

Cannabis Control Commission Public Meeting Minutes

April 25, 2019
Massachusetts State House Hearing Room A-2 24
Beacon Street Boston, MA 02133
10:00AM

April 26, 2019
Department of Transportation Board Room
10 Park Plaza Boston, MA 02116
11:30AM

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 04/25/19 Commission Meeting](#)
2. [Presentation from 04/26/19 Commission Meeting](#)
3. [Change in Ownership – Executive Summary – Alternative Therapies Group – MC281255 – MP281300 – MR281255 – MR281344 – MR281346](#)
4. [Change in Ownership – Executive Summary – Caregiver Patient Connection – MC281254](#)
5. [Change in Ownership – Executive Summary – East Coast Organics, LLC – MC281455 – MP281356](#)
6. [Final License – Executive Summary – CommCan, Inc. – MC281642 – MP281508](#)
7. [Final License – Executive Summary – Garden Remedies, Inc. – MR28194](#)
8. [Final License – Executive Summary – Rise Holdings, Inc. – MR281254](#)
9. [Medical Provisional License – Executive Summary – Emerald grove, Inc.](#)
10. [Medical Provisional License – Executive Summary – Green Meadows Farm, LLC](#)
11. [Provisional License – Executive Summary – Health Circle, Inc. – MRN281426 – MCN281787 – MPN281533](#)



12. [Provisional License – Executive Summary – Nature’s Remedy of MA, Inc. – MRN281553](#)
13. [Provisional License – Executive Summary – Nature’s Remedy of MA, Inc. – MRN282049](#)
14. [Meeting Minutes | April 4, 2019 | Cannabis Control Commission](#)

Chairman Hoffman called the Cannabis Control Commission to order at 10:05am. Chairman Hoffman put the public on notice that the meeting is being recorded. Chairman Hoffman reviewed the meeting agenda.

Chairman Hoffman turned to the minutes from April 4, 2019. Commissioner Doyle suggested an edit. Commissioner Flanagan made the motion to approve, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Chairman Hoffman turned to the executive director’s report. Executive Director Shawn Collins discussed the job description for Deputy General Counsel. This position has been budgeted for. Commissioner Doyle made the motion to approve, seconded by Commissioner Flanagan. The Commission unanimously approved the motion.

Mr. Collins discussed the job description for Desktop Support Analysis. This position has been budgeted for. Commissioner McBride asked if there would be enough space in both offices. Commissioner Flanagan made the motion to approve, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Mr. Collins discussed the open staff positions. Commissioner McBride asked about open licensing positions and enforcement counsel. Commissioner Title asked about a policy position and whether additional staff would be needed as the result of changes in regulations.

Next, Mr. Collins discussed applications under review by license type. Mr. Collins discussed the disadvantaged business enterprise statistics. Mr. Collins discussed the licensing applications status. Mr. Collins discussed the map of applications. Mr. Collins discussed the map of retail applications. Mr. Collins discussed agent applications. Mr. Collins discussed demographics of agent applications. Mr. Collins discussed medical program data. Mr. Collins discussed the social equity program. Chairman Hoffman asked about program design and interest level.

Mr. Collins discussed the Social Equity Program RFR. The deadline has been extended to May 3, 2019.

Mr. Collins discussed Temporary Registration for patients.

Mr. Collins discussed the applications of CommCan, Inc. (# MC281642), Cultivation – Tier 5 / Indoor and CommCan, Inc. (# MP281508), Product Manufacturing, which staff has recommended for approval of final licensure subject to the conditions set forth in the executive summary.



Commissioner Flanagan made a motion to approve (# MC281642), seconded by Commissioner Doyle. The Commission approved the motion 4 in favor (Hoffman, Doyle, Flanagan, McBride) and 1 abstain (Title).

Commissioner Flanagan made a motion to approve (# MP281508), seconded by Commissioner Doyle. The Commission approved the motion 4 in favor (Hoffman, Doyle, Flanagan, McBride) and 1 abstain (Title).

Commissioner Title recused herself and left the room. Mr. Collins discussed the application of Garden Remedies, Inc. (# MR281942), Retail, which staff has recommended for approval of final licensure subject to the conditions set forth in the executive summary.

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

Commissioner Title returned. Mr. Collins discussed the applications of Rise Holdings, Inc. (# MR281254), Retail, which staff has recommended for approval of final licensure subject to the conditions set forth in the executive summary.

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

Director of Licensing Kyle Potvin discussed the application of Emerald Grove, Inc., Vertically Integrated Medical Marijuana Treatment Center/RMD, 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 unanimously approved the motion.

Mr. Potvin discussed the application of Green Meadows Farm, LLC., Vertically Integrated Medical Marijuana Treatment Center/RMD, 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 unanimously approved the motion.

