regulatory Review Discussion: Host Community Agreements

- The Chair referenced the recommendation by Commissioner Camargo during the June 27th public meeting to add language to 500.181(1) imposing Minimum Acceptable Equity Standards on municipalities. She suggested that the specific language would function best in a guideline rather than as a mandate. She invited Commissioner Concepcion to comment.
 - Commissioner Concepcion stated that she interpreted the recommendation to be an optional presumption.
 - The Chair proposed that the language be added to the Municipal Equity Memo (MEM) or as part of a guidance document.
 - Commissioner Concepcion asked the Chair to elaborate on her comments that a mandate may create barriers for smaller communities.
 - The Chair responded that not all municipalities can meet the demands of such a mandate. She noted that some are limited by a lack of funding and an inability to attract social equity candidates.
 - Commissioner Concepcion noted that a municipality would not be mandated to adopt the policies.
 - The Chair replied that if the language is not a mandate, it would be better suited as part of a guidance document. She reiterated her support of the intent.
 - Commissioner Camargo expressed that she understood the Chair's rationale. She noted that she has worked to get the language featured in guidance and on the website. She stated that the provision was written with the future of smaller communities in mind. She emphasized that the proposed action items would be optional. She indicated thinking about the "no-towns" and the future.
 - Associate General Counsel Andrew Carter (AGC Carter) noted that guidance is not enforceable in the same way as the regulations. He asked Commissioner Camargo to read the language into the record.
 - The Chair responded that the proposed language would be a suggestion.
 - EC Lopez echoed AGC Carter's statement that municipalities would not be subject to the language of a guidance document as a matter of law. She explained that with a presumptive option, municipalities would be presumed to have satisfied the minimum equity standards if they took one of the proposed steps. She added that if the presumption is part of a guidance document, the municipality would not be entitled to that presumption as a matter of law.



- Commissioner Roy asked to clarify the legality of mandating that a municipality hire a certain percentage of equity businesses. She noted that the Commission was previously advised against it.
- AGC Carter noted that this is the first draft of the regulations and remarked that the question would need to be contemplated further in the intervening time between the public comment period and the November deadline.
- Commissioner Camargo read the language aloud for the record. She reiterated that the proposal represents a concept and not a mandate.
- The Chair requested that EC Lopez and AGC Carter produce a second draft of the language for review. She stated that she is willing to accept the language as guidance in the form of a regulation.
- Commissioner Concepcion commented that the working group is aware that equity standards is an area that needs to be improved upon with more precise and deliberate guidance. She expressed satisfaction that the entire Commission now has the opportunity to contribute their input and perspective.
- AGC Carter asked Commissioner Camargo where in the draft would she like to see the language inserted.
- Commissioner Camargo suggested 500.181(1) or (2).
- The Chair noted a perceived consensus on the proposed.
- The Chair identified an edit to the language of 500.181(3)(a)(2). She reviewed the edit and asked for questions or comments.
 - Commissioner Stebbins asked if the language encompasses the newly classified contingent of pre-verified social equity businesses that do not hold either Economic Empowerment Priority Applicant (EEPA) or Social Equity Program (SEP) designation.
 - EC Lopez offered suggested language.
 - Commissioner Concepcion raised the question of whether the semantics is redundant since the term “Social Equity Business” includes EEPA/SEP businesses without being averse to statute.
 - Commissioner Camargo asked if Commissioner Concepcion is recommending amending the language throughout the document.
 - Commissioner Concepcion replied affirmatively. She further recommended incorporating the regulatory provision on pre-verification that was previously recommended by EC Lopez.
 - EC Lopez clarified the language as written.
 - Commissioner Stebbins identified conflicting statements around the promotion and encouragement of industry participation in subsections (2) and (2)(a).
 - DOL Potvin concurred. He clarified the policy objective and suggested alternative language to include SEP, EEA and SEB.
 - AGC Carter remarked that he will follow up with DOL Potvin to solidify the language.



