

Commonwealth of Massachusetts



CANNABIS CONTROL COMMISSION

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STEVEN J. HOFFMAN

CHAIRMAN

CANNABIS CONTROL COMMISSION PUBLIC MEETING MINUTES

January 23, 2017 10:30 a.m.

Massachusetts Gaming Commission

Public Meeting Space

101 Federal Street, 12th Floor

Boston, MA

COMMISSION MEMBERS IN ATTENDANCE

Chairman Steven Hoffman

Commissioner Kay Doyle

Commissioner Britte McBride

Commissioner Shaleen Title

Commissioner Jen Flanagan

COMMISSION MEMBERS ABSENT: None

LIST OF DOCUMENTS:

1. Presentation:

<https://www.mass.gov/files/documents/2018/01/31/012318CommissionMeeting.pdf>

2. Handout: 935 CMR 500.061 Registration and Conduct of Laboratory Agents

Chairman called the meeting to order at 10:30 a.m. and notified the room that the meeting is being recorded.

The Chairman welcomed Christine Baily as the General Counsel to the Cannabis Control Commission. Executive Director Shawn Collins described Ms. Baily's background with the Supreme General Court and Attorney General's Office.

The Chairman asked Mr. Collins to talk about posting the position of Research Director. Mr. Collins described the process of posting the position.

Commissioner Doyle talked about the presentation to the Mass. Municipal Association Annual Conference and Trade Show.

The Chairman gave a progress update on minutes.

Commissioner McBride discussed the proposed regulations regarding laboratory agents. It is a separate category of agent from the marijuana establishment agents because there are explicit statutory requirements that need to be included. She discussed the definition of the proposed laboratory agents. She also discussed the mandatory bar for felons, except marijuana convictions. There is an explicit code of conduct required for lab agents that is separate from marijuana establishment agents. It includes an anti-bribery provision and a prevention of divided loyalties prevention. The regulation is drafted to reflect the statute. Commissioner Title raised an objection regarding an inconsistency that she saw in Chapter 55 of the Acts of 2017.

The Chairman called a recess for Commissioner McBride and Commissioner Title to confer with General Counsel.

Commissioner McBride discussed the resolution of the discussion. Doyle moved to approve the recommendation of Commissioner McBride regarding laboratory agents, seconded by Commissioner Flanagan. The motion was approved 4-1, with Commissioner Title abstaining.

The Chairman discussed the Citizen Review Committee. The Chairman said there was more work to do and it will be put on the agenda for January 30, 2018. The Chairman raised the issue of linkage between the Commission and the Citizen Review Committee. He gave options of serving of liaison and alternatively, have one of the nine seats be held by one of the Commissioners. He recommends the latter. Commissioner Flanagan said the Committee would have access to Commissioners and this should not be another duty for the Commissioners. Commissioner Doyle said she was comfortable with the idea of a liaison. Chairman Hoffman suggested that the idea of a Commissioner serving as a liaison will be further discussed next week.

The Chairman discussed the process of selecting a permanent office and recognized Ginny Platt and Martha Goldsmith from DCAMM who were in attendance. He thanked them for their work and their help with finding the Commission a permanent space. The Commission will remain at 10 Federal Street until May 2019.

Mr. Collins introduced the timeline proposed by DCAMM. The Chairman discussed criteria for selecting a new location including cost, availability, accessibility, consistency with agency mission, other. Ms. Goldsmith explained DCAMM looks for landlords that provide adequate security, janitorial and other associated services at the building. The Chairman commented that the Commission needs public meeting space and parking. There needs to be accessibility to the public, current staff, and future staff. DCAMM also has made recommendations regarding accessibility in terms of distance from public transportation options.

The Chairman said the choice of office space will be relevant to a goal of being a 21st century agency. Office location will be important to achieve mission goals such as social justice. Commissioner Doyle suggested that accessibility should include other agencies the Commission needs to work with. Commissioner Title asked to add accessibility to the MBTA under specific requirements. The Chairman said he would work with Mr. Collins to determine alternative locations and present them to the Commission next week. Commissioner Flanagan asked whether the discussions around areas of disproportionate impact refers to the communities that

were explicitly defined by the Commission in the previous meeting. The Chairman agreed there should only be one list of communities that qualify as areas of disproportionate impact. The Chairman noted a list of options for the Commission including downtown Boston, other parts of Boston such as Roxbury, Northern suburbs such as Malden or Somerville, Southern suburbs such as Braintree or Quincy, the 128-belt such as Waltham and Burlington, and the MetroWest area, including Framingham or Westborough. He noted the list is not meant to be exclusive, and the communities cited are just examples. He raised the question of operating a satellite office in the western part of the state for the benefit of enforcement personnel who have to travel across the state. He asked whether the Commissioners think any communities have been omitted. Commissioner Flanagan suggested Worcester needs to be considered because it is located along rail, it is the center of the state, and a large majority of residents reaching out to the Commission are farmers in western Massachusetts.

Commissioner McBride asked how growth is accounted for as the agency adds staff, particularly with regard to staff that may be working remotely. Mr. Collins said the biggest factor is headcount and allocating a certain square footage per staff member. Commissioner McBride added the Commission does not yet know how many applications or licenses it will have, but it should build in the fact that the Commission could be growing. The Chairman agreed the criteria should include flexibility and expansion opportunities. Mr. Collins added the headcount reflects myriad staff who need different types of office spaces. The Chairman said a discussion next week will lead to guidance to give DCAMM about where to possibly locate the permanent facility.

The Chairman asked if there were any questions from the public. Jeremiah McKinnon asked about protections for medical use of marijuana patients for access to their medicine when medical marijuana dispensaries with priority treatment under the applications process either converted or added adult use to their business. He asked the Commission to preserve access. He was concerned that there would be a future shortage. Chairman Hoffman and Commissioner Doyle said they would look at the issue and make sure there were adequate protections. Commissioner Title said she did not think the draft regulations went far enough to protect patients. Mr. McKinnon asked if there was a set date for small businesses to file applications. Commissioner Doyle responded that the Commission will evaluate dates.

Kamani Jefferson from Massachusetts Recreational Consumer Council asked about community outreach hearings and whether they should be happening now. Commissioner McBride answered that applicants should be thinking about community outreach hearings because they needed to occur within the six months prior to the application.

Chairman asked for any other questions. None were offered. The Chairman announced that the next meeting would be January 30, 2018 at 10:30 a.m. in the Gaming Commission meeting room. The Chairman adjourning the meeting as of 11:26 a.m.