Mr. Potvin discussed the applications of Health Circle, Inc. (# MCN281787), Cultivation – Tier 3 / Indoor, Health Circle, Inc. (# MPN281533), Product Manufacturing, Health Circle, Inc. (# MRN281426), Retail, which staff has recommended for approval of provisional licensure subject



to the conditions set forth in the executive summary. Commissioner Flanagan placed conditions on the positive impact plan, particularly education seminars. Commissioner Title noted the goals are missing from the positive impact plan. Commissioner Title asked about the process for evaluating management agreements and tracking entities. Mr. Potvin discussed the process, including requesting documentation and review. Commissioner McBride asked to include anything that references management in the contractual and management agreement review.

Commissioner Doyle made a motion to approve (# MCN281787), seconded by Commissioner Flanagan. The Commission unanimously approved the motion.

Commissioner Doyle made a motion to approve (# MPN281533), seconded by Commissioner Flanagan. The Commission unanimously approved the motion.

Commissioner Doyle made a motion to approve (# MRN281426), seconded by Commissioner McBride. The Commission unanimously approved the motion.

Mr. Potvin discussed the application of Mass Yield Cultivation, LLC. (# MCN281392), Cultivation – Tier 2 / Indoor, which staff has recommended for approval of provisional licensure subject to the conditions set forth in the executive summary. Commissioner Flanagan placed a condition of a rewritten Positive Impact Plan. Commissioner Title placed a condition to rewrite Positive Impact Plan and Diversity Plan. Commissioner McBride said if there are concerns about whole sections of plans, then they may not be ready for provisional license.

Commissioner Doyle made a motion to approve, seconded by Commissioner McBride. The Commission denied the motion 2 in favor (Hoffman, Doyle) and 3 against (Flanagan, McBride, Title).

Mr. Potvin discussed the applications of Nature's Remedy of Massachusetts, Inc. (# MRN281553), Retail, Nature's Remedy of Massachusetts, Inc. (# MRN282049), Retail, which staff has recommended for approval of provisional licensure subject to the conditions set forth in the executive summary. Commissioner Flanagan placed a condition for continuing efforts section in the positive impact plan.

Commissioner Doyle made a motion to approve (# MRN281553), seconded by Commissioner Title. The Commission unanimously approved the motion.

Commissioner Doyle made a motion to approve (# MRN282049), seconded by Commissioner Title. The Commission unanimously approved the motion.

Chairman Hoffman asked Mr. Collins about the rejection of an applicant for provisional licensure. Mr. Collins discussed informing the applicant of the denial and reapplying.



Mr. Potvin discussed the staff recommendation on Change of Ownership Application for Alternative Therapies Group, Inc., which the staff has recommended for approval subject to the conditions set forth in the executive summary.

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

Mr. Collins discussed the staff recommendation on Change of Ownership Application for Caregiver-Patient Connection, which the staff has recommended for approval subject to the conditions set forth in the executive summary.

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

Mr. Collins discussed the staff recommendation on Change of Ownership Application for East Coast Organics, LLC., which the staff has recommended to approval subject for the conditions set forth in the executive summary.

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

Chairman Hoffman turned to discussion of Guidance Document: Renewals. Mr. Collins discussed the guidance document and renewal of licenses process. Commissioner Doyle noted energy and water usage might need to be changed within this document. Commissioner Doyle said people need to understand the expectations of what they will be required to achieve under the positive impact plan and diversity plan. Commissioner Flanagan would like to know what programs did not work, and what course correction was taken. Commissioner Title asked to build in the process a way to give feedback to applicants on their positive impact plan and its success. Commissioner Title raised concerns about requiring documentation of “financial benefits to a municipality” during renewal and suggested an edit requiring the documentation of costs imposed upon a municipality, as required under state law, instead. Mr. Collins noted that existing regulations require a showing of financial benefits to a municipality. Chairman Hoffman suggested an edit for the use of the word inventory. Commissioner Title asked about the leadership ratings and whether it will be part of the renewal process. Mr. Collins said he hoped to use that data to determine ratings. Commissioner Doyle noted there may not be sufficient data generated for leadership ratings and it may be necessary to develop a separate application.

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

Chairman Hoffman turned to discussion of Software Contract Amendment. Mr. Collins discussed the amendment, to broaden the scope to decouple with the virtual gateway. Commissioner Title thanked Mr. Collins for his work. Chairman Hoffman asked if there was



language in the amendment for overlap and redundancy. Mr. Collins said there is a need to build out systems and get stakeholder feedback. Chairman Hoffman asked for a motion for the Executive Director to execute the contract.

