



CANNABIS CONTROL COMMISSION

Public Commission Meeting

Wednesday, February 28
10:00 AM

Massachusetts State House
Room B-1
Boston, MA

DRAFT--FOR DISCUSSION PURPOSES ONLY

This presentation has not been reviewed or approved by the Cannabis Control Commission.



Cannabis Control Commission

02.28.18 Public Meeting

Agenda

- 1) Call to Order
- 2) Chairman's Comments & Updates
- 3) Approval of Minutes from Previous Meetings
- 4) Discussion – Policies and Draft Regulations
- 5) New Business that the Chairman did not anticipate at time of posting
- 6) Next Meeting date (if known).

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Section	Topic	Issue	Options
.002	Definitions	Use of term "Marijuana"	Strike? Change to Cannabis?
		Define "Canopy"	
		Define "existing licensee transporter"	
		Amend definition of "marijuana or cannabis products"	Clarify that it will not be treated as food (like marijuana for medical use)
		Amend definition of microbusiness	Depends on discussion of microbusiness license below
		Define "Owner"	
.030	Registration of ME Agents	None	
.031	Denial of Registration Card	Add discretionary language	
.032	Revocation of Registration Card	Add discretionary language	

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Section	Topic	Issue	Options
.040	Leadership Program	Changes to Energy & Environmental Leader requested by EOEA	
.050	Marijuana Establishments		
	Cultivation	Cap on co-ops	Cap Prohibition on ownership or control of other ME Requirement that at least one member have filed a Schedule F prior to licensure
		Requiring staged growth	Required to start in Tiers 1-3, must satisfy 85% to grow further; Priority RMD Applicants are grandfathered into the level authorized by DPH
		85% to change tiers	Work on language to ensure production is at top of cap
		Cap on total canopy per license	
		Seeds, Clones	Allow/Ban -Allow seeded strains to be grown and sold
		Environmental Standards?	-Require data collection and submission regarding energy and water usage?
		Add requirements to be designated as a co-op	Yes/No
		Provide guidance for waiver process for small farmers	



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Section	Topic	.50	Options
	Microbusinesses	Required to cultivate?	Yes/No
		Caps on Product Manufacturing?	Yes/No
	Product Manufacturer	None	
	Retail	Delivery-only (No brick & mortar)	<ul style="list-style-type: none"> -Don't License -Defer Licensing -Other ME license required -License as service to licensed retailers? -Delivery within municipal boundaries? -Delivery to banned communities? - Limit the number of licenses available? -Pilot program w/ limited number of licenses? -Later date of license roll out tied to other ascertainable benchmarks? -Add requirements for customers to receive deliveries? --Clarify one-ounce limit on purchases per person and deliveries to residences

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Section	Topic	Issue	Options
.050	Retail	Social Consumption: Primary Use	<ul style="list-style-type: none"> -Issue license? -If yes, operating requirements? -Rights of communities <ul style="list-style-type: none"> -What are they? -How are they administered? -Limit the number of licenses available? -Pilot program w/ limited number of licenses? -Later date of license roll out tied to other ascertainable benchmarks?
		Social Consumption: Mixed Use	<ul style="list-style-type: none"> -Issue license? -If yes, operating requirements? <ul style="list-style-type: none"> --Prohibition on employees under 21? -Rights of communities <ul style="list-style-type: none"> -What are they? -How are they administered? --Limit number of licenses available?
		Social Consumption: 1/3 Day Events	<ul style="list-style-type: none"> -Issue license? -If yes, operating requirements? -Rights of communities <ul style="list-style-type: none"> -What are they? -How are they administered?

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Section	Topic	Issue	Options
.050	Research Facility	None	
	Independent Testing Lab	No agent shall receive <i>direct compensation</i> .	Add: <i>or indirect compensation</i> .
	Transporter	Allow warehousing?	Yes/no
.005	Fees/Fines	Amount By Category	Change?
		Monthly Seed to Sale Fee	Licensee v. Commission pays -All/some categories
.101		RMD Priority Applicants	-Medical patient supply availability -Final vs. provisional licensees -Municipalities with retail bans
.101	Application Requirements	Economic Empowerment Priority Applicant	-Modify definition? -Include sexual orientation and gender identities? -Include owners convicted of drug crimes? -Narrow types of drug crimes -Required information to substantiate or provision in reg that CNB will substantiate?

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Application and License Fees

License Type	Application Fee	Annual License Fee
Cultivation		
Tier I	\$100/\$50	\$1,000/\$500
Tier II	\$250/\$125	\$2,500/\$1250
Tier III	\$400/\$200	\$4,000/\$2000
Tier IV	\$600/\$300	\$5,000/\$2500 or more
Craft Marijuana Cultivator Cooperative	Per Tiering Above	Per Tiering Above plus \$1000/\$500 for each member above 6
Microbusiness	\$300	50% of applicable License Fees
Manufacturing	\$300	\$5,000
Independent Testing Laboratory	\$300	\$5,000
Retail (brick and mortar)	\$300	\$5,000
Third-party Transporter	\$300	\$5,000
Existing Licensee Transporter	\$300	\$5,000
Research	\$300	\$1,000

Note: For cultivation application and annual license fees – outdoor cultivation reduced by 50%

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Section	Topic	Issue	Options
.101	Application Requirements	Areas of Disproportionate Impact	Modify definition? -Include race in criteria?
		Background Check	Add to required information a list of past or present businesses operated in other jurisdictions/states
		Add conflict of interest disclosure req't? and/or disclosure of any ownership interests by individuals who are included on license application with another ME.	New reg?

