

CANNABIS CONTROL COMMISSION

June 6, 2024

11:00 AM

In-Person and Remote via [Microsoft Teams Live\\*](#)

PUBLIC MEETING MINUTES

**Documents:**

- N/A

**In Attendance:**

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

**Minutes:**

1) Call to Order

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

2) Commissioners' Comments & Updates – 00:00:56

- Commissioner Roy stated that the Commission took the supply chain issue very seriously. She acknowledged the conflict between state and federal laws and the public health implications of the topic before the Commission. The AC stated she looked forward to gaining perspective through the day's meeting and noted recent industry milestones and the Commission's expeditious implementation of Chapter 180 regulations. She explained the process for speaking and submitting comments for those in attendance.

3) Public Listening Session Regarding Island Transportation – 00:07:45

- Geoffrey Rose of Patient Centric of Martha's Vineyard, LTD. spoke first. He urged the Commission to take immediate action to allow for the transportation of Cannabis and Cannabis Products to the islands. He provided the background that Martha's Vineyard had voted yes on Question 4. He explained that, without island



- transportation, Licensees on the islands would go out of business and Consumers and Registered Qualifying Patients would lose access to Marijuana. He described the economic challenges posed by operating on the island and stated that he expected his inventory to be completely depleted by the end of the summer. Commissioner Stebbins asked for a breakdown of the costs for island Licensees. Mr. Rose cited the cost of operating on Martha's Vineyard and the required vertical integration. Commissioner Stebbins asked for him to present a broad overview of the marketplace. Mr. Rose explained that the summer rush made up 40 percent of his annual revenue. Commissioner Roy asked if he planned on full panel testing in the event that island transportation was allowed and Mr. Rose clarified that his supplier Fine Fettle Dispensary was the entity which currently did the testing. He stated that 20,000 people lived on the island year-round and that the conventional wisdom is that the population increases to 100,00 from July through August. He added that there were 234 Registered Qualifying Patients on the island, but that number went up along with visitors in the summer. The AC asked for confirmation that he was closed, and Mr. Rose stated he had been closed since May 14, 2024. Commissioner Roy asked if he wanted transportation from the mainland to the islands or vice versa, and Mr. Rose stated that he was advocating for transportation to the islands.
- The next speaker was Daniel Berger. He stated that he was the owner and equity partner of Grassp Ventures, LLC in Salem, Massachusetts. He advocated for the Commission to take five actions: issue guidance on zoning for municipalities; make sure municipal equity changes take effect on the islands; remove barriers for island transportation on the state level; remove the vertical integration requirement for Medical Marijuana Treatment Centers (MTCs); and work with the Wampanoag people see what it may take for them to get involved. The AC asked Mr. Berger to expand on his comment regarding municipal equity recommendations. He responded that municipalities have been waiting on guidance from the Commission before they implement any changes. Commissioner Camargo requested that Mr. Berger submit his comments to the Commission.
  - The next speaker was Jon Karden. He stated that was a budtender at Fine Fettle Dispensary. He noted the diversity of their customer base and recalled the emotional response of customers when the dispensary opened in 2021. He described how many customers used Marijuana for medical purposes, but without a medical card. He noted the thousands of tourists who come to the island every day during the summer and stated that they also use Marijuana for medical purpose without a medical card as Massachusetts does not allow for reciprocity for other jurisdiction's medical programs. Commissioner Roy asked for the status of Fine Fettle Dispensary's inventory. Mr. Karden responded that their inventory was dropping every day, and they would run out of flower first. He noted there were many products that Fine Fettle Dispensary could no longer stock consistently. The AC asked about the seasonal rush, and he responded that demand went up from Memorial Day to Labor Day. Commissioner Stebbins asked about the supply chain issue and if resolving that would allow for other Licensees to open on the island. Mr. Karden responded that



additional Licensees would improve access to year-round residents and visitors who do not bring vehicles.