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

Chairman Hoffman adjourned the meeting at 11:55am. Chairman Hoffman called the meeting to order at 1pm.

Chairman Hoffman turned to discussion of Regulatory Policy Discussion. The policies include fees, the application process, social consumption, delivery, operations and other issues.

Mr. Collins discussed the adult use fees collected by the Commission and proposed changes and staff recommendation. Chairman Hoffman said he expected for us to revisit now that we have data. Chairman Hoffman asked how this compares to other states. Mr. Collins said our fees as they are today are low. Commissioner Doyle asked how current licensees' breakdown over the canopy size. Commissioner Title asked if in the future, the list of specific regulatory changes being considered could be released to the public in advance, given how many patients and other stakeholders had shared feedback noting how important fees were to them. Mr. Collins discussed licensee fees by license type.

Commissioner Title proposed economic empowerment applicants receive a waiver of application fees. Commissioner Doyle asked if social equity and economic empowerment applicants receive an annual license fee waiver. Commissioner McBride said she would be comfortable with higher fees when it comes to changes in management or control.

Commissioner Doyle said she was struggling with waiving applicant fees for equity and EEA for retail, and then hitting them with high license fees. Commissioner Flanagan said it was likely the staff looked at a variety of scenarios.

Chairman Hoffman asked if equity applicants' licensee fees could be waived. Mr. Collins noted some applicants, such as equity, are able to waive fees. Commissioner McBride noted this will be an annual licensing fee, and suggested potentially reducing the fee at the beginning, but raise it later as part of the renewal.

Commissioner Title said she agreed with ownership and control fee increase. Chairman Hoffman asked if the staff recommendation for fees could be reviewed for tomorrow. Mr. Collins noted the changes in the marketplace, across the cannabis industry. If an applicant was seeking a minor change, they could ask for a waiver from the fee. Commissioner Doyle asked if staff could revisit the issue at the next meeting. Mr. Collins noted change in ownership fee to increase, EEA and SE program application fee waiver and license fee reduction of approximately 50%, and do this for all licenses, not just retail.



Mr. Collins discussed the staff recommendation for change in fees for medical use. Mr. Collins recommended a canopy size licensing structure on the medical side. Commissioner Title said she agreed with the goal of parity with the adult use side, and it is appropriate to add up the individual license fees for medical and use the sum as the fee for a vertically integrated license. Chairman Hoffman asked if it a regulatory change to tier on the medical side. Mr. Collins said yes. Chairman Hoffman said the sentiment is to keep the \$50,000 fee and keep consistent with applicant fees on the adult use side.

Mr. Collins discussed the staff recommendation for reducing or eliminating patient fees. Mr. Collins discussed the waiver process. Commissioner McBride asked about workflow for the patient support staff and increase efficiencies of the program. Mr. Collins discussed the efficiencies in process that could be realized. Commissioner Flanagan thought we should be responsive to patient needs, which is different than the adult use side. Commissioner Flanagan asked if we expect this program to grow? Commissioner Doyle asked about a reduction in fees. Mr. Collins said there would still be the same administrative costs. Mr. Collins said it is hard to know if the medical program will grow, considering the adult use market. Commissioner Title noted there is now marijuana tax revenue coming in, and the first place it should go is to cover the administrative fees for patients, who did not choose to have debilitating illnesses. Commissioner McBride asked what patients got for \$50. Mr. Collins said the fee is to recoup the costs. Chairman Hoffman said there could be an automatic waiver process for some criteria. Commissioner Flanagan asked what happened to the loss of revenue this fiscal year? Mr. Collins said revenue projections would need to be update. Commissioner Flanagan discussed the costs to individuals. Chairman Hoffman said he wanted to understand all of the costs. Commissioner Doyle ask about fees for personal caregivers. Commissioner Title noted adult-use fees have to be based on costs. Chairman Hoffman adjourned the meeting at 3:30pm.

Chairman Hoffman called the meeting to order at 3:45pm. Chairman Hoffman asked the staff to include the elimination of patient fees in the draft regulations, as well as a financial impact of all changes.

Mr. Collins discussed the proposed changes to the licensing process. Commissioner Title asked about pre-evaluation processes. Commissioner Flanagan asked about individuals currently in the pipeline. Mr. Potvin said staff have been working with JD software. Commissioner Title suggested financial hardship plans for RMD applicants be required as part of new medical license applications with similar standards and rigorousness of review as positive impact plans for adult-use applicants.

