

**August 7, 2021**

I urge you to require all retail dealers in marijuana to prominently post the different concentrations of THC in their marijuana products and the maximum amount that should be inhaled or eaten of each THC concentration - similar to the advice to limit alcohol consumption to stay under the legal limit for driving. This is to avoid overdosing on marijuana, which has been a serious problem in other states that has led to many emergency room visits at hospitals for overdosing.

I would also urge that an educational campaign on the risks of marijuana be conducted before legalized sale begins. To conduct an educational campaign after legalized sale has already started is equivalent to warning about a hurricane after it has already struck. The known risks include chronic bronchitis and injury to the cell linings of the large airways, which could lead to symptoms such as chronic cough, phlegm production, wheeze and acute bronchitis. (Additional information can be obtained at the website for the American Lung Association.) It is also well-established that marijuana smoke has many of the same toxins, irritants and carcinogens as tobacco smoke

I live in a tourist area and know that tourists are often unaware of laws in Vermont. So every retail dealer of marijuana should also be required to prominently post that Vermont laws about DUI include operation of automobiles, snowmobiles, motorboats, ATV's, and all other forms of motorized vehicles.

Finally, every retail sale should come with a warning to not use this product while engaged in outdoor recreation such as skiing, hiking, mountain biking, or any other sport that requires good reactions and good judgment. Our backcountry rescue units are already stressed and they will not be able to handle additional cases caused by use of marijuana while engaged in outdoor recreational activities.

*- Joseph Bahr, Waterbury Center*

**August 10, 2021**

I wanted to provide feedback that localities could use guidance on setting up robust licensing structures that will protect public health. I would suggest that for a future meeting focus-- examples of licenses that would complement the state license and further protect public health, and are compliant with the stipulations of S.25 and S.54. There's plenty of best practice guidance on licensing from alcohol and tobacco, but in the case of cannabis, it's not clear to me where local jurisdiction ends and state begins. For example, take these two sections--point 2 seems to limit what the local license could entail.

- (b) A municipality that hosts any cannabis establishment may establish a cannabis control commission composed of commissioners who may be members of the municipal legislative body. The local cannabis control commission may issue and administer local control licenses under this subsection for cannabis establishments within the municipality. The commissioners may condition the issuance of a local

control license upon compliance with any bylaw adopted pursuant to 24 V.S.A. § 4414 or ordinances regulating signs or public nuisances adopted pursuant to 24 V.S.A.

- (d) A municipality shall not:
  - (1) prohibit the operation of a cannabis establishment within the municipality through an ordinance adopted pursuant to 24 V.S.A. § 2291 or a bylaw adopted pursuant to 24 V.S.A. § 4414;
  - (2) condition the operation of a cannabis establishment, or the issuance or renewal of a municipal permit to operate a cannabis establishment, on any basis other than the conditions in subsection (b) of this section; and
  - (3) exceed the authority granted to it by law to regulate a cannabis establishment.

- *Marielle Matthews, Burlington*

## **August 20, 2021**

To the members of the Cannabis Control Board:

My name is Kathryn Blume (she/hers). I'm a longtime home cannabis grower, and while my background is primarily in the performing arts and climate activism, for the last few years I've been working in the heart of Vermont's cannabis industry.

In late 2017, I joined Monica Donovan and Eli Harrington at Heady Vermont as their Production and Events Manager, and eventually became their Communications Director until I got laid off due to the pandemic in July 2020.

Currently, I serve as the Communications Director of NurseGrown Organics Hemp and CBD, and also support Jessilyn Dolan in her advocacy work as founder of the Vermont Cannabis Nurses Association and President of the American Nurses Association - Vermont.

So, while you haven't heard from me directly yet, I've been lurking in the background for a while now, and paying fairly close attention to what you've been up to.

First off, I want to congratulate you all on your appointment to the CCB and honor the enormous responsibility you've been handed for negotiating this transition from Reefer Madness to Cannabis Gladness.

I also want to thank you for not coming at this work from a place of fear-based, prohibitionist-fueled foot-dragging, but from a recognition of the value of a plant I've loved for years, and have come to deeply respect for its healing and transformational power.

