

Cannabis Control Board Rule Writing

- Act 164 (2020) and Act 62 (2021) require the Board to write administrative rules.
- Administrative rules are like laws the legislature passes: people who are engaging in activities that are regulated by a state agency must follow the agency's rules, just as they must follow the law.
 - The Board also must follow its own rules.
- Much of the work the Board has done these last few months has been leading up to the rule writing process

Rule Writing Process

- There are many steps the Board must follow.
 - To learn more: <https://sos.vermont.gov/secretary-of-state-services/apa-rules/>.
- Most important: every time an agency creates a rule there is a required notice and comment period.
 - The notice and comment period must last about 40 days.
 - Rules must be publicly available.
 - Notice and comment period will include public hearings.
 - The Board must consider all written and oral submissions.

Likely Cannabis Control Board Rules

- The Board will likely have 5 Rules:
 1. Licensing of Cannabis Establishments
 2. Regulation of Cannabis Establishments
 3. Medical Cannabis
 4. Compliance and Enforcement
 5. Procedure for Board member removal

Board Rules: Likely Schedule

- **Thanksgiving 2021:** Rules 1 and 2 will likely be “pre-filed” (begin the process of becoming an official rule).
- **December ‘21 – January ‘22:** Notice and comment period for proposed Rules 1 and 2.
- **January 2022:** Public hearings on proposed rules.

The Board will consider and respond to all comments and may make changes to the proposed rules in response to the comments.

Board Rules: Likely Schedule, continued

- **January 2022:** Likely “pre-filing” date for Rules 3-5.
- **January – February:** Notice and comment period for Rules 3-5.
- **February:** Public hearings

As before, the Board will consider and respond to all comments and may make changes to the proposed rules in response to the comments.

Board Rules: Finalizing

- After the public notice and comment period a legislative committee reviews the proposed rule and gives input.
- After the legislative review is complete the rule will become final.