Mr. Collins discussed the proposed changes to ownership or control and what documents are required. Commissioner Doyle discussed her recommendation to put standards for malfeasance if someone attempts to assert control on above 3 licenses. Commissioner Doyle recommended a mandatory disqualification in our suitability tables for five years for engaging in this behavior. Chairman Hoffman asked about existing changes to the regulations. Commissioner Doyle said this will underline the fact we are carefully looking at this and this will be on the expressed list. Commissioner McBride asked if the determination would extend to those surrendering a license.



Commissioner Doyle said that is a policy discussion, but stipulations to avoid disqualifications give people the opportunity to engage in this behavior again.

Commissioner Title discussed the work of the Social Consumption working group. Commissioner Doyle asked about how one controls dosing in these settings. Commissioner McBride asked about cost of operating a social consumption establishment. Commissioner Flanagan asked about a cost analysis at every level.

Mr. Collins discussed the hardship medical cultivation program. Commissioner Flanagan asked about having the physician involved in recommending beyond the 12-plant cap limit. Commissioner Doyle discussed the differences between home cultivation between adult use and medical. Commissioner Title said she did see a problem that needed to be solved and asked what party is asking us to implement a cap. General Counsel Christine Baily said people could be in legal jeopardy with local law enforcement and this could add clarity. Commissioner Doyle said patient advocates have been asking for greater clarity on what patients can cultivate. Commissioner McBride said this could help aid local law enforcement with a bright line. Chairman Hoffman noted clarifications for those 18-21 years of age, the cap, possibly tailoring with medical professionals. Commissioner Doyle said unless we make this easy for patients, this will be something they will struggle with. Commissioner Flanagan said doctors are aware of a patient's condition, and during the evaluation, could determine how much a patient would need. Commissioner McBride said there should be some kind of showing if you want to go over whatever the cap is determined. Commissioner Title thought a cap would be arbitrary, given that the population we are taking about has special and unique medical needs. Commissioner McBride thought it was like a doctor giving an order.

Chairman Hoffman adjourned the meeting at 4:55 pm.

Chairman Hoffman called the meeting to order at 11:30am on April 26, 2016. Chairman Hoffman noted the meeting will be recorded. Chairman Hoffman discussed the agenda.

Mr. Collins discussed the hardship cultivation program. Commissioner Doyle noted there was not alignment between stakeholders, and some work is needed. Commissioner Doyle recommended this issue be moved to the fall regulatory process. Commissioner Title agreed with Commissioner Doyle. Commissioner Flanagan made a motion to defer this issue to the fall regulatory schedule, seconded by Commissioner McBride. The Commission unanimously approved the motion.

Chairman Hoffman turned to the issue of delivery licenses and thanks Commissioner McBride for her leadership.

Commissioner McBride began with two questions: Whether to draft regulations relative to delivery and what should be included in those regulations?

The first issue was structure. Who will be licensed as the delivery retailer? One option is a delivery only license and would have to return the product to the warehouse at the end of the



day. This is the structure Nevada adopted. Another is delivery with warehousing. Microbusinesses could deliver to consumers. The last option is delivery for an existing retailer.

Commissioner McBride's recommendation is a delivery license without warehousing. This would have a lower barrier to entry and could help equity applicants. The Commission could also look into a period of exclusivity, maybe 24 months.

Commissioner McBride recommend limiting the delivery area to the municipality where the retailer or licensee is licensed. Commissioner Doyle noted the special status of the islands. Commissioner McBride recommended only allowing one license type, and then think about expanding. Commissioner McBride recommended operators prefer to use debit, to limit the amount of cash in the vehicle. Not sure how realistic this will be under the current banking restrictions.

Commissioner McBride recommended agents be registered to the operator's delivery license. Seed to sale tracking would be a requirement of this license type.

Commissioner McBride did not make a recommendation on whether to permit third party technology platforms. An operator must have a delivery manifest and follow it. Commissioner McBride did not make a recommendation on delivery fees.

Commissioner Doyle asked about warehousing. Commissioner McBride said she was thinking about costs, and the security requirements that might be a part of the warehousing structure.

Commissioner Title expressed support for both the existing proposal and delivery licenses that would purchase wholesale and act as a non-storefront retailer.

Chairman Hoffman asked about hours of operations. Commissioner McBride said one option is the same hours of the retailer. Oregon has adopted a model that works, between 8am-9pm or by agreement with the retailer, if the driver is returning product.

Commissioner Doyle said one concern with the 24-month exclusivity, people will not be able to get it done in time. She would like an option to reexamine if this is not working. Commissioner McBride said she wants to account for those concerns and when to begin the clock.

Commissioner Flanagan asked when we would start this? Commissioner McBride said she did not want to start something prematurely and that the clock should begin at an appropriate time. Commissioner Title said she would support reexamining data at 24 months to determine whether we accomplished our goal and then reconsidering eligibility, but 24 months would not be a hard-cutoff date at which exclusivity would be lifted.