I also understand that no political process is perfect - particularly when it comes to a substance which inspires everything from mad passion to boot-quaking fear.

That said, when it comes to some of the folks who've been officially invited to participate in the development of Vermont's commercial cannabis market, I feel like I'm seeing a trend of selecting people who are not experienced cultivators (some of whom have blatantly misrepresented their background and experience), who don't accurately represent the needs and experiences of growers, and some of whom are actually downright hostile towards folks who put plants in the ground.

In particular, I don't understand the antipathy expressed by Dr. Joe McSherry, who not only seems to think that growers are both gaming the system and raking in giant black market profits, but who also opposes the presence of medical cannabis professionals on the Symptom Relief Oversight Committee - a stance which completely baffles me, as symptom relief has to do with, you know, medicine.

Frankly, rather than pushing medical professionals away from participating in regulating Vermont's cannabis market, he should be advocating for more medical professionals on the CCB's advisory board.

After all, we know that whether formally, as part of the medical program, or informally, many people - myself included - use cannabis as a medicine. And, even when you have a great deal of knowledge and experience, you never know when you're going to need a little help.

For example, a few years ago, I landed in the hospital with a burst appendix and sepsis. After a rugged surgery and 2 weeks in the hospital, I was sent home with prescriptions for Dilaudid and Tramadol, and absolutely no instructions other than how much and how frequently to take them.

By the time I wanted to get off them, I was physiologically addicted, and spent 2 solid weeks in withdrawal. While I had plenty of experience using cannabis for general pain relief, mood elevation, and sleep, I didn't know any cannabis protocols for getting off opioids and would most definitely have benefited from the advice of a medical cannabis professional.

To build our cannabis marketplace well, you need people who have nurtured this plant from seed to smoke and medical professionals who are proficient in cannabis therapeutics. You need people who have actually been on the ground, participating in the work of the cannabis community, and talking to other folks who've been involved.

Without that experienced perspective, dangerous misinformation - such as Jim Romanoff's comment that the medical program is safe and works well - will keep being repeated as gospel.

In my time at Heady Vermont, I spoke with and wrote about many people involved in the medical cannabis program, from patients to employees at the dispensaries, and I can tell you that few people had anything positive to say about the medical program.

Patients talked about high prices, low quality, and lack of product availability. Dispensary employees talked about brutal working conditions, a host of unethical business practices, and an utter lack of oversight or consequences from the state.

We also wrote about all manner of scandalous behavior from the dispensaries, including the infamous Not Hemp At Pete's Greens Incident, and every dispensary employee I spoke with said that it was common knowledge that the plants at Pete's were THC cannabis.

If you're wondering - as I did - why so many disgruntled employees stayed at the dispensaries for as long as they did, they all said it was because they wanted to work in the industry and they cared about the patients.

I'm more than happy to answer any further questions you might have, and wish you the best of luck as you wade into the depths of our new legal marketplace.

*- Kathryn Blume, Charlotte*

I am the founder of Green Mountain Grown CBD and have been a licensed Industrial Hemp Cultivator/Processor with the VAAFMM for the past three years. Recently I attended a public meeting held at the Burke Mountain conference center where James Pepper sat as part of an open panel discussion. I must say I was impressed to hear of the hard work and progress the Commission has made to date in developing the regulations for recreational cannabis industry soon to become part of the fabric of Vermont.

At the same time I was a bit disappointed that so much time was spent at the meeting discussing topics such as testing and packaging. It was as though these topics were brand new and were somehow from another planet. Having worked as a cultivator and processor in the industrial hemp industry for the past three years I know full well they are not.

First off from a strictly scientific/botanical perspective industrial hemp is cannabis. The only thing that separates industrial hemp from marijuana is the purely abstract concentration limits of THC in the plant. To legally be classified as industrial hemp the plant cannot contain more than 0.3 % THC by weight. If it does it is no longer classified as industrial hemp but rather as marijuana.

