



STATE OF RHODE ISLAND

560 Jefferson Boulevard
Warwick, Rhode Island 02886

Cannabis Control Commission

Open Meeting Minutes

DATE: Wednesday January 8, 2025

TIME: 9:30 AM

PLACE: Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02886

MEMBERS PRESENT: Chair Kimberly R. Ahern, Esq.
Commissioner Robert B. Jacquard, Esq.
Commissioner Olayiwola Oduyingbo, Esq.

MEMBERS ABSENT: None

OTHERS PRESENT: Michelle Reddish, MS, MPH, Administrator, Cannabis Office
Mariana Ormonde, Esq., Chief of Legal Services, Cannabis Control Commission
Kelsey McQueeney, Chief Implementation Aide, Cannabis Control Commission
Carla Aveledo, Esq., Policy and Legal Liaison, Cannabis Control Commission
Erica Ferrelli, Chief Regulatory Officer, Office of Cannabis Regulation
Kelly Verte, Chief Financial Officer, Cannabis Control Commission
Matthew Touchette, Director of Communications, Executive Office of Commerce

Chairperson Ahern called the meeting to order at 9:30 AM.

The first item of business was:

Introductory remarks by Chair Ahern, which included:

- Gave an overview of the agenda items and the potential of the Commission to authorize staff to proceed with posting the Commission’s proposed regulations and opening the official rulemaking process under the Administrative Procedures Act.
- Noted that the public comment period would commence upon posting and discussed how to best submit public comment to the Commission on the proposed regulations by email, written statement and at the future public hearing.
- Discussed the timeline of cannabis legalization in Rhode Island and the creation of the Commission.
- Thanked legislators who provided the framework for the cannabis industry in Rhode Island.
- Recognized the work done by the Commission staff, Office of Cannabis Regulation, Cannabis Advisory Board, agency partners and the public in reaching this milestone.

The next item of business was:

Motion to approve the minutes of the Open Session Meeting held on January 2, 2025.

Upon motion made by Commissioner Jacquard and duly seconded by Commissioner Oduyingbo, it was unanimously:

VOTED: To approve the minutes of the open session meeting held on January 2, 2025.

The next item of business was:

Review, discussion and potential vote to authorize Commission staff to post the proposed regulation entitled “Administration, Procedures and Enforcement,” 560-RICR-10-05-1, for public comment period in accordance with the Administrative Procedures Act (“APA”), R.I. Gen. Laws Chapter 42-35.

- Chair Ahern introduced the agenda item and Legal Counsel provided an overview of the content of the proposed regulation with notable inclusions and changes to existing requirements.

Upon motion made by Chair Ahern and duly seconded by Commissioner Oduyingbo, it was unanimously:

VOTED: To authorize Commission staff to post the proposed regulation entitled “Administration, Procedures and Enforcement,” 560-RICR-10-05-1, for public comment period in accordance with the Administrative Procedures Act (“APA”), R.I. Gen. Laws Chapter 42-35.

The next item of business was:

Review, discussion and potential vote to authorize Commission staff to post the proposed regulation entitled “Cannabis Establishment Applications, Licensing and Renewals,” 560-RICR-10-10-1, for public comment period in accordance with the APA.

- Chair Ahern introduced the agenda item and Legal Counsel provided an overview of the content of the regulation with notable inclusions and changes to existing requirements.
- Chair Ahern made a motion to authorize Commission staff to post the proposed regulations entitled “Cannabis Establishment Applications, Licensing and Renewals,” 560-RICR-10-10-1, for public comment period in accordance with the Administrative Procedures Act (“APA”), R.I. Gen. Laws Chapter 42-35, which was duly seconded by Commissioner Oduyingbo.