Chairman Hoffman turned to the issue of delivery of where the retailer is licensed and where the driver licensed. Commissioner Doyle asked will delivery only happen in towns with retailers? Commissioner McBride said no, they could delivery where the retailer is based, and where the driver is licensed to operate. Commissioner Title said she believes delivery should be throughout the commonwealth and questioned whether the Commission had the authority to



prevent a consumer from receiving delivery. Commissioner Flanagan asked where the cars are being kept? Commissioner McBride said if there is no warehousing, then the expense is the car. Commissioner McBride said she did not think about vehicles going to someone's home. Chairman Hoffman asked if we could allow people to bring cars home unless its banned by city ordinance. Commissioner McBride thought that was a good approach, and this model would not have any cannabis in the vehicle after hours. Commissioner Flanagan asked if they will have to have commercial plates? Commissioner McBride thought that made sense and supported looking at lowering costs.

Commissioner Doyle said she was concerned about giving an advantage of those with multiple retail licenses. She suggested allowing an operator to deliver in the municipality they are licensed in or in towns that permit retail marijuana sales. Commissioner McBride said she was in favor of that as long as there was a clear list.

Commissioner Doyle said delivery on the islands will have to be restricted to the island until such time things change federally.

Commissioner Doyle asked about a delivery only retailer and does well, and looks to other businesses, we may be limiting them. Commissioner McBride noted this is a starting point, and if things are enforced well, then we can look to expand. Commissioner Doyle suggested tying it to the exclusivity period. Commissioner Title disagreed with that and noted that we would be putting these licensees at a disadvantage compared to other license types if we prevented them from expanding, and questioned whether such a restriction would provide any benefit. Commissioner McBride wanted to keep the products through the existing supply chain.

Commissioner McBride said in the regulations best efforts should be made to limit the amount of cash a delivery vehicle has.

The Commission was supportive of the agent registration process tied to a delivery license and requiring participating in the seed to sale tracking. Commissioner McBride noted she did not have a recommendation for third party technology platforms. Chairman Hoffman asked as long as they are following our regulations, what would be the issue? Commissioner McBride said it would be a way to connect consumers with the retailer. Commissioner Title suggested requiring the disclosure and collection of licensee's contracts with third-party platforms and noted that our open data platform should publish the data consumers would need in order to be connected with a delivery service, so that there would not be an unnecessary dependence on third party platforms. Commissioner Doyle asked how this would be structured? Is it just connecting consumers and delivery licensees? Commissioner McBride said yes.

Commissioner Flanagan noted in California; the cars are tracked all day. Commissioner McBride noted there would be GPS tracking. Commissioner Flanagan noted there were safety concerns for the drivers, products and communities. Commissioner Title said she is not opposed to this, but agreements with third-party platforms must be disclosed and in compliance with the regulations.



Commissioner Flanagan asked if third party platforms would be subject to our advertising restrictions. Commissioner Doyle said that concern could be addressed by conditions put on licensees.

Chairman Hoffman noted a delivery licensee will buy from a retailer, presumably at retail price, if they deliver free of charge, they won't be making money. Commissioner McBride said she is okay with delivery charges.

Chairman Hoffman discussed delivery licensees working with multiple retailers. Commissioner Title said she would like to consider in the fall for microbusinesses to deliver their product.

Commissioner Flanagan suggested limiting the ability to hold another license for one year. Chairman Hoffman noted if an entity has the bandwidth for additional license types, we should allow it.

Commissioner Doyle noted the market will most likely dictate this. Chairman Hoffman noted if someone gets a delivery license, it works, it would then be easier to get capital.

The Commission considered a delivery only model with no warehousing, exclusivity for eea / social equity for 24 months, but the clock does not start immediately, with continuing to reevaluate the process. Commissioner Title suggested coming back at 24 months and reevaluating, not lifting the ban. The other Commissioners agreed. In any city or town where retail sales were permitted by local bylaw or ordinance or in the community the delivery licensee has its licensed. Add language that every reasonable able to limit cash, must register as agents, third party technology is allowed, delivery licensees may go to multiple retailers,

Commissioner McBride asked what we are requiring for control and third-party technology platforms? Does that mean evaluating management contracts? Commissioner Doyle said third parties would have to certify that the third party is not the entity controlling the delivery license. Commissioner Title said contracts should be reviewed to ensure regulations are being followed. Commissioner McBride asked who is reviewing the contract because she was trying to be mindful of the licensing team. Commissioner Doyle said we can put in language to require compliance with our regulations, but it is likely we will have to review the contracts.

Mr. Collins noted we have the ability to request these documents, however, it may not be necessary for us to review in every instance.