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Section	Topic	Issue	Options
.102	Action on Applications	Applicant access	Do we need to include language re: packet modifications after submission?
		Supplemental materials	Clarify that Commission will not accept materials requested by Commission after the date by which it required them to be submitted
.103	Licensure and Renewal	Clarify meaning of term "ceases to operate"	

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Section	Topic	Issue	Options
.105	Operational Requirements		
	Marketing	Marijuana Leaf/Colloquial References	Allow/Ban
		Prices	Allow prices to be posted
		Coupon/specials/loyalty programs	Allow/Ban
		Modify generally	Mirror alcohol
	Labeling		Info on package vs. insert?
			-Streamline labels and add edible warning to label -Add 911 to DPH warning?
	Packaging	Virtual separation	Yes/No? How? When seed planted, or product sold?

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Section	Topic	Issue	Options
.105	Serving Size	Single serving: 5 mg	Increase? Statute caps at 10mg
	Inventory	Allow RMDs to transfer inventory subject to 30% reserve for MMJ	Yes/no
	Transportation Between Marijuana Establishments	Two Marijuana Establishment Agents	Keep/Reduce?
		Adoption of Sanitary requirements	Yes/no
		Allow request to use alternate safeguards for separate locked compartment when transporting for multiple establishments	Yes/no
	Delivery of Products to Consumers	Maximum \$3,000 on home delivery	-Keep/Increase? -Use ounces vs. dollars -Coalesce delivery limit with limit at home (e.g. 10 ounces in household)
	Vehicles	Must be owned	Allow leased?
		Firearms in vehicle	Yes/No?

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Section	Topic	Issue	Options
	Waste Disposal	Adopt changes requested by DEP	Yes/no
.120	Additional Operating Requirements (AOR): Cultivation	Fencing	Yes/No? Height?
		24-Hour Video Surveillance	Yes/No? Waiver criteria? -If waiver, local PD input?
		Environmental Requirements	-See suggestions. -Specify standards as condition for licensure? -Encourage outdoor cultivation?
.130	AOR: Manufacturing	None	

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Section	Topic	Issue	Options
.140	AOR: Retail	Physical separation	<p>Yes/No?</p> <ul style="list-style-type: none"> -Allow medical patients option to receive medicine in adult-use line? (Ensure co-located medical and adult use retailers can handle either transaction) -Confidentiality room/area w/physical separation and means for medical patients to signal desire to maintain confidentiality.
		Clarify marketing restriction	Employees allowed to respond to questions by telephone re: pricing and strain
		Adopt retail sanitary code	Yes/no
		Sales limits—"at a time"	Clarify?
		Consumer education	<ul style="list-style-type: none"> --is requiring into all languages served overly burdensome? --add information re: penalties for violation of the law

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Section	Topic	Issue	Options
.145	AOR: Social Consumption	BYOC	Yes/No
		Eliminate option to allow alcohol establishments do it	Yes/no
		Prohibit at co-located MMJ due to age concerns	Yes/no
		Require posting of sign including penalties of drugged driving	Yes/no
		Remove references to smoking until state law is clarified?	Yes/no
.150	Edibles	None	
.160	Testing	None	

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Section	Topic	Issue	Options
.170	Municipalities	Community Host Agreements	<ul style="list-style-type: none"> -Template/Commission review of CHAs -Require data collection and submission regarding costs related to community host agreement
.100	Licensing	Buffer Zone	<ul style="list-style-type: none"> Clarify? -500 sq. ft – more or less? Flexibility? -“where children commonly congregate” – strike? -measurement of line
.101	Application Requirements	Community Outreach Hearing	<ul style="list-style-type: none"> -Yes/No? <ul style="list-style-type: none"> --If no, substitute? CNB public hearings w/applicants? -Clarify process and timing – apply to locality, then state, or vice versa? --Change description to “meeting” rather than “hearing”



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Section	Topic	Issue	Options
.200	Martha's Vineyard	Rename	-Regulations for Dukes and Nantucket Counties
	Inspections & Compliance	See UFCW suggestions	-Consider
		Secret shopper program	Expand scope to be broader (e.g. underage ID checks, etc.)
.400	Grounds for Denial	None	
.500	Hearings & Appeals	None	
.600	Non-Conflict	None	
.700	Waivers	None	
.800	Suitability	-Drug convictions/violent crimes -Discretion	-Specific DQ criteria? -"Good moral character" catch all?
.105	Energy Efficiency	Changes requested by EOEa	See also comments below

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Next Commission Meeting

10:00 AM

Tuesday, March 6, 2018

Mass. Gaming Commission Offices
101 Federal Street, 12th Floor
Boston, MA

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