

From: Ginny Chadwick <ginnychadwick@brandeis.edu>

Sent: Feb 07, 2025 02:24:49.000000000 UTC

Subject: Re: WOW!

To: Maureen Buzby <mbuzby@cityofmelrose.org>

Cc: Ken Elstein <kenelstein@gmail.com>; Katharine Silbaugh <silbaugh@bu.edu>; Jonathan Winickoff <JWINICKOFF@mgd.harvard.edu>; Mark <mark@phai.org>; sbarra@mahb.org <sbarra@mahb.org>; Chui, Anthony <achui@CityofMelrose.org>; Anthony Ishak <aishakpharmd@yahoo.com>

But it seems to me locals are abandoning local fines and just opting for solely the state fine. If the state law is \$1000 then the penalty is \$1000 if the local wants to enforce state law. It is not \$100, but is \$100 and \$1000.

It seems like by encouraging communities to remove the \$100 we are encouraging them to not go above state law? I feel like we should always encourage an additional, not just the state?

Ginny Chadwick, MPH, MA

She/Her/Hers

Doctoral Student in Behavioral Health

Heller School for Social Policy & Management

Brandeis University

Cell: (573)999-2641

On Feb 6, 2025, at 9:21 PM, Buzby, Maureen <mbuzby@cityofmelrose.org> wrote:

Ginny,

Just to clarify the issue of synching with state law:

Many cities and towns haven't updated local tobacco regs for quite a number of years.

We had a big tobacco law that was passed by the state legislature in 2018. Then an even bigger one in 2019.

Municipalities have to have regulations that are at least as strict as state law. They can be **more** strict but they have to be at least **as** strict. That's what many municipalities are doing now. They need to synch local regs with state law. It's confusing to retailers and maybe even customers. State law says one thing and local regs say something else.

Many communities have regs posted on their municipal website that say the fine for selling to a minor is \$100. It is not. State law is \$1000 fine for first sale to a minor – with a 1-30 day suspension to be determined by the BOH. What are retailers supposed to go by. It is important to align them. Now, if communities want to go beyond that – with a higher fine structure, or longer suspension period, or longer tolling period, or a restriction to ADORTS, or NFG, or something beyond what state law is, they can do that. But it is important to get old regs updated to match state law. That's the first step. Some Boards get bogged down just doing that because there have been so many changes to state law since they last updated their regs.

Some, boards have been able to do both – update old regs AND add something new like NFG, or a nic pouch restriction.

Hope this helps.

Best,

Maureen

From: Ginny Chadwick <ginnychadwick@brandeis.edu>

Sent: Thursday, February 6, 2025 8:26 PM

To: Ken Elstein <kenelstein@gmail.com>

Cc: Buzby, Maureen <mbuzby@cityofmelrose.org>; Katharine Silbaugh <silbaugh@bu.edu>; Winickoff Jonathan P. MD MPH <JWINICKOFF@mgh.harvard.edu>; mark@phai.org; sbarra@mahb.org; Chui, Anthony <achui@cityofmelrose.org>; Anthony Ishak <aishakpharmd@yahoo.com>; Buzby, Maureen <mbuzby@cityofmelrose.org>; Katharine Silbaugh <silbaugh@bu.edu>; Winickoff Jonathan P. MD MPH <JWINICKOFF@mgh.harvard.edu>; Chui, Anthony <achui@cityofmelrose.org>

Subject: Re: WOW!

A progressive state should not make local policies align with the state and we should always encourage them to go beyond. Not just for NFG. :)

But seriously, this eliminating the age of clerk is a little cooky. Someone know what the state law is?

Sent from my iPhone

On Feb 6, 2025, at 8:08 PM, Ken Elstein <kenelstein@gmail.com> wrote:

My sense is that they and other towns want to make their regulations consistent with state law. Though nothing is ever guaranteed, most likely everything in the draft will be approved, for better or for worse.

Unlike most other municipalities, Amherst was close to the edge to get on board NFG, at least according to quotes in the newspaper. Therefore, this was one place it made sense to open the question of adding it, especially since both Mark and I spoke this week with HD Kiki Malin.

On Thu, Feb 6, 2025 at 8:01 PM Ken Elstein <kenelstein@gmail.com> wrote:

I would have liked to see the other speakers, especially to know when to "raise my hand", and also to see the reactions of the board members to each speaker. I could only see them when I spoke.

One person who was smiling throughout my presentation was member Betsy Brooks. It turns out she is a pediatrician and friend of my wife. Who knew? But it is a recommendation for better future preparation. I would have liked to have included high school students in the mix, but it was too late to get that going.

I would like to invite Heather Warner (the first speaker) into our group, though she is unbelievably busy during the next four weeks.

--Ken

On Thu, Feb 6, 2025 at 6:23 PM Buzby, Maureen <mbuzby@cityofmelrose.org> wrote:

Hi all,

Loved how that came together. Everyone hit on different points. No redundancy. You would think we got together and rehearsed.

Covered almost all the objections. Anthony Chui will address the last speaker's objections in written testimony, You know, the-why-not-alcohol-and cannabis argument.

I'll submit my written testimony even though I spoke in the hearing. Belt and suspenders.

Have a great night!

Maureen

Maureen Buzby
Regional Tobacco Prevention Program
562 Main Street
Melrose, MA 02176
781-979-4158

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