Chairman Hoffman said with respect to commercial vehicles, they can be brought home but must be in compliance with local ordinances. Chairman Hoffman noted the hours of operations will be when the retailer is open or 8am-9pm or by agreement. Commissioner Doyle recommended language that this would be subject to local bylaws. Commissioner Title asked about the open data question, would like to put information in our open data platform that will allow consumers to see who can deliver to them.



Commissioner Title would like non store front retailers to be revisited in the fall, but if people are uncomfortable with that, then at a minimum we should consider the ability of microbusinesses to delivery directly to consumers.

Commissioner McBride moved to adopt as policy recommendations for our regulatory in process in May, including the provisions discussed above, seconded by Commissioner Title.

The Commission approved the motion 4 (Hoffman, Doyle, McBride, Title) in favor to 1 (Flanagan) opposed.

The Commission adjourned at 1:04pm. The Commission was called to order at 1:34pm. Commissioner McBride recommended the preordering of products to be delivered. Commissioner McBride recommended limited delivery to retail addresses. This would exclude dorms, hospitals, hotels, federally subsidized housing, businesses. Commissioner McBride discussed delivery limits. Commissioner McBride recommended limiting delivery to 1 ounce of product and dosing limitations of 5mg. Commissioner McBride recommended a onetime verification of identification, to the retailer, which can be used in the future. This would help prevent diversion and those under 21 from getting delivered.

Commissioner McBride recommended a check of photo id, signature on a manifest, proof of the order. Commissioner McBride discussed how much product may be in a delivery vehicle at a time. She suggested the limit be \$10,000 in product.

Chairman Hoffman turned to the issue of preordered products. Commissioner Title recommended allowing loose orders, because the Commission will have strict security requirements. Commissioner McBride preferred the delivery of preorder products. Commissioner Doyle said the loose order concept may be something to visit in the future.

Chairman Hoffman turned to the issue of delivery to home businesses only. Commissioner Flanagan asked about if your house was in a drug free zone? Commissioner McBride said she was not sure it would apply to a private residence. General Counsel Christine Baily said generally conducting a lawful activity in a drug free zone would be fine.

Chairman Hoffman turned to the issue of how much can be delivered. Commissioner McBride said Oregon limits one delivery per address per day. Commissioner McBride wanted to strike a balance for residences with multiple adults. Commissioner McBride said she would prefer limiting to an address each day but that might not be realistic. Commissioner Title said it should be one person one day. Commissioner Doyle agreed because people may have roommates, for example.

Chairman Hoffman turned to quantity limits. The Commission had no comments.

Chairman Hoffman turned to the issue of verification of identification with the retail store that would be the source of the product. Commissioner Title would like to add a restriction that as that information is collected, it is treated as confidential.



Chairman Hoffman turned to the providing of a government issue identification, signature, and proof of order. Commissioner Title asked what would be an example of proof of order. Commissioner McBride said a consumer would likely have something on their phone.

Chairman Hoffman turned to the issue of the \$10,000 limit in the vehicle. The Commission had no additional comments. Chairman Hoffman noted the only issue of disagreement was with loose orders.

Commissioner McBride moved to adopt these recommendations for the drafting of regulatory language, seconded by Commissioner Doyle.

The Commission approved the motion 4 in favor to 1 opposed (Flanagan)

Commissioner McBride discussed the security of the commercial vehicles. She recommended all marijuana products must be secured in a lockbox the vehicles, any cash be in lockbox, segregation of products. Commissioner McBride noted the segregation of product might not be feasible. Security camera, random routes, two drivers, no firearms, GPS that are attached and are monitored at the fixed business location, vehicles be inspected by Commission, requirement for insurance coverage.

Commissioner Title suggested a cost analysis.

Chairman Hoffman discussed lockboxes for cash and product. Commissioner Title said the biggest expense will be the lockboxes, and segregating adult and medical.

Chairman Hoffman discussed separate lockboxes for each retailer. Commissioner McBride said there are economic and logistic concerns. Chairman Hoffman suggested not having a requirement for separate lockboxes for each retailer. Commissioner Doyle asked if the separation could be 'practical separation.' Commissioner Title agreed. Commissioner McBride noted that could be a possibility. Commissioner Doyle suggested putting it in the draft regulations and get feedback on it.

Commissioner Title expressed concern that agent body cameras monitoring transactions at a person's home was an invasion of privacy. Commissioner McBride said that the feedback she received from RMDs was this was the standard. She expressed an understanding of the privacy concerns. Commissioner Doyle noted that you are on camera when you get to a retail establishment. Individuals are making a choice to order; however, she shares privacy concerns. Commissioner Title said the problem was the agent would have a body camera and film the transactions in people's homes where they have a right to privacy.