- The next speaker was Gabrielle Bisson of Fine Fettle Dispensary. She stated she was speaking as an inventory manager and a Registered Qualifying Patient. She stated that Fine Fettle Dispensary's inventory is dwindling in part due to the cost of testing, the cost of rent on the island, and the lack of access to federal loans. She described how she used Marijuana to treat back pain and how she was baffled by the prospect of having to turn to the illicit market. She stated that there were many customers on the island who used Marijuana for relief from Lyme disease as well as cancer patients. The AC relayed a comment from Commissioner Camargo in the chat for Ms. Bisson's to submit her comments to the Commission.
- The next speaker was Frank Shaw. He stated that he was a Registered Qualifying Patient diagnosed with HIV/AIDS in 1998 and, for people in his position, medical Marijuana was a lifeline. He noted that in order to attend the public meeting on the island, he had to leave his medical Marijuana on the mainland as the Massachusetts Steamship Authority prohibited it on the ferries. He stated that, while transportation of Marijuana over water was currently prohibited, there were routes to the island which avoid federal waters. He stated that the current situation required the Commission allow transportation to the islands. Mr. Shaw advocated for removing the vertical integration for island Licensees and reducing the licensing fees Medical Marijuana Treatment Center (MTC) on the island. He urged Commissioners to prioritize medical access to Marijuana. Commissioner Stebbins asked about opening supply chain to islands for existing MTCs and if Mr. Shaw had had any conversations Licensees on the topic and Mr. Shaw said he would follow up.
- The next speaker was Jeremiah MacKinnon, president of Massachusetts Patient Advocacy Alliance, Inc. (MPAA). He advocated for eliminating the vertical integration requirement, reducing licensing fees and allowing lab-tested Cannabis to be transported to the islands. He noted that Congress had renewed a budget rider for the past 10 years which courts have interpreted as prohibiting federal enforcement against state-legal medical marijuana activities. He described how allowing for island transportation would not resolve medical access for residents because MTCs on the islands would then be forced to compete with the wider variety of products available from the mainland but would still have to cultivate due to the vertical integration requirement. He advocated for special regulations to allow adult-use Licensees to provide Medical-use Marijuana without the vertical integration requirement and with reduced licensing fees. He added that there were only adult-use retailers on the island, and they should be allowed to sell Cannabis for medical purposes without Registered Qualifying Patients paying the tax. The AC asked for a citation for the constitutional protection which he had mentioned, and Mr. MacKinnon responded that it was commonly known as the Rohrabacher-Farr amendment. Commissioner Roy asked about a recent meeting of the Cannabis Advisory Board. Mr. MacKinnon responded that they had met recently and had recommended allowing island transportation and removing the vertical integration requirement. Commissioner Stebbins asked for Mr. MacKinnon's opinion on the Commission's outreach regarding growing Cannabis at



home. Mr. MacKinnon stated that there had been some public awareness campaigns but generally Registered Qualifying Patients felt that not enough care was given to medical use. He further clarified that only a small subset of the MPAA membership grow their own Medical-use Marijuana. The AC asked for Mr. MacKinnon's top five recommendations to better serve Registered Qualifying Patients. He responded that there were areas in Massachusetts where there were several Marijuana Establishments (MEs) in a single town, but no MTCs due to the requirement for vertical integration. He stated that another barrier was agent registrations costing \$500 for MTCs but cost \$150 for MEs. He suggested multi-year Patient Registration Cards. He noted that social equity was implicated and that no Social Equity Program Licensees were operating MTCs. Commissioner Roy noted the Department of Justice's intent to reschedule Marijuana and asked Mr. MacKinnon to opine on federal issues during the public comment period.

- The next speaker was Sally Rizzo. She stated that she was a Registered Qualifying Patient and was present to encourage the Commission to find a solution to island access and full testing. She described how it took multiple years for Licensees on Martha's Vineyard to become operational and build up an inventory. She stated that without legal access, Registered Qualifying Patients would turn to the illicit market, which was dangerous. She noted that traveling to neighboring communities was not an option for all island residents. She stated that other jurisdictions had found solutions to similar problems, that no access was not acceptable, and a solution was needed.
- The next speaker was Chloe Loftfield, the general manager at Fine Fettle Dispensary. She said that they are low on inventory and might not make it through the summer. She explained that she was a Registered Qualifying Patient and used Marijuana to help her eat. She said that the requirement to cultivate on the island was burdensome. She stated that the cost of testing on island was much higher than on the mainland. She described how the impact of the opiate epidemic was large on the island and there had been samples of Marijuana from the illicit market which had tested positive for opiates. She stated that Registered Qualifying Patients should not have to turn to illicit market and that she had only talked to one or two customers who grew their own Marijuana. She advocated for island transportation and said that, without access, many visitors would be put in a situation where they would break the law by bringing Marijuana to the island. Commissioner Roy asked Ms. Loftfield to expand on her comment regarding Marijuana from the illicit market laced with opiates. Ms. Loftfield stated that she knew people who did their own testing on flower and oil products and found fentanyl. Commissioner Stebbins asked if it would be a cost reduction for island licensees to do full testing on the mainland, which Ms. Loftfield confirmed. She explained the massive rent for their cultivation facility was unsustainable and that was the main cost which turned away investors. Commissioner Stebbins clarified that rent was outside of the Commission's purview. Ms. Loftfield reiterated Mr. Berger's point that the Commission should speak with the Wampanoag people and stated that the Commission could remove the requirement to grow on island, which would be the only way that their business could be sustainable.