- The Chair identified an edit to the language of 500.181(3)(a)(3). She reviewed the edit and asked for questions or comments.
- The Chair identified an edit to the language of 500.181(3)(b). She asked if the language of this section will need to be streamlined to reflect the amended definition of “Social Equity Business”.
 - Commissioner Concepcion responded affirmatively. She emphasized the importance of continuity in the language and intention to include designated and pre-verified SEP’s.
 - EC Lopez asked if the concept of the standard evaluation form was developed with pre-verified individuals who had already submitted an application with the host community.
 - The Chair shared that the working group intended to accommodate individuals at various stages of business formation or licensure. She acknowledged that the legislature uses the term “business” which may not be in alignment with the policy objective.
 - EC Lopez noted that subsection (b) pertains to HCA negotiations, which she perceived to encompass licensed applicants only.
 - The Chair shared that some individuals begin HCA negotiations early-on in the process. She invited DOL Potvin to comment.
 - DOL Potvin stated that HCA negotiations are customarily the purview of licensed applicants but not exclusively so. He provided an example and additional context. He added that presently, an HCA is a precursor to filing an application for initial licensure.
 - The Chair asked EC Lopez for additional comment.
 - EC Lopez proposed alternative language.

2. Regulatory Review Discussion: Municipal Equity

- The Chair identified an edit to the language of 500.181(3)(b)(1). She reviewed the edit and asked for questions or comments.
 - Commissioner Camargo noted that there is a lot of data to be collected that would be valuable to the agency. She cited her experience with grant programs. She raised the question of whether the group considered producing a Commission-issued standardized evaluation form for municipalities. She suggested that it would allow them to make efficient lateral assessments of data from throughout the state. She proposed the creation of a dashboard or open data platform akin to the current licensing tracker once data is collected and a standardized form is established.
 - The Chair expressed agreement with Commissioner Camargo’s ideas. She noted that the Commission currently has a public information data platform. She added that the challenge is in keeping it up to date. She expressed the need to bring consistency and automatic transparency to the Commission’s data collection efforts. She acknowledged that there is not a lot of resources being dedicated to those efforts. She raised the possibility of collaborating



with the Massachusetts Municipal Association. She proposed alternative language.

- Commissioner Stebbins expressed concern over a Commission-issued standardized evaluation form. He noted that some communities may want to evaluate applicants according to their own metrics. He proposed developing standardized benchmarks that must be included but otherwise allowing municipalities to continue using their own forms.
- The Chair noted that communities such as Somerville already do a good job with transparency and incorporating equity practices in their evaluation process. She asked Commissioner Camargo if she was suggesting mandating the Commission-issued form or also allowing communities to develop their own evaluation so long as it sets forth certain provisions.
- Commissioner Camargo acknowledged Commissioner Stebbins' concerns. She reiterated that her concept is of a standardized form that would allow the agency to make lateral comparisons of data from across municipalities. She added that she is open to suggestions and in particular to the ability for municipalities to add on to the form.
- Commissioner Concepcion explained that the provision was developed around feedback by a multitude of licensees. She noted that it is common for municipalities to employ some manner of scoring mechanism in their evaluation of HCA applications. She added that the working group's intention is to ensure that equity is at the forefront of the processes that are already in place. She expressed support of a Commission-issued standardized form in an effort to streamline data collection and intake efforts. She recommended that it should be open-ended so that municipalities may insert their own provisions.
- Commissioner Camargo added that one potential advantage of a standardized form is that it would enable the Commission to launch an equity dashboard more efficiently.
- The Chair noted that the topic raises practical considerations that may be best discussed in further detail after the public comment period. She reiterated her support of the idea. She expressed the need to determine how the concept will function in practice. She recommended inserting language to serve as notice that a standardized evaluation form concept is under review. She further suggested seeking out feedback on the matter from municipalities and related staff. She offered suggested language.
- Commissioner Camargo clarified that the evaluation form and data collection protocol are separate concepts. She raised the question of how either concept might be limited by the scope of the regulations.
- AGC Carter suggested that both concepts fall within the scope of the regulations. He further suggested that the meeting itself was providing sufficient notice to the public. He added that incorporating the Chair's recommended language would be a good starting point for further contemplation, if needed.