With this in mind industrial hemp farmers have been mandated to do third party potency testing on their plants from day one to determine the level on THC in the plant. In order to ensure we do not go over the very small amount of .3% THC we need to test several times during our grow season. We have done this without complaint. My question is why is this a major point on discussion for marijuana? No one has ever been concerned about the hemp farmer's testing requirements. Along the same lines there was much discussion as to the cost burden the marijuana cultivators will have to incur. Why should this be a concern for the marijuana cultivators? I believe too much time is being spent on protecting the people that need the protection the least, i.e. the marijuana cultivator. Marijuana flower sells for around \$2,500.00/pound. Industrial hemp flower sells for about \$100-\$200/pound. I know of no such amount of time being spent on discussing the cost of compliance for the hemp cultivators. Cost of testing for the MJ cultivator I believe is a non-issue.

The other concern discussed were testing facilities. There seemed to be a concern that there are not enough testing facilities in Vermont. That is not the case. There are plenty of facilities

available to test industrial hemp which is cannabis the same as MJ. They sprang up overnight with the passage of the 2018 Farm Bill. And they do not need to be DEA approved as they are now required to be for hemp testing because MJ is a controlled substance and the DEA has been mandated to turn a blind eye to the MJ industry.

Packaging was another topic of discussion. It was almost as though packaging/labeling was some kind of foreign word. Packaging requirements have been in existence since consumables for humans have been offered for sale to the public.

My point is this regarding the above easily addressed issues. I believe they are being over complicated and too much time is being spent on trying to reinvent the wheel. If this continues the regs will be years before they are promulgated.

More time needs to be focused on:

- How and where will the plant be grown?
- I heard arguments from proponents of the tax and regulate bill that it will help the farmers of Vermont. If that is the case keep in mind "farmers" grow outdoors. Are we going to see former corn fields turned into marijuana fields along route 100? If that is the case what will that look like? Chain link fences and concertina wire? Armed guards? Watch towers?
- Will the plant be required to be grown indoors? If so, how will that help the farmer? Farmers don't grow indoors.
- Who will qualify to get a license?
- Will the licenses go to the big Multi State Operators (MSO) that control the medicinal dispensaries in Vermont? If so how does that help the farmer?

These are just some of the more difficult issues to address.

With all due respect please stop trying to reinvent the wheel. Work with the VAAFV and other state agencies that have an abundance to address the obvious issues and roll up your sleeves and delve into the difficult ones or this new industry may end up being much more bother than it will ever be worth.

- *Dennis Kulesza, Pittsfield*

<https://www.greenmountaingrowncbd.com>

**August 23, 2021**

I'm an entrepreneur and entertainer who has been proud to bring joy to party-goers and culture connoisseurs in Chittenden County and beyond. Vermont has been my home for the better part of three decades, since attending St. Michael's in the '90s, and it will be home for the rest of my life. As has come up in many CCB meetings, so much makes Vermont unique, and our cannabis industry should reflect that.

Even though much of my life plays out on stages and screens, cannabis and the related topics have only recently become a part of my public life. As cannabis legalization sweeps the United States, I found myself coming out of the closet as a cannabis consumer, and I'm slowly learning how to best speak about the impacts of the war on drugs on my family and myself.

As a gay person of color from Saginaw, Michigan, and being of a certain age, trauma isn't uncommon in my communities, and neither is hiding it from the people around you. By your most recent definition, you might say I've been "passively" impacted by cannabis prohibition, although the effects on my life have been anything but passive. As you've heard from many expert witnesses and your research, these stories are often still being written with the impacts still being felt. I'm here to raise my hand and say yes, I'm one of those people. I'm a Vermonter looking to enter an industry with the same plant products that brought incarceration and trauma to my family. I'm looking to you for equity in the process and policies, and there are many other states for us to look at for lessons learned.

I'm still navigating these conversations myself honestly, my family, and my communities. There's a lot of earned distrust in the BIPOC communities, and I'm speaking with national advocates and trailblazers to learn everything I can. My intent is to build businesses that pay things forward for my peers and future generations of founders who don't know what they can be yet. I'm fortunate to have a close team of co-founders I can trust in business and with my family's story. We look forward to sharing more of both, with you, in the future when it's right.