Chairman Hoffman turned to the issue two individuals in the vehicles. Commissioner Title felt that was a decision for the business.

Chairman Hoffman turned to no firearms. The Commission had no additional comment.

Chairman Hoffman turned to GPS monitoring. Commissioner Title asked this would be active monitoring? Commissioner McBride said maybe the compromise is during delivery times.



Commissioner Flanagan said preferably the retailer can see where the trucks might be. Commissioner Flanagan also noted real time with GPS is necessary, but 24-hour monitoring is not required.

Chairman Hoffman turned to the inspection of the vehicles. The Commission had no additional comments.

Commissioner Doyle noted that she was informed that a million dollars is the standard minimum insurance for commercial vehicles.

Commissioner McBride made a motion to require commercial grade vehicles, seconded by Commissioner Doyle. The Commission approved the motion 4 in favor (Hoffman, Doyle, Flanagan, McBride and 1 against (Title).

Commissioner McBride made a motion for separate lock boxes for product and cash, seconded by Commissioner Doyle. The Commission approved the motion 4 in favor (Hoffman, Doyle, Flanagan, McBride and 1 abstain (Title).

Commissioner Doyle made a motion for the video requirements, seconded by Commissioner McBride. The Commission approved the motion 4 in favor (Hoffman, Doyle, Flanagan, McBride and 1 against (Title).

Commissioner Doyle made a motion for the separation of products by retailers, seconded by Commissioner McBride. The Commission unanimously approved the motion

Commissioner Title moved that consumers be notified that a transaction may be recorded, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Commissioner McBride made the motion for randomized routes, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Commissioner McBride made the motion for two individuals in the car with 1 in the car all the times, seconded by Commissioner Doyle. The motion was approved 4 in favor (Hoffman, Doyle, Flanagan, McBride to 1 against (Title).

Commissioner McBride made a motion for no firearms in a delivery vehicle, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Commissioner McBride made a motion for GPS attached to delivery vehicles, with real time monitoring requirement, seconded by Commissioner Doyle. The Commission approved the motion 4 in favor (Hoffman, Doyle, McBride and Title) and 1 against (Flanagan).

Commissioner McBride made a motion that vehicles be inspected by Commission, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Commissioner Doyle made a motion for minimum insurance coverage in an amount to be determined, seconded by Commissioner Flanagan. The Commission unanimously approved the motion.



Commissioner McBride recommended we require a responsible vendor training, including security, how to defuse dangerous situations, how to determine impairment, etc.

Commissioner McBride discussed potential suitability requirements.

Chairman Hoffman turned to the issue of responsible vendor training for vendors.

Commissioner Doyle suggested including privacy trainings. Commissioner Title asked about the reasoning behind requiring training to recognize impairment, as the person is at home, we are not asking the agent to make an evaluation. Commissioner McBride said this is mirroring existing training.

Chairman Hoffman asked about the current suitability requirements. Commissioner McBride recommended the suitability requirements mirror retail requirements.

Commissioner McBride made a motion for the purposes of policy discussion, we include provisions for responsible vendor training and suitability requirements mirroring retail establishment suitability requirements, seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Commissioner McBride made a motion to take the concepts approved here today, and incorporate them into a draft for consideration during the public comment period, seconded by Commissioner Doyle. The Commission approved the motion by a vote of 4 in favor (Hoffman, Doyle, McBride, Title) to 1 opposed (Flanagan).

Mr. Collins discussed the issue of transaction limits. The current transaction limit is 1 ounce, this would be for limiting one ounce in one day. Commissioner Title said that she would support penalizing an establishment that knowingly allows consumers to come back multiple times. Commissioner Title said the Commission does not have the ability to follow consumers around to enforce how much they are purchasing per day. Commissioner Flanagan said that she supported the concept of a daily transaction limits.

Commissioner McBride made a motion to limit transaction limits per day. Commissioner Doyle said it would fall on the retailer. Commissioner Title asked how will we enforce this? Patrick Beyea said we could monitor this in METRC. Commissioner Title asked how, unless a person's information is being stored, how would we be able to determine if an individual is buying more over the course of a day? Mr. Beyea said we can limit the amount of product sold per transaction.

Commissioner Doyle said she was envisioning if we receive complaints that a store is overselling, we could take a look to verify what is happening. Commissioner Title proposed adding the word "knowingly sell" in item C. Commissioner McBride said this would help law enforcement and put into practice tools that we could use in the future. Commissioner Doyle seconded Commissioner Title's motion to amend. The Commission approved the motion 4 in favor (Hoffman, Doyle, McBride and Title) and 1 opposed (Flanagan). The Commission unanimously approved Commissioner McBride's motion, as amended by Commissioner Title.



