

Moderator's Committee Fall 2021 STM - Warrant Article 7 Restrictions on Marijuana Licensing and Ensuring Economic Opportunity

Tuesday, September 13, 2022

4pm to 5pm

Remote (by Zoom)

Attending:

Voting Members: Ana Albuquerque, Scott Ananian, Lindsay Kephart, Ranch Kimball, John Kleschinsky, Thomas Moran, Alok Somani (Chair).

Public: John Bowman

Pre-Read

1. 20220826 WA7 ModCom kick off ii email
2. Six propose warrant articles pertaining to marijuana licensing.

Agenda

1. Public comment
2. Brief re-introduction of members
3. Alignment around process ("kick off ii" email) and timeline
4. Discuss possible interaction between proposed warrant articles and committee work.
5. Any other business

Meeting Notes (Final)

Chair's Opening Remarks:

Would be great if we can start our weekly meetings promptly at 4pm and end at or before 5pm. Our of respect for everyone's time, my inclination is to move the conversation along. If someone has said something with which you agree, better to acknowledge agreement and not repeat the comment. Chair will take notes during the meeting and circulate those as draft meeting minutes with the next agenda. Please review the draft meeting minutes and return any edits within one week. After the week, the final minutes will be issued.

1. Public comment. None
2. Brief re-introduction of members.

We are pleased to welcome two new members, Lindsay Klephart and Tom Marton.

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Lindsay is a third year Doctoral Student in Population Health Sciences at the Harvard T.H. Chan School of Public Health and takes the place of Vaughan Rees. Prior to starting as a doctoral student, Lindsay worked for the Mass Department of Public Health as an Epidemiologist and has extensive experience with data driven analysis of tobacco public health policy.

Tom is a Principal with Lourie & Cutler which is a premier boutique tax, estate and business planning law firm and brings legal expertise to the team.

3. Alignment around process and timeline.

We are organized in "Teams of Two" covering the five topic areas that the Committee previously agreed to consider.

- Current MA legal and regulatory framework & Brookline by-laws. (Tom & Scott)
- Brookline community pulse, family impacts - via surveys, school experience, community out reach. (John & Ana)
- Current medical research. (John & tbd)
- Experience from other USA and MA communities with respect to marijuana and tobacco public policy goals, initiatives, restrictions and impacts. (Ranch & Lindsay)
- Alternatives to promote access to economic opportunity. (Scott & Alok)

The process is for the Teams of Two to gather and review content off-line and then introduce the content at the weekly meetings. The weekly meeting is the opportunity to explore and understand the content. Ideally, the content will focus on the main themes of the topic and will be presented in five to eight slides. The goal is to have a draft document completed by the end of February 2023.

The Committee discussed how often to meet and agreed for the first few weeks, to meet weekly and thereafter every other week until most content is in a draft document, then back to weekly as we shape and refine the document. All generally in agreement with this approach.

The Committee discussed that the State passed a new law over the summer for which the regulations are being written. The law is primarily concerned with ensuring that marijuana licensing provides economic access as originally

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intended, creates State oversight and regulation of the Host Community Agreements and defines a pathway for the licensing of social consumption cafes.

The Committee discussed inviting outside experts to speak at our weekly meetings as a way to introduce expert content. WE agreed that this made sense and also considered invitations to Town Counsel and a spokesperson from the Cannabis Control Commission ("CCC").

The Committee learned that it might take six months or more to draft the regulation for the new law and that process is likely to that the CCC will draft and file the proposed regulation with the Secretary of State. After approval, the draft regulation is posted and a 90-day public comment period commences and hearings are held. The CCC redrafts based on the input and refiles. The regulation becomes effective once approved. A spokesperson may be willing to speak after draft regulations are posted for public comment.

Chair confirmed agreement by the Committee of the process, work product and timeline.

4. Discuss possible interaction between proposed warrant articles and committee work.

A committee member mentioned that we may be asked to provide an opinion on the marijuana warrant articles proposed for consideration at the Fall 2022 Town Meeting.

The Chair mentioned that the Committee members received as pre-read the six warrant articles that propose capping the number of marijuana licenses in Brookline. And that the decision as to whether or not to comment should depend solely on whether the work we are doing intersects with the topic proposed by the warrant article.

Committee members discussed whether the committee might address the topic of the appropriate number of licenses for Brookline and if so, whether this would then intersect with the proposed cap on licenses. The Chair noted that the scope of our work does not contemplate exploration of the appropriate number of licenses for Brookline and it is unlikely that we would consider this topic.

Committee members also discussed that our work is likely to be completed after the November 2022 Town Meeting which means that, although we may want to, we may not have sufficient information to provide input until after our report is

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complete. A committee member noted that in any event, the work of this committee would apply regardless of the number of licenses the Town has authorized. A committee member also noted that the topic of equity and licenses are linked; that the new law specifically addresses this but has a six-month process ahead of it and that our work on the equity issue should if possible incorporate that.

The Committee generally agreed to not offer an opinion on the warrant articles; although one member commented that we should see how the debate goes before we take a definitive position. The Chair summarized by commenting that to take it up would require a compelling case as to the intersection of the warrant article and our charge, which at the moment, does not exist.

Decisions

- Committee agrees to initially meet weekly, then every other week as we get into the content generation stage and then weekly again once drafts of the report start to circulate for editing.
- Committee agrees that our product will be a written report for Town Meeting and that our goal is to have an initial draft complete by the end of February 2023.
- Committee is in general agreement that we will not offer an opinion on the warrant articles concerning the capping of marijuana licenses submitted for consideration at the November 2022 Town Meeting.
- Our next meeting is scheduled for Tuesday, September 20, 2022 at 4pm by remote participation.

Actions

- Chair to circulate draft minutes from 9/13 meeting, develop and publicly post agenda and notice for our next meeting scheduled for Tuesday, September 20, 2022 at 4pm by remote participation.
- The Team of Two working on the experience of other communities will prepare and introduce curated content for discussion at the 9/20 meeting.
- Each Team of Two agreed to begin off-line gathering and curating content for inclusion in the Committee report.