

CANNABIS CONTROL COMMISSION

January 23, 2025  
10:00 AM

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

PUBLIC MEETING MINUTES

**Documents:**

- [Meeting Packet](#)
- Massachusetts Association of Cannabis Transporters' February 2023 correspondence

**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 and rules of conduct.

2) Commissioners' Comments & Updates – 00:01:36

- Commissioner Camargo reminded listeners of the informal public feedback period on the Social Consumption regulations and stated that she would be attending the Massachusetts Municipal Association's Connect 351 conference. The AC stated that he had attended a meeting with the Massachusetts Municipal Training Committee regarding Responsible Vendor Training (RVT) for Social Consumption.

3) Public Listening Session: Marijuana Transporter Licensees – 00:04:37

- The first speaker was Raphael Richter with Eagle Eyes Transport Solutions, a Third-party Transporter. He stated that the biggest issue his business faced was that Third-party Transporters did not have an exclusive right to operate in their specialty and had no regulatory advantages over Existing Licensee Transporters. Additionally, besides Independent Testing Laboratories (ITLs), Third-party Transporters were the only other Licensees which were prohibited from seeking other License types. He advocated for implementing the single driver rule solely for Third-party Transporters



to give them an economic advantage. Commissioner Roy noted that existing Marijuana Establishments (MEs) could not seek a Third-party Transporter License and Mr. Richter described how an Existing Licensee Transporters had the advantage of being able to purchase products. Commissioner Roy stated she would circulate correspondence from a group representing Third-party Transporters and requested a list of Notices of Deficiency (NOD) from the Investigations and Enforcement department.

- The next speaker was Matthew Knox, CEO of Eagle Eyes Transport Solutions. He described how, unlike other Licensees, Third-party Transporters were focused solely on transportation and had developed more advanced security systems for their vehicles which made two drivers unnecessary. He explained that his company had implemented kill switches in their vehicles which could be triggered by a dispatcher which provided more security than two drivers. Commissioners discussed security systems and Commissioner Roy stated that she was open to deregulating provided that public safety was not compromised.
- The next speaker was Emmanuel Westphal, COO of Get Blossom Flower. He stated that he was an Existing Licensee Transporter and advocated for keeping the two-driver rule and cited the dangers of driving and a single driver potentially driving while tired or distracted. He explained that Transporters carried high value loads which made them targets for theft.
- The next speaker was Angela Brown, CEO of T. Bear. She stated that she was a Product Manufacturer and Existing Licensee Transporter and advocated for eliminating the two-driver rule which she said was outdated and an economic burden. She described the security systems which she had implemented which eliminated the need for a second driver. She disagreed with the first speaker and stated that most Licensees used Third-party Transporters to avoid maintaining a fleet and the reduced costs of implementing a single driver would not make Third-party Transporters any less appealing to MEs.
- The next speaker was Lucas Thayer owner of Apple Guy Flowers. He advocated for implementing a mandatory discount for Third-party Transporters who were delivering to Social Equity Program (SEP) Licensees and reducing the two-driver rule. He stated that the Commission should focus on making Massachusetts an attractive market to people who were considering opening a business and lobbying the Legislature to make the Social Equity Trust Fund more accessible.
- The next speaker was Max D'Ambrosio with MMM Transport, a Third-party Transporter. He described how he was required to have cargo insurance which only covered the value of the product at the time. He stated that pennyng out reduced the amount that he would be reimbursed for product. He stated that there were currently only two companies that provided cargo insurance for Third-party Transporters in Massachusetts, and they would not cover claims without two drivers. He advocated for the Commission to keep the two-driver rule and to seek an advisory from the Division of Insurance (DOI) to confirm that the cargo insurance being offered to Third-party Transporters was compliant with their regulations and to require all



Licensees who were transporting product to another business to obtain cargo insurance.

- The Commission took a brief recess. (Returned at 02:04:43.)
- The next speaker was Ryan Dominguez, Executive Director (ED) of the Massachusetts Cannabis Coalition (MCC). He advocated for reducing the two-driver rule due to cost savings which would be passed on to consumers and patients. He stated that there had been no instances of theft in Massachusetts and noted that the insurance issues pointed out by Mr. D'Ambrosio would vary based on the amount of product being transferred. He confirmed for Commissioner Roy that his membership was uniform in support of implementing a single driver.
- The next speaker was Dan Berger, founder of Grassp Ventures. He stated that he was a Delivery Operator and advocated for streamlining transportation and delivery regulations.
- The next speaker was Chris Fevry, founder of Your Green Package. He cited the Commission's October 12, 2024, Public Meeting where a report indicated that there had been forty reported incidents since 2021, most of which involved Third-party Transporters. He advocated for keeping the two-driver rule as Third-party Transporters dealt in much larger shipments than Delivery Operators and often faced long wait times while completing deliveries at MEs. Commissioner Roy noted that many of the reported incidents were the result of technical problems, not safety issues.
- Mr. D'Ambrosio spoke again and stated that those forty reported incidents had all related to Existing License Transporters.
- Mr. Richter spoke again and explained that his drivers often faced long wait times when completing deliveries at MEs and suggested making the regulations clearer to reduce the potential for a transporter's Standard Operating Procedure (SOP) to conflict with the ME that they are delivering at. Additionally, he advocated for allowing for quicker drop offs by allowing Transporters and MEs to enter agreements which would allow for manifests to simply be dropped off. He stated that currently, Licensees ignored some of the chain of custody features of Metrc by not locking their manifests in the software.
- The AC suggested taking the agenda out of order as some Licensees were present to hear the discussion on delivery to no-towns and there were no objections.