- The Chair reiterated that she would first like to better understand the logistics of maintaining the Commission’s databases. She asked Commissioner Camargo to clarify the specific data she hopes to capture with the proposed platform.
- Commissioner Camargo responded that it is essentially the same data currently being collected from the delivery accessibility period. She quoted 935 CMR 500.050 as an example of data collection protocol already in effect by the Commission.
- The Chair noted a perceived consensus on the proposed language around a standardized evaluation form. She invited AGC Carter to comment on possible ways to insert language providing notice that the Commission is reviewing possible ways to prioritize equity in its data collection practices.
- Commissioner Camargo expressed that she would like input from the Municipal Equity Group and staff about the feasibility of the concept. She underscored the prospect of greater transparency. She proposed devising placeholder language and revisiting the matter.
- The Chair concurred.
- DOL Potvin proposed inserting the placeholder language as a second sentence to follow the section regarding the standardized evaluation form. He offered suggested language.
- The Chair explained that some communities have approved a quantity of HCAs that is higher than the number of businesses that will conceivably commence operations. She noted that such communities will likely have questions about implementation. She added that a larger discussion around impact will need to be had.
 - Commissioner Camargo asked how many components of an HCA application will need to be in consideration of equity to equate to twenty-five percent of the evaluation score.
 - The Chair explained how the concept of a numerical scoring system came to be adopted. She stated that municipalities would have autonomy in determining how to satisfy the twenty-five percent requirement.
- Commissioner Camargo asked for clarification around the meaning of “marijuana-related criminal conviction” per romanette (iv).
 - Commissioner Concepcion clarified that the provision is not a matter of suitability. She added that the language originated from the one used in the development of the SEP.
 - EC Lopez indicated that the language of subsection (1) will need to be expanded to accommodate pre-verified social equity businesses.
 - Commissioner Concepcion remarked that her earlier statement about the origins of the language in romanette (iv) was incorrect. She clarified that the language was inspired by that used in the statutory equity requirements in addition to that used in the development of the SEP, which did not require drug convictions to be marijuana related. She raised the question of whether the language of romanette (iv) should be similarly less restrictive in that regard.



- Commissioner Camargo expressed that the language may be best limited to marijuana convictions.
- Commissioner Concepcion proposed leaving the language intact pending further contemplation.
- Commissioner Roy noted that the Commission’s Report on Identifying Disproportionately Impacted Areas by Drug Prohibition in Massachusetts includes only marijuana convictions and offenses.
- Commissioner Concepcion suggested that the provision be amended to include offenses.
- The Chair noted a perceived consensus on amending the language to include marijuana-related offenses. She invited AGC Carter to comment.
- AGC Carter asked for clarification if the word “offenses” in this context means arrests and convictions.
- Commissioner Concepcion responded affirmatively. She noted that arrests do not always result in a court summons.
- Commissioner Roy asked Commissioner Concepcion to clarify whether the language precludes individuals with expunged or sealed records.
- Commissioner Concepcion noted that expungement eliminates any record of an offense, thereby necessitating an individual to retain their own records to not be precluded. She suggested that it may be a guidance matter.
- The Chair identified an edit to the language of 500.181(3)(b)(2). She reviewed the edit and asked for questions or comments.
 - EC Lopez asked to clarify if the language will need to be expanded to accommodate pre-verified social equity businesses.
 - The Chair replied affirmatively.
 - Commissioner Roy asked if the language represents a presumption or a mandate.
 - The Chair indicated that it is a mandate.
 - Commissioner Roy reiterated her concerns about the legality of mandating percentages.
 - AGC Carter explained that Chapter 180 has granted the Commission the impose mandates related to licensing. He noted the distinction between mandates in a licensing context and concerns around hiring practices with regard to 500.181(1).
- The Chair identified an edit to the language of 500.181(3)(c). She reviewed the edit and asked for questions or comments.
- The Chair identified an edit to the language of 500.181(3)(d). She noted that the enforcement framework is still in development despite the July 1st compliance deadline for municipalities. She expressed concern over the possibility of having to field complaints before that framework is in place. She conveyed that they are still in the process of determining the best approach to enforcement.
 - Commissioner Concepcion stated that the Department of Revenue is not precluded from assessing fines for non-compliance before the Commission’s May 1, 2025, deadline.