Commissioner Doyle spoke about lighting and power issues. Commissioner Doyle described proposed amendments regarding licensees submitting the energy compliance letters as part of the application process, and other amendments related to energy and environmental issues.

Commissioner Doyle noted anyone who has received a final license prior to a certain date will be grandfathered in for energy standards until January 1, 2020. Commissioner Doyle made a motion the Commission approve a grandfathering period, drafted by commission staff, that will contemplate a final license, at a date to be determined by the Commission, that the requirements stated above will be grandfathered to January 1st, 2020, seconded by Commissioner McBride. The Commission unanimously approved the motion.

Commissioner Doyle moved to give medical establishments only a longer window for compliance until January 1, 2021, since they were not subject to the adult use regulations energy requirements voted in March, 2018, seconded by the Commissioner Flanagan. The Commission unanimously approved the motion.

Chairman Hoffman turned to the issue of adding a requirement to the social equity program for veteran status and residency in Massachusetts, and cash handling.

Commissioner McBride discussed cash handling procedures. This includes use of a locked bag, unmarked vehicles, real time tracking, access to two-way communication, prohibition of transportation marijuana products while transportation cash, approval of procedures of bank, securing of cash in a safe, using video cameras on the vault area.

Commissioner Flanagan asked about how a delivery would maintain a vault or safe?
Commissioner McBride said there would be lockboxes.

Commissioner Doyle made a motion to approve Commissioner McBride's recommendations, seconded by Commissioner Flanagan.

Commissioner Doyle cited a study performed by the Drug Policy Alliance about the impact of the war on drugs on veterans and discussed the issue of including veterans in the social equity program. Commissioner Doyle said encouraging veterans to own businesses would help with their transition back into civilian life. Commissioner Title thanked Commissioner Doyle for her suggestion and agreed in principle, but noted the standard is disproportionately harmed by the drug war and that all eligibility changes should be made after an examination of evidence to meet that standard. Commissioner Flanagan said veterans have been affected by the war on drugs, not sure on the timing and hope we get to that point. Commissioner Doyle suggested studying barriers to entry to veterans owned business and open to timing. Commissioner Doyle did not want to disrupt the current program. Commissioner McBride said she would like to make a motion to put into place to adding veterans to the social equity program, seconded by Commissioner Flanagan.

Commissioner Title agreed that veterans should be included in the program, however there are other populations that have asked to be included, and all of the requests should be considered



together and evaluated on the basis of data. Commissioner McBride withdrew her motion. Commissioner Doyle made a motion for the Commission to direct the Executive Director to work with staff, to come up with a timeline for reevaluating the social equity edibility requirements, seconded by Commissioner Title.

Commissioner McBride asked if there was a timeline for reevaluating criteria. Commissioner Title said the Commission has not set the timeline. Commissioner Title suggested following the release of the study on veterans as a jumping off point. Commissioner Doyle agreed.

Mr. Collins also noted the data collection of plans for positive impact. Chairman Hoffman asked for a vote on Commissioner Doyle's motion. The Commission unanimously approved the motion.

Commissioner Title discussed replicating Illinois's policy, which allows veterans who have documentation of a listed debilitating medical condition, receive access to medical marijuana. Commissioner Doyle said we are trying to make the Illinois idea, which has a list of debilitating medical conditions, work in the Massachusetts environment, which does not. Commissioner Title made a motion to study the Illinois further and make a recommendation, seconded by Commissioners Doyle. The Commission unanimously approved the motion.

Commissioner Title discussed raising the number of patients a caregiver could care for, from 1 to 5. Commissioner Flanagan asked why 5? Commissioner Title said other states have 5. Commissioner Doyle said she had studied other states. Commissioner Flanagan said she appreciates the role of caregivers. Commissioner McBride made a motion to place this issue on the fall agenda, seconded by Commissioner Flanagan. The Commission unanimously approved the motion.

Commissioner Flanagan made a motion to set potency limits and study the issue further with DPH and set a guidance for the fall. Commissioner Doyle asked if we should wait for the study. Commissioner Flanagan said we should move forward with a guidance now. The motion was seconded by Commissioner Doyle. The Commission unanimously approved the motion.

Commissioner McBride asked for a list of what will be updated for the fall. Mr. Collins recommended the Commission setting the fall agenda with input from staff.

With no unknown business before the Commission, Chairman Hoffman noted the next public meeting will be May 16, 2019. Chairman Hoffman asked for a motion to adjourn. Commissioner Doyle made the motion to adjourn seconded by Commissioner Flanagan. The motion is unanimously approved by the Commission. The Commission is adjourned.