#### 4) Commission Discussion and Votes – 02:43:03

##### I. Delivery to No-Towns

- Commissioner Camargo stated that this was put on the agenda as an update and that she was working with the Legal department to determine what authority the Commission had to allow for delivery to no-towns. She said that she would have a more comprehensive update at the regular February meeting. Commissioner Roy requested that an opinion from the Legal department be circulated for Commissioners. Commissioner Camargo noted that a bill had been proposed to allow for delivery to no-towns.



- The Commission took a brief recess. (Returned at 03:25:06.)

## II. Marijuana Establishment Agent Badging Discussion

- The AC summarized the regulations regarding ME Agent Registration in 935 CMR § 500.030 noting the requirement for Registered Agents to have a Registration Card for each License which they performed work for. He explained that there was a cost of \$7 to produce each badge and that over the last three years the Commission had spent \$410,145 on badges. He explained that staff were currently working on potentially transitioning from a physical to electronic version of the badge. He summarized the issues with the current system: ME Agents are forced to have a badge for each License regardless of whether they are held by the same company; when agents are laid off, they are faced with a delay while their new employer seeks a new badge; and outdoor cultivators paid for badges although many of their workers were seasonal. Commissioner Roy requested a report on how other jurisdictions approached this topic. Commissioners discussed who would be responsible for paying the badging fees if badges followed agents. The AC stated his preference was for employers to be responsible for fees and Commissioner Roy stated that would not incentivize them to hire new employees. The AC explained that next steps would be to review other jurisdictions and review how this could affect revenue. Commissioner Roy suggested advocating for retained revenue in outreach regarding the Commission's budget.

## III. Job Description: Employee Relations Manager

- Acting Executive Director Debra Hilton-Creek (AED Hilton-Creek) stated that she was under the impression that this topic was being postponed until the new ED was onboarded. Commissioner Camargo explained that she wanted to hold off on voting for any new positions until the ED was onboarded. AED Hilton-Creek cautioned that some new roles were crucial to improve structural efficiency. Commissioner Roy asked about the process for advocating for the budget and Chief Financial Accounting Officer Lisa Schlegel (Chief Schlegel) described where the process stood. Commissioners discussed the importance of the budget and Commissioner Camargo stated that this topic had not been noticed.

## 5) Executive Session – 04:17:34

- Commissioner Camargo moved to enter into Executive Session pursuant to G. L. c. 30A, § 21(a)(3) to discuss strategy with respect to collective bargaining or litigation because the open meeting may have a detrimental effect on the bargaining or litigating position of the public body.
- Commissioner Roy 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 enter into Executive Session.



IV. Legal Interventions Discussion – 06:11:55

- General Counsel Kajal Chattopadhyay (GC Chattopadhyay) described how the Commission’s authority under Chapter 180 over Community Impact Fees (CIFs), had been challenged by some towns and cities’ who stated that the new requirements could not be imposed on existing Host Community Agreements (HCAs) at renewal. He explained that this left some Licensees in limbo as the municipalities in which they were located refused to renegotiate HCAs. He proposed working with the Attorney General’s Office (AGO) to file papers which represented the interests of the Commission as the impact on Licensees could constitute a public health risk. Commissioner Roy asked why the Commission was intervening now and GC Chattopadhyay explained that this issue was now affecting Licensees who could potentially go out of business. Commissioner Roy suggested looking into potential regulatory amendments to provide.
- Commissioner Roy moved to delegate to the GC the authority to prepare and submit legal filings in the Theory Wellness et al. v. Town Great Barrington matter, appear in court and present oral argument on behalf of the Commission and to take all necessary steps to protect the Commission’s interest in the regulation of HCAs and CIFs including the ability to coordinate as necessary with the AGO and provide updates back to this Commission.
- 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.

6) New Business Not Anticipated at Time of Posting – 06:32:21

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

7) Next Meeting Date – 06:32:28

- The AC stated that the next meeting was scheduled for February 13, 2025.

8) Adjournment – 06:40:50

- Commissioner Camargo moved to adjourn.
- Commissioner Roy 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.