- The Chair identified an edit to the language of 500.181(4)(a). She reviewed the edit and asked for questions or comments.
 - EC Lopez proposed additional language to encompass pre-verified applicants.
- The Chair identified an edit to the language of 500.181(4)(b-d). She reviewed the edit and asked for questions or comments.

The Chair moved to take a ten-minute recess.

- Commissioner Camargo seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Concepcion – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved taking a ten-minute recess, returning at 12:05 PM (02:00:39)
- The Chair identified an edit to the language of 500.181(5). She reviewed the edit and asked for questions or comments.
 - Commissioner Stebbins expressed concern about the language regarding minimum contributions to the Cannabis Social Equity Trust Fund (CSETF).
 - The Chair disclosed that a memo by the Enforcement and Licensing departments containing insight on the matter did not reach the working group members in enough time before the July 13th public meeting to allow for review and contemplation.
 - EC Lopez asked for a legal opinion on whether the memo in question will become part of the public record if referenced and if it is covered by the deliberative process exemption.
 - The Chair stated that she is willing to allow the memo to become part of the public record. She asked if that is within the scope of her authority.
 - AGC Carter noted any document relied on by the Commissioners in the course of a public meeting should be included in the public meeting materials. He suggested that any confidential, privileged, or unfinished document should not be referenced. He deferred to the Commissioners.
 - The Chair explained that the memo indicated the working group may have misinterpreted important statutory language about positive impact to communities. She added that she consulted with legislators involved in drafting the statute who were likewise of the opinion that a 3% minimum fee is incongruent with the policy objective. She acknowledged that a single legislator cannot declare legislative intent. She noted that she is ultimately not in support of the provision. She proposed leaving the language as written, pending further contemplation.



- EC Lopez asserted that the plain language of Mass. General Laws c. 94G § 10 is clear in its intent with regard to PIPs. She quoted the statute. She noted the distinction between promoting equity at the individual level versus the community level as separate policy objectives. She added that the agency has always recognized this distinction, as evidenced by the development of the SEP, which impacts individuals and PIPs, which impact communities. She stated that the language of subsection (5)(a) was proposed to better reflect the statutory mandate and initiate a conversation around how the Commission can do more to serve disproportionately impacted areas. She added that the same applies to the criterion in subsection (5)(b)(1).
- The Chair expressed the need for a more in-depth policy discussion with stakeholders.
- Commissioner Stebbins expressed concern that the cost of paying the 3% fee could be passed down to licensees and the funds inadvertently funneled into the CSETF.
- The Chair underscored the importance of deadlines. She expressed her appreciation of the Enforcement and Licensing teams for their alternate perspective on the matter.
- Commissioner Roy posed the question of whether imposing the fee guarantees that DIAs will be positively impacted.
- EC Lopez reiterated that the language is not intended to be a policy recommendation. She encouraged further legal analysis and review.
- Commissioner Roy asked Director of Government Affairs and Policy Matt Giancola (DGAP Giancola) about the possibility of reaching out to the legislature for clarity and edification on the matter.
- DGAP Giancola responded that the Commission could inquire both formally and informally. He noted that there is an outreach policy in place.
- Commissioner Concepcion discouraged seeking legislative intent.
- EC Lopez read a statement from case law that she stated has informed position on seeking legislative intent.
- Commissioner Concepcion noted a lot of discourse around funding the CSETF. She added that the provision is in line with the Commission's efforts to ensure that the Fund is successful.
- Commissioner Camargo raised the question of whether the overarching concern is about the 3% fee or the policy as a concept. She echoed Commissioner Stebbins' concern about cost being passed down to licensees. She quoted literature from the Office of Housing and Economic Development indicating that municipalities will also be able to benefit from the Fund. She reflected on the Commission's obligation to those impacted by the War on Drugs.
- The Chair expressed concern over time constraints. She asked AGC Carter what their options are for meeting the filing deadline if they do not get through the draft and have to call a meeting the following week.



