

Pot regulators face decision on 'cannabis cafes'



Marijuana on a scale. —Frederic J. Brown/Getty Images
By BOB SALSBERG AP, February 17, 2018

BOSTON (AP) — Could Massachusetts become the first U.S. state where adults can gather and use legal recreational marijuana at so-called “cannabis cafes?”

The Cannabis Control Commission, the five-member panel set up to regulate the state’s marijuana industry, is expected to decide later this month whether to approve draft regulations that would allow for the licensing of social consumption establishments.

The idea has received strong opposition from Republican Gov. Charlie Baker’s administration and from law enforcement

officials who warn of public safety and public health risks if such facilities were to open.

Baker has suggested the Commission at the very least hold off on licensing social operations until after the commercial pot industry is up and running later this year.

Some questions and answers about the controversy:

WHAT'S MEANT BY SOCIAL CONSUMPTION?

Simply put, it would be a place (other than a private residence) where adults could gather to buy and use marijuana legally.

While the voter-approved law legalized the sale and possession of recreational marijuana, it remains illegal to use pot in public places. That's why any social consumption sites would have to be licensed by Massachusetts and adhere to guidelines.

Under the proposed regulations, the locations could not serve alcohol and must have rules to keep marijuana away from minors. They must also have a plan for transporting intoxicated patrons home safely.

WHAT TYPES OF ESTABLISHMENTS ARE ENVISIONED?

The Cannabis Control Commission's draft regulations propose two types of social consumption licenses.

A primary use license would be required of any business that would derive more than half of its business from the sale of marijuana products. The term "cannabis cafe" is sometimes

used to describe such an establishment: Think a coffee shop but one where you would order weed instead of a fresh brew.

Still unresolved, though, is whether smoking could be allowed at such establishments.

A mixed use license would be for a business that wants to sell marijuana as a sideline to its principle business. Examples could include restaurants wishing to add a marijuana-infused dish to its menu, movie theaters and even yoga studios.

WHY IS IT CONTROVERSIAL?

Baker argues that marijuana regulators already have their hands full in implementing the recreational pot law and should be focused on the licensing of retail pot shops and cultivation facilities by July 1.

Any of the more exotic, specialty licenses can wait until later, he contends.

"People should crawl before they walk and walk before they run," Baker told reporters Monday.

Democratic House Speaker Robert DeLeo echoed the governor's sentiments, but stopped well short of suggesting the Legislature would step in to prevent social consumption sites from opening.

Law enforcement officials, including the Massachusetts Association of District Attorneys, argue that social consumption sites would inevitably lead to more stoned drivers on the road and increase the chances of theft and diversion of the drug to the black market.

WHAT DO SUPPORTERS SAY?

Proponents of cannabis cafes contend there is nothing extraordinary about the concept.

“Social sites will simply give cannabis users the same options available to alcohol users — and I have not heard Baker or DeLeo issue similar criticisms of those establishments,” said Jim Borghesani, spokesman for the Massachusetts chapter of the Marijuana Policy Project.

Shaleen Title, an associate commissioner of the CCC, argued that such establishments would provide options for people who would rather not bring marijuana home because they have children, or non-approving family members or roommates.

WHAT HAVE OTHER STATES DONE?

Social consumption has been a matter of discussion in nearly every U.S. state that has legalized recreational marijuana, but the proposed regulations in Massachusetts would go further than what any state has allowed so far.

In 2016, voters in Denver approved clubs where marijuana can be consumed on the premises. But a major difference is that such clubs — if and when they open — could not legally sell marijuana. Patrons would have to bring their own pot.

To find a global model for cannabis cafes, try Amsterdam, which has dozens of legal “coffeeshops” where patrons can buy and use marijuana.

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