Discussion ensued amongst the Commissioners, which included:

- Commissioner Jacquard requested that the Commission vote separately on subsections 1.4(H), 1.5(H), and 1.6(H), which set forth a randomized selection process for new retail cannabis licenses, social equity retail cannabis licenses, and workers’ cooperative retail cannabis licenses respectively, stating that he was in favor of a more competitive merit-based selection process.
- Discussion ensued among the Commissioners regarding selecting future licensees based on merit.
- Chair Ahern discussed what she had learned from speaking with counterparts in other states and their experiences with merit-based licensing selection and litigation, and discussed wanting to avoid any potential future delays that could result from litigation with respect to the selection process, noting that it was important to avoid the types of challenges and delays faced by other states.
- Chair Ahern discussed the proposed hybrid selection model, noting that it still contained a high bar to entry.
- Legal Counsel recommended that the regulation as drafted be voted on in its entirety and not by individual subsections. Counsel advised that there were two options for the Commission to proceed, either to proceed with Commissioner Ahern’s pending motion, noting Commissioner Jacquard’s opposition to the identified subsections, or for Commissioner Jacquard to make his own preferred motion.
- Discussion continued and Commissioner Oduyingbo noted that he was confident that the Commission could select the right applicants, but voiced support for the hybrid selection model as a way to establish balance, ensure qualifications, avoid litigation, and remove any appearance of impropriety in the selection process.
- Commissioner Jacquard discussed the application requirements listed in the proposed regulation, including the requirements for a business plan and a safety and security plan, and stated that the hybrid selection process was unfair to those applicants who put in the most time and submitted the best plans.

- Commissioner Jacquard stated that he would still vote in favor of the regulation based on his agreement with the rest of its contents, with the exception of his opposition to subsections 1.4(H), 1.5(H), and 1.6(H).
- Chair Ahern discussed that Rhode Island is a limited license state, and that the Commission would not know how many applications would be received, noting that other states faced demand for cannabis establishment licenses that far outweighed the number of available licenses, and anticipated that the same may be true for the Commission’s future application process.

Chair Ahern restated her original motion, which had been duly seconded by Commissioner Oduyingbo, noting Commissioner Jacquard’s objection to individual subsections 1.4(H), 1.5(H), 1.6(H). It was then unanimously

VOTED: To authorize Commission staff to post the proposed regulation entitled “Cannabis Establishment Applications, Licensing and Renewals,” 560-RICR-10-10-1, for public comment period in accordance with the Administrative Procedures Act (“APA”), R.I. Gen. Laws Chapter 42-35.

The next item of business was:

Review, discussion and potential vote to authorize Commission staff to post the proposed regulation entitled “Operational Requirements for Cannabis Establishments,” 560-RICR-10-10-2, for public comment period in accordance with the APA.

- Chair Ahern introduced the agenda item and Legal Counsel provided an overview of the content of the regulation with notable inclusions and changes to existing requirements.

Upon motion made by Chair Ahern and duly seconded by Commissioner Oduyingbo, it was unanimously:

VOTED: To authorize Commission staff to post the proposed regulation entitled “Operational Requirements for Cannabis Establishments,” 560-RICR-10-10-2, for public comment period in accordance with the Administrative Procedures Act (“APA”), R.I. Gen. Laws Chapter 42-35.

The next item of business was:

Review, discussion and potential vote to authorize Commission staff to post the proposed regulation entitled “Caregiver Registration, Medical Home Grows and Personal Cultivation,” 560-RICR-10-15-1, for public comment period in accordance with the APA.

- Chair Ahern introduced the agenda item and Legal Counsel provided an overview of the content of the regulation with notable inclusions and changes to existing requirements.

Upon motion made by Chair Ahern and duly seconded by Commissioner Oduyingbo, it was unanimously:

VOTED: To authorize Commission staff to post the proposed regulation entitled “Caregiver Registration, Medical Home Grows and Personal Cultivation,” 560-RICR-10-15-1, for public comment period in accordance with the Administrative Procedures Act (“APA”), R.I. Gen. Laws Chapter 42-35.

Adjournment:

Upon motion made by Commissioner Oduyingbo and duly seconded by Commissioner Jacquard, it was unanimously:

VOTED: To adjourn the meeting at 10:11 A.M.

Next Meeting Date: January 24, 2025 at 1:00 P.M at the Public Utilities Commission, 89 Jefferson Boulevard, Warwick, RI 02886.