- AGC Carter acknowledged the time constraint. He offered a brief description of the labor-intensive filing process. He recommended getting through as much as possible that day. He deferred to the Board.
- Commissioner Camargo recommended keeping the language intact with the understanding that it will be revisited as a policy discussion.
- The Chair noted a perceived consensus on keeping the language intact, pending further contemplation.
- The Chair identified an edit to the language of 500.300. She reviewed the edit and asked for questions or comments.
- The Chair identified an edit to the language of 500.310. She reviewed the edit and asked for questions or comments.
- The Chair identified an edit to the language of 500.360(3)(b)(8). She observed a potentially erroneous word choice.
 - AGC Carter noted that he will revisit the language and make the appropriate amendment if there is a consensus of the body.
- The Chair identified an edit to the language of 500.310(5). She reviewed the edit and asked for questions or comments.
- The Chair identified an edit to the language of 500.310(7). She reviewed the edit and asked for questions or comments.

4) New Business Not Anticipated at the Time of Posting – 02:36:54

- The Chair explained that she is taking the agenda out of order to reference new business not anticipated at the time of posting. She commented that before the May 23rd public meeting, the ED notified her of his intention to resign at the end of the year. She mentioned that she requested the ED to refrain from making any announcements on that day, as the Commission was in the process of hiring a Chief People Officer (CPO) and General Counsel (GC). She commented that before the meeting on July 27, 2023, the ED informed her he would be making the announcement that day, although he ultimately did not, and that he now intended to take parental leave beginning July 31st. She further discussed his potential departure in light of the regulatory deadline. She opined that the Commission is in a precarious state due to his potential absence and clarified that this information is being discussed to preserve the operational integrity of the agency throughout the regulatory process. She added that she would like to meet with the Commissioners to discuss the matter.
 - Commissioner Concepcion stated that she would like to revisit the matter at a later time, given the imminent filing deadline. She added that she would also like to allow the ED the opportunity to discuss the matter. She underscored the importance of completing the task at hand.
 - The Chair explained that when she learned the ED's leave would begin, she had to consider what the impact would be to the regulatory proceedings.
 - Commissioner Camargo noted her shock at the Chair's disclosure. She added that she would like to redirect the conversation back to the draft.



- Commissioner Stebbins remarked that he did not understand how the Chair's comments fit into their consideration of the agenda and the work before them. He likewise expressed a desire to return to the regulatory discussion.
- The Chair reiterated that the announcement was made to protect the functioning of the Commission. She acknowledged the delicate nature of the matter. She added that she wanted to make the announcement then so that there would be time to provide public notice of a follow-up meeting because the Open Meeting Law precludes the Commissioners from conversing on policy matters outside of an open session.
- Commissioner Camargo clarified that her choice of the word "shock" was intended to reflect her surprise at the announcement.

5) Commissioner Discussion & Votes (continued) – 02:51:07

3. Regulatory Review Discussion: Suitability

- The Chair asked Commissioners Camargo and Concepcion how they would prefer to navigate the review and discussion of the suitability section.
 - Commissioner Concepcion replied that she would like to begin with the PowerPoint presentation because it describes and explains the amendments throughout.
 - The Chair responded affirmatively.
- Commissioner Concepcion thanked DGAP Giancola for his efforts to assemble the presentation. She offered an outline of the overall goals of the presentation and policy conversation. She shared that she hopes it will lead to more CORI-friendly (Criminal Offender Record Information) employment in the cannabis industry. She added that it is the fastest growing industry in the state. She explained that the changes have been mandated by law and are already in effect. She noted the timeliness of the discussion.
- Commissioner Camargo reflected on the importance of the regulations to the people and communities impacted by the War on Drugs. She raised the question of how the Commission can combat the lingering stigma and misconception around cannabis.
- EC Lopez gave an overview of Bill S.3096 and its impact and the Commission's response. She discussed the suitability process including how the process is initiated, how suitability is determined, and potential outcomes.
- Commissioner Roy asked to clarify whether the new suitability standards are extended to operators and licensees, or just registered agents.
 - EC Lopez clarified that the changes are applicable to individuals seeking employment at marijuana establishments.
- Commissioner Camargo presented information on registered agent demographics.
- Commissioner Concepcion discussed the safeguards that are in place at the federal, state and Commission level to ensure public safety. She expressed her gratitude to Senator William Brownsberger, the Senate and the House of Representatives for unanimously passing the law. She reflected on her efforts as an advocate for the changes and noted the abundance of research in support of them. She read a quote from research conducted by the UMass Donahue Institute. She discussed the



