



CANNABIS CONTROL COMMISSION

PUBLIC MEETING MINUTES

October 18, 2018 1:05 p.m.
Health Policy Commission
50 Milk Street 8th Floor
Boston, MA

COMMISSION MEMBERS IN ATTENDANCE:

Chairman Steven Hoffman
Commissioner Kay Doyle
Commissioner Jen Flanagan
Commissioner Britte McBride
Commissioner Shaleen Title

COMMISSION MEMBERS ABSENT: None

LIST OF DOCUMENTS

1. [Presentation from 10/18/18 Commission Meeting](#)
2. [Final License – Executive Summary – MCR Labs – IL281278](#)
3. [Final License – Executive Summary – CDX-IL281275](#)
4. [Consumer Delivery Memorandum | October 18, 2018 Public Meeting](#)
5. [Executive Summary-Commonwealth Cultivation-MCN281457](#)
6. [Executive Summary – Curaleaf Massachusetts – MRN281263](#)
7. [Executive Summary – East Coast Organics – MCN281455-MPN281356](#)
8. [Executive Summary – Curaleaf Massachusetts – MCN281309 -MPN281318](#)
9. [Executive Summary -Theory Wellness – MRN281549](#)
10. [Executive Summary-Carolines Cannabis-MRN281274](#)

Chairman Hoffman called the Cannabis Control Commission to order at 1:05pm on October 18, 2018. Chairman Hoffman put the public on notice that the meeting is being recorded. Chairman Hoffman reviewed the meeting agenda.

Chairman Hoffman turned to the executive director's report. Executive Director Shawn Collins discussed Commission staffing.

Mr. Collins discussed licensing applications (slide 4). Next, Mr. Collins discussed applications under review by license type (slide 5). Mr. Collins discussed disadvantaged business enterprise statistics (slide 6). Commissioner Title asked about certification of status. Mr. Collins discussed where in the process the applications are (slide 7). Mr. Collins discussed the map of applications (slide 8). Commissioner McBride asked where the highest number of retail applications were by County. Mr. Collins said that information can be compiled. Mr. Collins discussed agent applications (slide 9). Mr. Collins discussed demographics of agent applications (slide 10 and 11). Commissioner Title asked after what time could we create a line graph. Mr. Collins said it could be done over months, but also consult with Director of Research Julie Johnson.

Mr. Collins discussed the application of CDX Analytics, LLC (#IL281275), which staff has recommended for approval of final licensure subject to the conditions set forth in the executive summary.

Commissioner McBride made a motion to approve, seconded by Commissioner Flanagan. The Commission unanimously approved the motion.

Mr. Collins asked the Commission to delegate to staff the ability to issue a waiver regarding compliance with ISO certification. Commissioner Title made a motion to approve, seconded by Commissioner McBride. The motion is unanimously approved by the Commission.

Mr. Collins discussed the application of MCR Labs, LLC (#IL281278), which staff has recommended for approval of final licensure subject to the conditions set forth in the executive summary. Commissioner McBride asked if any concerns have been raised by local law enforcement. Director of Enforcement Patrick Beyea said during the investigation none were raised. Commissioner McBride and Mr. Beyea discussed an incident at the application's facility in 2017. Commissioner Title asked about the complaint process the Commission receives. Mr. Beyea said that complaints are assigned to a member of the investigative staff.

Commissioner Doyle made a motion to approve, seconded by Commissioner Title. The Commission approved the staff recommendations 4 in favor (Hoffman, Doyle, McBride and Title) and 1 opposed (Flanagan).

Commissioner Title asked about priority status for labs moving forward. Director of Licensing Kyle Potvin noted the third lab is still in the application process.

Mr. Collins discussed the application for Caroline's Cannabis, LLC (#MRN281274), which staff has recommended for approval of provisional licensure, subject to the conditions set forth in the executive summary. Commissioner McBride asked how the staff is reviewing consumer materials presented to consumers? Mr. Collins said the review is during the licensing process and inspections. Commissioner Flanagan asked about the content of the educational materials. Mr. Potvin said the content is reviewed for compliance during final licensure review. Commissioner Flanagan asked if driving while impaired is included. Mr. Beyea noted the materials are reviewed during inspections and OUI can be included in those materials.

