

CANNABIS CONTROL COMMISSION

October 22, 2024
10:00 AM

In- Person with Remote Access via [Microsoft Teams Live*](#)

PUBLIC MEETING MINUTES

Documents:

- [Meeting Packet](#)

In Attendance:

- Commissioner Nurys Z. Camargo
- Commissioner Kimberly Roy
- Acting Chair 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) Commission Discussion and Votes – 00:01:22

1. Public Comment Overview

- Director of Government Affairs and Policy Matt Giancola (Director Giancola) provided an overview of the feedback received on the regulatory changes before the Commission. He stated that the feedback had largely been supportive as the regulatory changes allowed for new business opportunities, easier telehealth consultations and promoted equity.

2. Discussion and Review of Draft Regulations

- General Counsel Kajal Chattopadhyay (GC Chattopadhyay) directed Commissioners to the first amendment. The AC began to read the amendments, starting with the definition of Clinical Visit. The AC continued to go through the amendments one by one and gave rationale for the edits. Commissioners agreed to circle back to the Microbusiness definition and 935 Code Mass. Regs. § 500.005(1)(b)3. Regarding 935 Code Mass. Regs. § 500.050(1)(b)1, Commissioner Roy requested that this topic be



placed on the agenda as a topic for legislative outreach and to consider the limitation of 935 Code Mass. Regs. § 500.050(1)(b)8.a during the next regulatory round. Commissioner Roy asked for the historical context around the Craft Marijuana Cooperative License being limited to one and up to 100,000 square feet of canopy. Director Giancola provided her historical background. The Commissioners agreed to put a pin in the topic for a later regulatory session. Commissioner Roy asked if the amendments to 935 Code Mass. Regs. § 500.050(1)(a) could create a potential loophole where a Marijuana Delivery Operator could purchase product from a Social Consumption Establishment or Independent Testing Laboratory and Commissioners agreed to add “except for Independent Testing Laboratory” after “Marijuana Establishment” and to circle back to this topic in the future when contemplating new Social Consumption regulations. GC Chattopadhyay mentioned for future purposes that if there were going to be other categories down the road that many be excluded, they would want to include that here as well as it would impact the way a court interprets the language. The AC continued reading the amendments. Commissioner Roy mentioned the need for a conversation around a possible extension on the exclusivity period. Enforcement Counsel Timothy Goodin (EC Goodin) stated that the changes relative to counting of beverages was a process improvement and clarified the primary reasons for these changes. Director of Investigations Katherine Binkoski (Director Binkoski) also gave insight into the safeguards.

- The Commission took a brief recess. (Returned at 01:48:00.)
- The AC continued to read the amendments to the adult-use regulations and suggested replacing “of” with “after” in 935 Code Mass. Regs. § 500.105(13)(b)1. EC Goodin noted that redline edits which were underlined and stricken through were edits which had been suggested but not incorporated. Commissioner Camargo suggested striking “at least every 30 minutes” from the end of (e)(7) and Director Binkoski confirmed that this did not present any enforcement concerns. Commissioner Roy stated she was not in favor of striking the entire section. Commissioners discussed input from Director Binkoski and tentatively agreed on “The Marijuana Establishment Agents transporting Marijuana or Marijuana Products shall contact the originating location when leaving any scheduled or unscheduled location.” They agreed to circle back to this point when discussing delivery to consumers. GC Chattopadhyay noted that “Delivery Endorsements” in 935 Code Mass. Regs. § 500.110(8)(c) should be singular. Commissioners discussed the check-in requirements for vehicles as they are completing deliveries to consumers. Regarding 935 Code Mass. Regs. § 500.145(1)(m), Commissioner Camargo suggested extending the hours for delivery until 12:00 a.m. Commissioners discussed feedback they had received from the public on this topic and decided to leave it at 11:00 p.m. GC Chattopadhyay noted that “Delivery Endorsements” in 935 Code Mass. Regs. § 500.145(6)(e) should be singular. Regarding (k), Commissioner Roy requested “The Marijuana Establishment Agents transporting delivery items for consumer delivery shall contact the delivery Licensee or a Marijuana Establishment with a delivery endorsement’s fixed location when leaving any scheduled delivery or unscheduled stop.” EC Goodin suggested



revised language and stated he would put the language into writing for Paralegal Ivannia Corrales Solis (Paralegal Corrales Solis) to capture.

- The Commission took a brief recess. (Returned at 03:57:25.)
- The AC suggested amending the Definition of Clinical Visit to strike “written” and there were no objections. He continued reading the amendments to the adult-use regulations. The AC expressed his concern about somebody backdooring their way into a Microbusiness who would then in turn be eligible to pursue a Social Consumption License. EC Goodin noted that they had discussed potential language to address the AC’s concern at the July 19th meeting. Commissioner Roy suggested putting similar safeguards in place when they discuss the Social Consumption regulations. The AC reiterated the intention for the Microbusiness License type to be a License type with a lower barrier of entry for Licensees with less access to capital and EC Goodin confirmed he would get the proposed language from July 19th meeting.
- The AC began reading the amendments to the medical-use regulations and there were no requested amendments until GC Chattopadhyay noted that “Certifying Physician Assistants” in 935 Code Mass. Regs. § 501.008(1) should be singular. The AC continued and asked Commissioner Roy to restate her suggested language for 935 Code Mass. Regs. § 501.105(13)(e)7 to mirror the adult-use regulations. Commissioner Roy asked if “Marijuana and Marijuana products” should be identified in the same section and EC Goodin confirmed that it would be more inclusive. The AC continued reading the medical-use regulations.
- Commissioners took a brief recess. (Returned at 05:00:17.)
- The AC continued reading the redline edits to the medical-use regulations.
- The Commission took a brief recess. (Returned at 05:30:29.)
- The AC stated that they would be pausing the review of the regulatory amendments and would notice another meeting to be held on October 25th.

3. Licensing Review and Approval at Public Meetings

- The AC stated that this topic was intended to address Licensees who submitted applications less than two weeks prior to a regular Public Meeting and had to wait up to six weeks for their application to be voted on. He suggested including votes on Licenses at non-regular Public Meetings and there were no objections.

4. Executive Director Interview Date, Logistics and Instructions for Commissioners

- Acting Executive Director Debra Hilton-Creek (AED Hilton-Creek) recapped the Executive Director (ED) search. She discussed the logistics for the final public interviews and explained that Commissioners would deliberate in open session and determine the new ED. The AC explained that Commissioners would be provided a packet containing the questions which had already been asked of candidates. He asked Commissioners to come prepared with three questions and one alternative and explained that they would have to ask the same questions to each candidate. He suggested creating a preference poll to help find consensus. Commissioners discussed the day-of logistics.



3) Next Meeting Date – 06:01:56

- The AC stated that the next noticed meeting would be on October 28th, and another would be noticed for October 25th to complete their review of the regulatory amendments.

4) New Business Not Anticipated at the Time of Posting – 06:03:45

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

5) Adjournment – 06:03:57

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

