

Larry Hogan  
Governor

Boyd K. Rutherford  
Lt. Governor

Jeffrey A. Kelly  
Executive Director



Alan Silverstein, Chairman  
Barbara Wahl, Vice-Chair  
Robert Poole, Secretary  
Eric Morrisette, Commissioner  
Betty Buck, Commissioner  
Dennis Schrader, Secretary of Health  
Col. Woodrow W. Jones III, Secretary of State Police

## MARYLAND ALCOHOL AND TOBACCO COMMISSION

### October 2023 Minutes

DATE: October 19, 2023

TIME: 3:00 PM

PLACE: Maryland Alcohol and Tobacco Commission Headquarters  
(Meeting conducted via Microsoft Teams, recorded for replay)

PRESENT: Chair Alan Silverstein  
Vice Chair Barbara Wahl  
Commissioner Elizabeth (Betty) Buck  
Secretary Robert Poole  
Dana Moncrief, Director, Maryland Department of Health  
James Hock, Chief of Staff, Maryland State Police  
Jeffrey A. Kelly, Executive Director, Alcohol, Tobacco & Cannabis Commission  
William George, Director, Field Enforcement Division, ATCC

ABSENT: Commissioner Eric Morrisette

#### **I. CALL TO ORDER**

Chair Alan Silverstein called the meeting of the Maryland Alcohol, Tobacco, and Cannabis Commission to order at 3:00 PM.

#### **II. APPROVAL OF MINUTES**

Chair Alan Silverstein called for a motion to approve August 17, 2023, meeting minutes. Vice Chair Barbara Wahl made a motion to approve, which Secretary Robert Poole seconded. All members present voted in favor and unanimously approved the previous meeting minutes.

#### **III. EXECUTIVE DIRECTOR REPORT**

Executive Director, Jeffrey Kelly, reported the enforcement activity for the Alcohol and Tobacco Commission since the last meeting.

##### a. Enforcement Activity



The ATCC's Field Operations Bureau (FOB) conducted enforcement activities, including 13 tobacco incidents.

- The FOB seized about 50,600 other tobacco products, yielding a tax loss of \$36,000, and 395 packs of unstamped cigarettes, yielding a tax loss of \$1,500.
- These events occurred in Montgomery County, Baltimore County, Baltimore City, Prince George's County, Washington County, and Talbot County.

b. Cannabis Outreach Events

- ATCC meets with a variety of government entities including municipal, county, city, and state to talk about the Cannabis Act.
  - Attendance includes a representative of the highest levels of that jurisdiction's government, police chief or highest members of the police department, and the State's Attorney or high-ranking member of that office.
  - These events have occurred in 10 jurisdictions so far and hope to have events in all jurisdictions by the end of November.
  - Outside of the 10 jurisdictions, we hosted events for the Maryland judiciary including all 12 district courts.
  - These events occur on site, or virtually, at the jurisdictions request.

c. HR/Staffing

- ATCC is hiring for 22 Cannabis positions.
  - The funding for these positions started on October 1, 2023. ATCC has hired for the open Finance & Budget position as well as 11 officer positions. Onboarding of the first 5 agent candidates will begin on November 1<sup>st</sup>.
  - ATCC requires all candidates to complete an application, background investigation, drug test, psychological test, polygraph exam and must be certified by the State.
  - ATCC's goal is to have all positions filled by January 2024.
- Introduction of new Assistant Attorney General Pilar Gracia
  - Pilar was a past Hartford County Liquor Board Administrator. She is involved in the Hemp lawsuit, Direct shipment of product direct to consumers lawsuit, and the public information act lawsuit.

#### **IV. ASSISTANT ATTORNEY GENERAL LEGAL REPORT**

Assistant Attorney General, Pilar Garcia, summarized and updated the Commission on a lawsuit filed in Washington County Circuit Court.

- The lawsuit included 13 plaintiffs and 23 defendants. The defendants include the commissioners of ATCC, Executive Director Jeff Kelly, ATCC and the MCA. The judge granted a preliminary injunction on October 12th. The effective result of that injunction is that the ATCC is enjoined from enforcing certain provisions in accordance with 36.11.02 regarding people who are in the business of hemp derived products prior to July 1.
- On October 13th the AG's office on behalf of the MCA, ATCC, as well as all the interested defendants moved forwards in logging an appeal to the Appellate Court of Maryland regarding that injunction.



- The AG's office has also filed a motion for stay of that injunction in Washington County Circuit Court. The plaintiffs then filed a cross appeal. The AG's office is now waiting for the next steps on how to move forward.

**V. NEW BUSINESS**

There was no new business to report, besides a standing invitation for tours of the new building in Baltimore.

**VI. ADJOURNMENT**

Vice Chair Barbara Wahl made a motion to adjourn the meeting, and Commissioner Betty Buck seconded. All members present voted in favor of adjourning the meeting. The meeting adjourned at 3:18 PM.

*\* Next meeting is November 16, 2023, at 3:00 PM.*

I certify that the foregoing minutes represent the minutes of the Alcohol, Tobacco, and Cannabis Commission meeting on October 19, 2023.



[Robert Poole \(Dec 27, 2023 15:41 EST\)](#)

Robert Poole, Secretary

Dec 27, 2023

Date



# 10-19-2023 - ATC Meeting Minutes - Approved

Final Audit Report

2023-12-27

|                 |                                                    |
|-----------------|----------------------------------------------------|
| Created:        | 2023-12-27                                         |
| By:             | Jessica Honeycutt (jessica.honeycutt@maryland.gov) |
| Status:         | Signed                                             |
| Transaction ID: | CBJCHBCAABAAAnMXImJhuJ7IH3BgFzjeggPq1kXSU_eAe      |

## "10-19-2023 - ATC Meeting Minutes - Approved" History

 Document created by Jessica Honeycutt (jessica.honeycutt@maryland.gov)  
2023-12-27 - 3:24:25 PM GMT

 Document emailed to rbthp1@gmail.com for signature  
2023-12-27 - 3:25:19 PM GMT

 Email viewed by rbthp1@gmail.com  
2023-12-27 - 8:40:41 PM GMT

 Signer rbthp1@gmail.com entered name at signing as Robert Poole  
2023-12-27 - 8:41:14 PM GMT

 Document e-signed by Robert Poole (rbthp1@gmail.com)  
Signature Date: 2023-12-27 - 8:41:16 PM GMT - Time Source: server

 Agreement completed.  
2023-12-27 - 8:41:16 PM GMT