

**SENATE . . . . . No. 3107**

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**The Commonwealth of Massachusetts**

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CHARLES D. BAKER  
GOVERNOR

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*August 11, 2022*

To the Honorable Senate,

Pursuant to Section 5 of Article 63 of the Amendments to the Constitution, I am today signing Senate Bill 3096, “An Act Relative to Equity in the Cannabis Industry,” and returning one section of the bill to you unsigned.

This bill makes a number of substantial changes to the Cannabis Control Commission’s regulation of the cannabis industry. Most notably, the bill sets new standards for host community agreements between municipalities and cannabis businesses and creates and funds a Social Equity Trust Fund to provide loans and grants to cannabis entrepreneurs who qualify as social equity and economic empowerment applicants under the Commission’s rules and policies.

I support many of the provisions that this bill adopts to improve regulation of the cannabis industry, and I support the bill’s efforts to expand opportunities for social equity businesses. I have serious concerns, however, about section 26 of the bill, which requires the Cannabis Control Commission, in consultation with the Department of Elementary and Secondary Education and the Department of Public Health, to conduct a study and issue recommendations on how to remove obstacles that currently prevent students at public and private K-12 schools from possessing and consuming medical marijuana on school grounds. The language of the section is highly prescriptive—making it clear that the agencies charged with producing the study must identify ways to make medical marijuana widely available within schools, rather than considering whether such an allowance is advisable.

The voter initiatives that legalized medical marijuana in 2012 and 2016 included strong measures to keep marijuana away from K-12 schools and school children. Both laws explicitly stated that marijuana would in no circumstance be permitted on school grounds. Chapter 94G also states as clearly as possible that possession and consumption of marijuana must remain unlawful on the grounds of any K-12 school, on school buses, and in youth centers. Because the study proposed in section 26 clearly works against these important and well-established protections and disregards the clear intentions of the voters in legalizing marijuana use, I cannot approve this part of the bill.

Because of the concerns I express above and in Attachment A, I am disapproving section 26 of the bill.

The remainder of this bill I approve.

Respectfully submitted,

Charles D. Baker,  
*Governor*

## Attachment A

### “An Act Relative to Equity in the Cannabis Industry,”

#### Veto Items: Outside Sections

##### Student Medical Marijuana Study

##### Section 26

I am vetoing this section because it is overly prescriptive and makes clear that the Cannabis Control Commission, working in consultation with the Department of Elementary and Secondary Education and the Department of Public Health, must identify ways to make medical marijuana widely available within schools, rather than considering whether such an allowance is advisable. The legislation that voters approved to legalize cannabis use in 2012 and 2016 included strong measures to keep marijuana away from K-12 schools and school children. Chapter 94G states as clearly as possible and for good reason that possession and consumption of marijuana must remain unlawful on the grounds of any K-12 school, on school buses, and in youth centers. Chapter 94G also contains additional provisions to protect persons under the age of 21 from exposure to marijuana—whether directly or inadvertently through advertising, marketing, display, packaging, distribution, employment, or other means. The study proposed in section 26 clearly works against these important and well-established protections and disregards the clear intentions of the voters in legalizing marijuana use. I therefore cannot approve this part of the bill.