



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: December 9, 2024, virtually via Microsoft Teams
Members Present: Chair Sean Brown, Jennifer Mojo, Michael Obuchowski, Natalie Weill, Diane Sherman and Nicole Dubuque
Members Absent: John Kessler, Jared Adler
Minutes By: Anna Reinold

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of [minutes](#) from the November 15, 2024 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-5 to follow.
 1. Licensing of Cannabis Establishments, Cannabis Control Board, page 2
 2. Regulation of Cannabis Establishments, Cannabis Control Board, page 3
 3. Medical Cannabis, Cannabis Control Board, page 4
 4. Compliance and Enforcement, Cannabis Control Board, page 5
- Next scheduled meeting is Monday, January 13, 2025 at 2:00 p.m.
- 2:54 p.m. meeting adjourned.

1) **Proposed Rule:** Licensing of Cannabis Establishments, Cannabis Control Board

Presented By: Gabriel Gilman

Motion made to accept the rule by Sean Brown, seconded by Nicole Dubuque, and passed unanimously with the following recommendations:

1. Proposed Filing - Coversheet:
 - a. #8: Correct the spelling of 'prequalification'.
 - b. #12: Edit this section to be more concise and consistent with the amount of information in the other sections.
 - c. #12: Replace 'irrational' with 'potentially unfair' or 'unfavorable'.
2. Economic Impact Analysis:
 - a. #6: Consult the Department of Financial Regulation (DFR) to inquire of any banking and insurance issues, concerns or advice.
 - b. #7: Correct this section to include information that was cutoff in submission.
 - c. #8: Shorten the second sentence and consider changing 'license types' to 'category of license'.
3. Environmental Impact Analysis:
 - a. #8: Consider a response similar to the one used here in the Compliance and Enforcement Rule.
4. Public Input Maximization Plan
 - a. #3: Consider providing direct email notice the industry press and general press as appropriate.
 - b. #4: Note that DFR has been consulted/engaged (after following direction on #2a above).
5. Page 61:
 - a. 1.7.1 Medical Use Endorsement: Add language directing applicants to your website to find specified board guidance.

2) **Proposed Rule:** Regulation of Cannabis Establishments, Cannabis Control Board

Presented By: Gabriel Gilman

Motion made to accept the rule by Sean Brown, seconded by Jennifer Mojo, and passed unanimously with the following recommendations:

1. Proposed Filing - Coversheet:
 - a. #8: Correct the spelling of 'obligations' and 'cannabinoids'.
 - b. #12: Edit this section to be more concise and consistent with the amount of information in the other sections.
2. Economic Impact Analysis:
 - a. #6: Consult DFR on banking and insurance aspects.
 - b. #8: Shorten the second sentence and consider changing 'license types' to 'category of license'.

3) **Proposed Rule:** Medical Cannabis, Cannabis Control Board

Presented By: Gabriel Gilman

Motion made to accept the rule by Sean Brown, seconded by Nicole Dubuque, and passed unanimously with the following recommendations:

1. Proposed Filing - Coversheet:
 - a. #5: Correct spelling of 'confidentiality'.
 - b. #5: The beginning of the second sentence needs to be corrected.
 - c. #8: Correct the spelling of 'eligibility' and 'accommodate'.
 - d. #12: Edit this section to be more concise and consistent with the amount of information in the other sections.
 - e. #9: Consult with the Department of Mental Health (DMH) and designated agencies to ensure review of this proposed rule.
2. Environmental Impact Analysis:
 - a. #9: Need a response.
3. Public Input Maximization Plan
 - a. #3: Consider providing direct email notice the industry press and general press as appropriate.
4. Page 13:
 - a. Section 1: General Provisions: 3.1.3: Remove the letter 'k' from the end of the word 'definitions'.

4) **Proposed Rule:** Compliance and Enforcement, Cannabis Control Board

Presented By: Gabriel Gilman

Motion made to accept the rule by Sean Brown, seconded by Diane Sherman, and passed unanimously with the following recommendations:

1. Proposed Filing - Coversheet:
 - a. #8: Consider consulting the Attorney General Office (AGO) Consumer Protection Division for interrelationship with 'unfair and deceptive acts and practices in commerce' in Title 9 VSA Consumer Fraud laws as well as in AGO Rules adopted thereunder.
 - b. #12: Edit this section to be more concise and consistent with the amount of information in the other sections.
2. Economic Impact Analysis:
 - a. #8: Consider AGO processes related to compliance and enforcement of consumer fraud and protection rules and laws on "unfair and deceptive acts or practices in commerce."
3. Public Input Maximization Plan
 - a. #3: Consider providing direct email notice the industry press and general press as appropriate.
 - b. #4: Include AGO on consumer protection aspects.