- correlation between gainful employment and recidivism. She outlined the benefits of the new suitability standards for employers. She invited Commissioner Camargo to comment.
- Commissioner Camargo thanked Commissioner Concepcion for her remarks and hard work in helping to bring suitability reform to fruition. She suggested there may be a need to create a guidance document for the new suitability tables.
 - The Chair thanked Commissioners Camargo and Concepcion. She echoed the need for guidance on the suitability tables. She suggested devising a way of ensuring licensees are fluent in the suitability standards and can make an accurate assessment of their own suitability from the outset. She designated Commissioner Roy as Acting Chair for the remainder of the meeting. She offered her apologies for having to leave the meeting early and noted that she will be listening in telephonically.
 - The Acting Chair identified an edit to the language of 500.802(Table B). She shared that she has received many calls from people with concerns about the relaxed suitability standards. She acknowledged that there was a petition against the Bill in circulation.
 - Commissioner Concepcion noted also receiving input from concerned individuals. She identified some information from a petition that was inaccurate and addressed the inaccuracies for the record. She encouraged cannabis industry workers to approach the Commission directly with concerns.
 - Commissioner Camargo echoed Commissioner Concepcion's remarks to industry employees.
 - The Acting Chair asked if the Commission has safeguards in place if it deems an Agent a public health concern.
 - EC Lopez noted that every table contains a provision intended to capture and assess suitability for public health, safety or welfare reasons. She added that the provision applies to owners and registered agents alike.
 - The Acting Chair asked EC Lopez to detail the process of becoming a registered agent.
 - EC Lopez deferred to DOL Potvin.
 - DOL Potvin provided an overview of the application process.
 - The Acting Chair asked DOL Potvin to confirm that the existing suitability table will still apply for licensees and owners.
 - DOL Potvin confirmed that Table A was not impacted by Chapter 180.
 - The Acting Chair asked if employers were always responsible for conducting background checks on registered agents or if that is a new development.
 - DOL Potvin replied that the practice has been in place and was adapted from the medical marijuana model utilized by the Department of Health.
 - EC Lopez clarified that the term "Marijuana Establishment Agent" is defined by the Commission to mean owners while "Registered Agent" refers to employees of Marijuana Establishments.



- DOL Potvin continued with this overview of the registered agent application process.
- The Acting Chair asked DOL Potvin to confirm that the Commission has the authority to disqualify a registered agent applicant if it deems that the applicant is a threat to public health.
- DOL Potvin noted that on Table B under 501.802, there is a “catch-all” provision in place that allows the Commission to disqualify a candidate if their prior acts pose a public health concern and can be construed in connection with their ability to operate within a marijuana establishment or MTC.
- AGC Carter added that the “catch-all” provision has been present in the tables since their creation.
- The Acting Chair identified an edit to the language of 500.802(Table C). She reviewed the edit and asked for questions or comments.
- The Acting Chair identified an edit to the language of 500.802(Table D). She reviewed the edit and asked for questions or comments.
- The Acting Chair identified an edit to the language of 500.803. She reviewed the edit and asked for questions or comments.
- Commissioner Stebbins thanked the Acting Chair for facilitating the discussion. He recognized DOL Potvin for his thorough explanation of the suitability tables and registered agent hiring process. He thanked Commissioners Camargo and Concepcion for their diligent work on the matter. He echoed earlier sentiments around the need for a guidance document to help prevent individuals from self-excluding. He likewise encouraged individuals who are interested in employment in the cannabis industry to reach out with any questions.
- Commissioner Camargo thanked Commissioner Stebbins for his insight, Acting Chair for her thoughtful questions and Commissioner Concepcion for her dedication to suitability reform.
- The Acting Chair likewise thanked Commissioner Concepcion for her tireless efforts to advance the suitability discussion. She reflected on the impacts of incarceration, the cycle of recidivism, and over 10 years of service as part of the leadership team of the Worcester County Sheriff's Office. She reiterated the need for suitability guidance. She thanked DOL Potvin, AGC Carter and EC Lopez for their contributions. She likewise thanked the working groups for their efforts.
- Commissioner Stebbins clarified that all of the approved amendments will be reflected in the medical use of marijuana regulations as well.
- The Acting Chair asked AGC Carter to provide language for the vote.
- AGC Carter provided the language for the vote.
- Commissioner Concepcion moved to approve to direct staff to take all necessary steps to finalize and file the draft of 935 CMR 500 and to make all corresponding changes to 935 CMR 501 and take all necessary steps to file that series as well.
- Commissioner Camargo seconded the motion.



- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Concepcion – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
- The Commission approved to direct staff to take all the necessary steps to finalize and file the draft of 935 CMR 500 and to make all corresponding changes to 935 CMR 501 and take all necessary steps to file that series as well, by a vote of four in favor and none opposed.
- DOL Potvin noted that in consideration of the Chair’s absence, it would be prudent to seek counsel’s advice to find a more suitable approach to accurately represent the vote.
- AGC Carter agreed with DOL Potvin’s comment to find another solution to reflect the vote more accurately in light of the Chair’s absence. He also proposed including the word “approve” in the motion language. He expressed that if the Commission is willing to reconsider the previous vote, the motion language can be amended accordingly. He also noted that in order to proceed with the amendment, a motion to reconsider would need to be made first.
- Commissioner Camargo moved to approve reconsideration of the previous vote. Commissioner Concepcion seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Concepcion – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Absent
- The Commission approved to reconsider the previous vote, by a vote of four in favor and none opposed.
- AGC Carter provided the language for the 935 CMR 500 vote.
- Commissioner Concepcion moved to approve the draft regulations 935 CMR 500 and to direct staff to take all steps necessary to finalize and file the regulations with the Secretary of the Commonwealth.
- Commissioner Stebbins seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Concepcion – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Commissioner O’Brien – Absent



- The Commission approved the draft regulations 935 CMR 500 and to direct staff to take all steps necessary to finalize and file the regulations with the Secretary of the Commonwealth, by a vote of four in favor and none opposed.
- AGC Carter provided the language for the 935 CMR 501 vote.
- Commissioner Camargo moved to approve to incorporate all corresponding changes from 935 CMR 500 into 935 CMR 501 and approve the draft and also to finalize and take all necessary steps to promulgate and file with the Secretary of the Commonwealth.
- Commissioner Concepcion seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Concepcion – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Commissioner O'Brien – Absent
- The Commission approved to incorporate all corresponding changes from 935 CMR 500 into 935 CMR 501 and approve the draft and also to finalize and take all necessary steps to promulgate and file with the Secretary of the Commonwealth, by a vote of four in favor and none opposed.
- Commissioner Camargo thanked the working groups and support staff for their efforts in developing the regulatory drafts. She apologized to the Commission staff for the conversation that took place regarding the ED.
- Commissioner Concepcion thanked the Acting Chair for her pointed insights during the suitability conversation.
- Commissioner Stebbins stated that he is honored and humbled to work alongside his colleagues and staff at the Commission. He reflected on the nature of public service work.
- The Acting Chair expressed her gratitude to her colleagues and the staff. She noted that she looks forward to the public hearing and comment period and underscored its importance to the regulatory process. She stated she will reserve all comments related to the other matter for executive session.
- Commissioner Camargo thanked Commissioner Roy for standing in as the Acting Chair. She recognized the Acting Chair for her efforts to facilitate the regulatory discussions.

6) Next Meeting Date– 04:05:56

- The next meeting would be on August 10, 2023.



7) Adjournment – 04:14:57

- Commissioner Stebbins moved to adjourn.
- Commissioner Concepcion seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Concepcion – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
- The Commission approved the motion to adjourn, by a vote of four in favor and none opposed.

