

Cannabis Control Commission Public Meeting Minutes

September 24, 2019

10:00 A.M.

Massachusetts State House

24 Beacon Street

Room 437

Boston, MA 02113

Commission Members in Attendance:

Chairman Steven Hoffman

Commissioner Kay Doyle

Commissioner Jen Flanagan

Commissioner Britte McBride

Commissioner Shaleen Title

Commission Members Absent: None

List of Documents:

1. Final Adult Use Regulations (935 CMR 500.000) for Vote
2. Final Medical Use Regulations (935 501.000) for Vote

Chairman Hoffman recognized a quorum and called the meeting to order at 10:02 A.M. Chairman Hoffman put the public on notice that the meeting was being recorded. Chairman Hoffman indicated that the purpose of the meeting was solely to vote on the new regulatory language developed to implement the policy decisions from the meeting held on September 12 and 13.

Turning to 500.005: *Fees*, Executive Director Shawn Collins said that the application fees for the new category of Marijuana Establishment with a Delivery Endorsement (MEDE) could be reduced to \$500. Chairman Hoffman noted that license fees for Microbusinesses are reduced by 50 percent, so MEDE fees could be similarly reduced. Mr. Collins agreed and said that MEDE fees should be reduced to \$5,000.

Turning to 500.110: *Security Requirements for Marijuana Establishments*, Commissioner McBride discussed the rationale behind the security requirements for delivery. Commissioner McBride said that the use and storage of body camera video requires the Commission to strike a balance between deterring potential robberies and protecting consumer privacy. Commissioner Title proposed adding a new subsection to 500.110(8)(b) between existing subsections (b)(5) and (b)(6) that body camera footage not be disclosed to a third party other than one explicitly authorized by regulations, to a law enforcement officer with a warrant or court order, or to a law enforcement officer performing a constitutionally valid search or seizure in case of imminent danger or other exceptional circumstances. Chairman Hoffman asked for a motion to approve the new language proposed by Commissioners McBride and Title for insertion into the regulations. The motion was made by Commissioner Title and seconded by Commissioner McBride. The Commission unanimously approved the motion.

Commissioner Title turned back to 500.105(5)(c) regarding the labeling of marijuana concentrates and extracts and the new language in (c)(6) about including additives in the ingredient list. Commissioner Title proposed adding the word “specific” in front of “terpenes, expressed in absolute terms...”

Turning to 500.145: *Additional Operational Requirements for Delivery of Marijuana and Marijuana Products to Consumers*, Commissioner McBride brought up the safe cash handling procedures. Commissioner Flanagan proposed separating the sections so that subsection (j) says that cash carried by a delivery vehicle must be stored in a locked compartment and a new subsection (k) deal with cash transport to banks pursuant to 500.110(7).

Chairman Hoffman reviewed the proposed changes and asked for a motion to approve the regulations for 935 CMR 500.000: *Adult Use of Marijuana*, subject to the changes proposed by Mr. Collins, Commissioners McBride and Title and Commissioner Flanagan and with authority to Commission staff to make any ministerial changes necessary prior to submission to the Secretary of State. The motion was made by Commissioner Title and seconded by Commissioner Doyle. The Commission approved the motion by a vote of four in favor (Doyle, Hoffman, McBride, Title) and one opposed (Flanagan).

Chairman Hoffman then turned to a review of 935 CMR 501.000: *Medical Use of Marijuana*. At 501.105: *General Operational Requirements for Medical Marijuana Treatment Centers*, Commissioner Doyle proposed removing the language prohibiting branded promotional items in 501.105(4)(b)(6) until the next round of regulatory review. Chairman Hoffman asked for a motion to approve the removal. Commissioner Doyle made the motion to remove the text and to direct the staff to reserve the subsection to avoid renumbering in subsequent revisions. The motion was seconded by Commissioner McBride. The Commission unanimously approved the motion. Commissioner Title requested that “specific” be added before “terpenes” in 501.105(5)(c)(6), similar to the change in the adult use regulations.

Chairman Hoffman reviewed the proposed changes and asked for a motion to approve the regulations for 935 CMR 501.000: *Medical Use of Marijuana*, subject to the changes proposed by Commissioner Title and Commissioner Doyle and with authority to Commission staff to make any ministerial changes necessary prior to submission to the Secretary of State. The motion was made by Commissioner Doyle and seconded by Commissioner Flanagan. The Commission approved the motion unanimously.

Chairman Hoffman thanked the staff involved in the regulatory drafting process. Chairman Hoffman noted that the next meeting is scheduled for Thursday, October 10 in Springfield. Chairman Hoffman asked for a mission to adjourn. The motion was made by Commissioner Flanagan and seconded by Commissioner Doyle. The Commission approved the motion unanimously and the meeting was adjourned.