Commissioner Doyle made a motion to approve, seconded by Commissioner McBride. The Commission unanimously approved the motion.

Mr. Collins discussed the application for Commonwealth Cultivation Inc.(#MCN281457), which staff has recommended for approval of provisional licensure, subject to the conditions set forth in the executive summary.

Commissioner Flanagan made a motion to approve, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Mr. Collins discussed the application for Curaleaf Massachusetts, Inc.(#MCN281309), which staff has recommended for approval of provisional licensure, subject to the conditions set forth in the executive summary. Commissioner Title asked about the applicant's positive impact plan. Mr. Potvin said applicants who apply for employment and live in certain areas will get priority.

Commissioner Flanagan made a motion to approve, seconded by Commissioner McBride. The Commission unanimously approved the motion.

Mr. Collins discussed the application for Curaleaf Massachusetts, Inc.(#MPN281318), which staff has recommended for approval of provisional licensure, subject to the conditions set forth in the executive summary.

Commissioner Flanagan made a motion to approve, seconded by Commissioner McBride. The Commission unanimously approved the motion.

Mr. Collins discussed the application for Curaleaf Massachusetts, Inc.(#MRN281263), which staff has recommended for approval of provisional licensure, subject to the conditions set forth in the executive summary.

Commissioner McBride made a motion to approve, seconded by Commissioner Title. The Commission unanimously approved the motion.

Mr. Collins discussed the application for East Coast Organics, Inc.(#MCN281455), which staff has recommended for approval of provisional licensure, subject to the conditions set forth in the executive summary.

Commissioner Doyle made a motion to approve, seconded by Commissioner Title. The Commission approved the motion 4 in favor (Title, Doyle, McBride, Hoffman) and 1 abstaining (Flanagan).

Mr. Collins discussed the application for East Coast Organics, Inc.(#MPN281356), which staff has recommended for approval of provisional licensure, subject to the conditions set forth in the executive summary.

Commissioner Doyle made a motion to approve, seconded by Commissioner Title. The Commission approved the motion 4 in favor (Title, Doyle, McBride, Hoffman) and 1 abstaining (Flanagan).

Mr. Collins discussed the application for Theory Wellness, Inc.(#MRN281549), which staff has recommended for approval of provisional licensure, subject to the conditions set forth in the executive summary.

Commissioner Doyle made a motion to approve, seconded by Commissioner McBride. The Commission unanimously approved the motion.

Chairman Hoffman recessed the Commission at 2:17pm. Chairman Hoffman called the Commission to order at 2:29pm.

Mr. Collins discussed the Social Equity Program Request for Qualifications and selected qualified vendors (slide 17). Mr. Collins sought the Commission's approval of the selected qualified vendors through the RFQ. Commissioner McBride made a motion to approve the Executive Director's recommendation, seconded by Commissioner Flanagan. The motion is unanimously approved by the Commission.

Mr. Collins discussed the contract for agent badging. Chairman Hoffman asked about the timeline. Mr. Collins sought the approval to execute the contract with Idemia. Commissioner McBride made a motion to approve the Executive Director's recommendation, seconded Commissioner Flanagan. The motion is unanimously approved by the Commission.

Chairman Hoffman discussed the social consumption questions. Mr. Collins reviewed the social consumption questions assigned for staff review. Commissioner Doyle asked is the Cannabis Advisory Board planning to make recommendations. Mr. Collins said these questions are a starting point for discussion and will bring them to advisory groups. Commissioner Title wanted to add costs of a social consumption business compared to other businesses.

