



STATE OF RHODE ISLAND

560 Jefferson Boulevard
Warwick, Rhode Island 02886

Cannabis Control Commission

Open Meeting Minutes

DATE: Tuesday, October 15, 2024
TIME: 1:00 PM
PLACE: Department of Administration
Conference Room 2A
1 Capitol Hill
Providence, RI 02908

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, Administrative Officer, Cannabis Control Commission
Carla Aveledo, Esq., Legal and Policy Liaison, Cannabis Control Commission
Tucker Wentz, Senior Economic and Policy Analyst, Office of Cannabis Regulation

Chairperson Ahern called the meeting to order at 1:01 pm.

The first item of business was:

Introductory remarks from Chairperson Ahern, which included:

- Mentioned the change of location for the meeting.

The next item of business was:

Motion to approve the minutes of the Open Session Meeting held on October 4, 2024.

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

VOTED: To approve the minutes of the open session meeting held on October 4, 2024.

The next item of business was:

Presentation on proposed changes and updates to existing cultivation license requirements and new manufacturing license requirements to be included in the Commission's regulations, which included:

- Addressed questions received regarding how the Cannabis Act defines canopy, which is highlighted in the presentation.
- Introduction of Cannabis Product Manufacturing license type.
- Provided the proposed Cannabis Product Manufacturer application and license fees.
- Reviewed the Cannabis Cultivator license type and the Commission's statutory authority to regulate this license type.
- Reviewed the current cultivator moratorium.
- Provided overview of proposed changes for the Hybrid Cannabis Cultivator license type which includes reduction in license fees, changes to testing batch sizes and utilization of canopy to measure cultivation size.
- Provided an overview of proposed changes for the Medical Marijuana Cultivator license type.

Discussion ensued amongst the Commissioners, which included:

- Noted that many of the changes that were proposed are a result of aligning the regulations for the license types with the Rhode Island Cannabis Act.
- Discussed looking at what the licensees are receiving for the fees that are charged for certain license types.
- Discussion on having a Manufacturing license as a low barrier to entry in the cannabis industry of Rhode Island.
- Noted the difference in licensing schemes within neighboring states, with some states allowing unlimited licenses.

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

VOTED: To allow for the Commission staff to proceed with the regulatory drafting process for cultivation licenses, in a manner consistent with the materials presented today, with the caveat that the Commission shall, at a later time, consider these for final approval and promulgation.

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

VOTED: To allow for the Commission staff to proceed with regulatory drafting process for manufacturing licenses, in a manner consistent with the materials presented today, with the caveat that the Commission shall, at a later time, consider these for final approval and promulgation.

The next item of business was:

Presentation on the details of the quality assurance testing program proposed to be in the Commission's regulations, which included:

- Provided an overview of proposed regulations with respect to quality assurance testing in the cannabis industry.
- Reviewed the goals of quality assurance testing to include patient and consumer safety.
- Discussed the need for laboratory oversight and the current framework in Rhode Island, as well as nationally.
- Highlighted proposed program additions of quarterly random testing, product specific- testing, anonymization of samples and why they have been proposed.

Discussion ensued amongst the Commissioners, which included:

- Noted that this proposed section of the regulations is specifically called for in the Rhode Island Cannabis Act.
- Discussed that some items that are proposed may not be accomplished by the time the regulations have been promulgated but may be worked on at a later time.

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

VOTED: To allow for the Commission staff to proceed with regulatory drafting process for quality assurance testing, in a manner consistent with the materials presented today, with the caveat that the Commission shall, at a later time, consider these for final approval and promulgation.

The next item of business was:

Public Comment:

Nine people provided public comment, which included:

- Appreciation for more definition on cultivation and cultivator licenses.
- Questioned when the change in definition of canopy would go into effect.
- Questioned when the additional manufacturing licenses would go into effect in light of the cultivator moratorium.
- Expressed interest in seeing a market study on current manufacturing done by cultivators.
- Noted that with canopy definitions, there may be more room for licensed cultivators to manufacture more products.
- Expressed concern about licensed manufacturers potentially being able to buy biomass from compassion centers.
- Would like to see licensing fees for cultivators be equal across square footage.
- Appreciation for proposed increases to testing batch sizes.
- Would like to see microbial testing limits be brought in line with other states.
- Noted that previous market study showed that there is more supply than demand currently and to potentially wait on manufacturing licenses.
- Noted that there could be anticipated failure with new licensees in the manufacturing space when there is an oversupply.
- Asked for clarification on if current licensed cultivators with a manufacturing license would now have to pay the separate fees for the proposed manufacturing license.
- Emphasized the need for the additional compassion centers to open, with the thought that it may take a while for retail stores to open.
- Noted the limitations on cultivators to sell their products with such few compassion centers.
- Emphasized the struggles for some cultivators who have had to minimize operations due to the current market limitations.
- Provided feedback on manufacturing licenses not being okay with the current market.
- Recommended a license fee for cultivator should be two dollars per square foot, so that everyone pays the same per square footage.
- Noted that current fines are in the tens of thousands of dollars for small clerical errors in Metrc.
- Proposed the allowance for manufacturing licenses after the cultivator moratorium is complete and updated market study is conducted at that time.
- Requested consistency in enforcement actions.
- Appreciation for the formation of the Commission and giving time for the cultivators to be heard.

Adjournment:

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

VOTED: To adjourn the meeting at 2:18 pm.