Commissioner Stebbins asked when Fine Fettle Dispensary's inventory would run out. She said that they were projected to run out in September, but she was not confident in that, particularly with flower.

- The next speaker was Hannah Gonsalves. She stated that she used Marijuana to treat anxiety and depression. She enjoyed having safe access to Marijuana and recalled negative experiences with the illicit market. She stated that she knew people who had overdosed from laced Marijuana from the illicit market. She said that if legal Marijuana was taken from her, she did not know what she would do. She said that the Licensees on the island help educate people. She described how her father used Marijuana Products to help with medical issues. Commissioner Roy asked about how the legal market had affected the illicit market and Ms. Gonsalves responded that many people she knew had turned to the legal market which also provided job opportunities.
- The next speaker was Terry Kriedman. She stated that she was, to her knowledge, the sole Certifying Physician on the island and was member of the Association of Cannabinoid Specialists. She stated that there should be an MTC on the island and the matter before the Commission was a health equity issue. She explained that Registered Qualifying Patients would have to turn to the illicit market or grow their own Marijuana if island transportation is not allowed. She explained that she does not recommend growing to her patients as the Cannabis would not be tested and she would be unable to recommend a particular dose. She stated that patients would benefit from the variety of products which island transportation would enable and compared the lack of consistent access to particular Marijuana Products to flippantly changing prescription medications. Commissioner Roy asked her about what products her patients used. Dr. Kriedman said that she recommends gummies due to accuracy in the dosage. She stated that she would like to see medical cannabis reach parity with other medications in terms of accurate and regular dosages. Commissioner Roy asked her to opine in federal portal during the public comment period for the rescheduling of Marijuana.
- The next speaker was Brook Katzen. He stated that he was the landlord to Patient Centric of Martha's Vineyard, Ltd. d/b/a Island Time. He explained that he had purchased the building to lease it to Mr. Rose without knowing much about the industry but instead relying on his knowledge that Mr. Rose is a good person. He noted that Mr. Rose is an active member of their community and represents his business and industry with pride and grace. He stated that Mr. Rose's troubles were beyond his control and if Island Time goes out of business, not only Mr. Rose, but the employees will suffer. He added that the building had been renovated by Mr. Rose which was a boon to local economy.
- Next, Matthew Bugnall spoke. He stated that he worked at Patient Centric of Martha's Vineyard, Ltd. d/b/a Island Time and had lived on Martha's Vineyard for most of his life. He described growing up watching his peers become addicted to opiates. He said he started smoking Marijuana as a teenager, and while no one should smoke so young, access to regulated product was better than the illicit market. He described how Marijuana had benefited his fiancé. He stated that the variety of products was a



benefit to Consumers and Registered Qualifying Patients. He stated that his father grows his own Marijuana and that growing is a difficult process.

- The next speaker was Bill Honeycut. He stated that he was a small business owner in the food and beverages industry and reiterated Mr. Rose's sentiment that it was difficult to coordinate logistics due to the difficulty in transporting from the mainland and to retain employees. He advocated for the Commission to take action to address island transportation.
- The next speaker was Aidee Espino, an employee of Patient Centric of Martha's Vineyard, Ltd. d/b/a Island Time. She noted that they had many customers who used Marijuana to help get them off of other drugs. She described how she had recently attended a town meeting in Oak Bluffs to discuss allowing an ME to open and noted that there were more than four liquor stores which was considered normal. She described her own experience with Marijuana in high school before legalization and noted that people still found ways to access it, so it is important for that access to be through the regulated market. Stebbins asked what decision had been made at the Oak Bluffs town meeting and Ms. Espino stated that it had not been allowed. She noted the educational benefits provided through Licensees.
- The next speaker was Debbie Dean. She described an experience during the 1970s when she had illegally provided Marijuana to a cancer patient at a doctor's request. She stated that the Marijuana had provided the patient with relief. She stated that everyone had an obligation to help those around which she urged the Commission to consider.
- Mr. Rose spoke again and noted that he had filed a citizen's petition to enlarge the zoning area in Oaks Bluffs where dispensaries may be located. He stated that it had not been voted in, but he planned to continue to push for it.
- The AC stated that clearly the Commission has work to do and that this issue would be on the agenda at the next Public Meeting.

4) New Business Not Anticipated at the Time of Posting – 01:39:16

- The AC stated that there was no new business which was not anticipated at the time of posting.

5) Next Meeting Date – 01:39:20

- The AC stated that the next meeting date is June 13, 2024.
- Commissioners Roy, Stebbins, and Camargo thanked everyone that spoke and stated that the Commission took this issue seriously.

6) Adjournment – 01:41:50

- Commissioner Roy moved to adjourn.
- 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 motion to adjourn.