Chairman Hoffman discussed the feasibility of a working group to further discuss and research a social consumption pilot program. Commissioner Title made the motion:

To direct the executive director to seek interested participants for a working group on social consumption. The working group will consist of two commissioners and 5-10 municipal leaders (mayors, city councilors, selectmen, town managers, town administrators, town planners, or health officials) who are personally committed to implementing social consumption in their locality and believe the city or town they represent would participate in a pilot program. The purpose of the working group is to collaboratively establish a framework for a pilot program regulating marijuana establishments allowing on-site consumption of cannabis for the consideration of the legislature, the Commission, and municipalities who wish to participate. The group will examine feedback submitted to the Commission from the Cannabis Advisory Board and other public health experts, public safety experts, legal experts, prospective entrepreneurs, and other stakeholders, and will solicit additional feedback as necessary.

Commissioner Flanagan suggested her edit. Commissioner Doyle asked if this was a working group and subject to the open meeting law. Commissioner Title amended her motion:

To direct the executive director to seek interested participants for a working group on social consumption. The working group will consist of two commissioners and 5-10 municipal leaders (mayors, city councilors, selectmen, town managers, town administrators, town planners, or health officials) who are interested in implementing social consumption in their locality and believe the city or town they represent would participate in a pilot program. The purpose of the working group is to collaboratively establish a framework for a pilot program regulating

marijuana establishments allowing on-site consumption of cannabis for the consideration of the legislature, Commission staff, and municipalities who wish to participate. The group will examine feedback submitted to the Commission from the Cannabis Advisory Board and other public health experts, public safety experts, legal experts, prospective entrepreneurs, and other stakeholders, and will solicit additional feedback as necessary.

Seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Mr. Collins discussed the change in ownership and control of Economic Empowerment Application status process. Commissioner Flanagan would like to include RMDs that would undergo ownership changes. Commissioner Title asked if approval of a transfer of status would be a Commission level decision? Mr. Collins said yes. Commissioner Doyle recalled the previous discussion on change in ownership from April 2018.

Commissioner Flanagan made a motion to approve the change in ownership approval process, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Mr. Collins discussed the issue of Delivery to Consumers and policy considerations (slide 22). Commissioner Title asked about data regarding delivery services in Washington, D.C. Commissioner Doyle was interested in technology for checking identifications and are there differences between brick and mortar and drivers.

Commissioner McBride made a proposal to:

Allow Marijuana Establishments licensed as microbusinesses to deliver directly to consumers. Accomplish this by modifying the definition of “microbusiness” to allow home delivery only of these licensees’ products by these licensees, in addition to promulgating regulations that address issues including, but not limited to, security; consumer education including OUI and diversion prevention; I.D. checks; operational protocols; and providing for a delivery endorsement for microbusinesses licensed prior to delivery regulations being finalized.

Microbusiness means a colocated Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, in compliance with the operating procedures for each license, and may deliver Marijuana cultivated or Marijuana Products produced at the licensed location directly to consumers. A Microbusiness that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments for the purpose of Marijuana Product manufacturing by the licensee.

Commissioner McBride said she was concerned about OUI prevention, encouraging full participation in the regulated marijuana industry by farmers and businesses of all sizes and other issues. Chairman Hoffman said he viewed delivery as an implementation issue. Commissioner Title said Commissioner McBride’s approach was very thoughtful, and a way to create an affordable license. Commissioner Flanagan thought this was a good first step, although had concerns about diversion. Chairman Hoffman said a regulatory framework could address the public safety and public health concerns, the staff could make recommendations of how to implement this. Commissioner Title proposed two commissioners working on the issue of delivery and two on social consumption. The Commissioners agreed.

The unknown business before the Commission was Commissioner Title asked for fellow Commissioner's support to a letter before the FDA. Chairman Hoffman noted the public hearings for draft regulations. Chairman Hoffman noted the next public meeting will be November 1, 2018 at 1pm. Chairman Hoffman asked for a motion to adjourn. Commissioner Doyle made the motion to approve, seconded by Commissioner Flanagan. The motion is unanimously approved by the Commission. The Commission is adjourned as of 3:34pm.