We intend to apply as social equity applicants here in Vermont. While I've enjoyed hearing from your many expert witnesses and my fellow entrepreneurs and advocates in-state, I have yet to hear from many or any other potential social equity applicants. If you look at most States, but particularly at our neighboring state of Massachusetts, you'll see that their social equity programs include cohorts of applicants. I urge you to consider forming initial cohorts for would-be social equity applicants NOW, to stay engaged and have direct lines of communication with this board.

There are other things I'd like to share with your board and subcommittees, and policies I'd like to discuss as an advocate for the BIPOC, Queer, and cannabis communities. I also speak for many of my peers when I say it's easier, safer, and more comfortable to do this in a focused forum as opposed to a public comment.

For now, I'll simply urge you to consider hosting more public meetings with social equity and social justice experts and witnesses as you've been doing an AMAZING job with keeping that at the forefront. There are some great organizations worth hearing from, including M4MM (Minorities for Medical Marijuana) and The Last Prisoner Project. Marginalized voices are just now gaining recognition at a more prominent level, and many have made their own platforms from which to speak. My favorite stages are shared with those who know more than I do and believe that things are made better by working together.

Thank you, very much.

*- Craig Mitchell, Winooski*

## **August 24, 2021**

I am a small cultivator and worried that the outdoor guidelines will be hard to meet, in terms of locked facility. The small growers can grow some great medicine and hope to be able to compete with the big money in State and out of State. I am looking forward to reading the application and guidelines were facing, cost etc...indoor and small greenhouse.

- *Chip Jameson, Quechee*

## **August 25, 2021**

### Testing:

Make all testing/analysis affordable through the state and also mandate a strict method of analysis. The biggest issue i see in the cannabis market is testing. There is going to be a flood of products that need to be tested before they go on the shelves. There needs to be a state run lab dedicated to cannabis testing. Anyone can send a cannabis sample to any one of the accredited labs in the US and typically each test result will be different. This allows producers to pick and choose the results that look the best on paper to make their products sell better. If there was one state run, central lab where samples are sent and a strict procedure and method applied to every single analysis, i feel that there will be less arguing over potency and less cherry picking of data giving the consumer a more accurate and safe description of the products they choose to purchase.

### Potency Limitations:

This is somewhat of a tricky topic. Cannabis is not like alcohol or tobacco. As far as we know to date, one cannot consume a lethal dose of cannabis (unlike alcohol and nicotine). One issue i see with putting a cap on concentrates is people watering down their products to pass. Also consumers that want a higher concentration are going to find a way to make it themselves or turn to the black market. I understand that it looks good on paper to limit the amount of THC but in reality it is going to cause issues that i am sure you will have to amend in the future if you so choose to keep the limitations active.

I do, however, agree with the fact that isomerization/ synthetic cannabis products are not necessary in the VT recreational cannabis market and can pose a harm to the public if done incorrectly. The methods for making phyto-cannabinoids can be useful for research to understanding how different cannabinoids react with the human body. However, these reactions should only take place in a certified pharmaceutical lab setting, not a recreational one. Also, isomerization from CBD to THC should also be regulated and prevented from entering the recreational market in VT.

### Time Line:

Get the ball rolling! Because of certain economic changes over the last few years the employment rate is still very low. However, there are 1000's of jobs that can be made in the cannabis industry right here at home. I know times have been hard on us all and timelines change but please get this thing going. The entire state of VT is waiting on you. Cannabis doesn't just appear over night. It takes years to develop cultivars and extracts for sale. The "medical

cannabis" industry in VT has a monumental head start and competition to the monopoly needs to start as soon as possible.

- *Austin Sachs, Fairfax*

## **August 27, 2021**

I just wanted to reach out real quick and recommend *Chasing the Scream: The First and Last Days of the War on drugs* as required reading for the members of the board. It specifically takes time to go into how Colorado and Washington, being the first two legal-recreational states, took two very different approaches to legalization, taxation, regulation, etc, and what was successful and not.

I sincerely hope you guys are able to figure out the equity (including vacating all marijuana convictions, be they possession or distribution) , small-business-over-large-corporations, and ultimately, the cost to end user questions.

In order to actually supplant the black market, prices will need to be able to compete with other recreational states. In WA, an ounce of bud (non-processed plant material) can be found for as little as \$60-80.

- *Andrew Johnson, Montpelier*