

CANNABIS CONTROL COMMISSION

**February 6, 2020
10:00AM**

**Cannabis Control Commission
Worcester Union Station
2 Washington Square
Worcester, MA**

PUBLIC MEETING MINUTES

Documents:

- Application Materials for the following applications:
 - Hope Heal Health, Inc.
 - MassMedicum Corp.
 - Baked Bean, LLC. (#MPR243509), Product Manufacturer Renewal
 - Solar Therapeutics, Inc. (#MCR139862), Cultivation Renewal
 - Holyoke Gardens, LLC. (#MCR139861), Cultivation Renewal
 - Rise Holdings, Inc., (#MRR205560) Retailer Renewal
 - Liberty Compassion, Inc., Vertically-Integrated Medical Marijuana Treatment Center Renewal
 - Blackstone Valley Naturals, LLC (#MB281476), Microbusiness
 - Caregiver-Patient Connection (#MR282131), Retailer
 - Curaleaf Massachusetts, Inc. (#MR282183), Retailer
 - Green Biz, LLC. (#MR281793), Retailer
 - Ipswich Pharmaceutical Associates, Inc. (#MR281571), Retailer
 - Nova Farms, LLC. (#MR281379), Retailer
 - Pioneer Valley Extracts, LLC (#MP281417), Product Manufacturer
 - Pure Oasis, LLC (#MR281352), Retailer
 - Solar Therapeutics (#MP281464), Product Manufacturer
 - The Verb is Herb (#MR281637), Retailer
 - Bountiful Farms (#RMD-1485), Vertically-Integrated Medical Marijuana Treatment Center
 - Resinate, Inc. (#RMD-1345), Vertically-Integrated Medical Marijuana Treatment Center
 - Apothca, Inc. (#MRN282730), Retailer
 - Cultivate Holdings, LLC. (#MCN282053), Cultivation, Tier 5 / Indoor



- Cultivate Holdings, LLC. (#MPN281742), Product Manufacturer
- Diem Orange, LLC. (#MCN282161), Cultivation, Tier 2 / Indoor
- Diem Orange, LLC. (#MPN281684), Product Manufacturer
- Grass Appeal, LLC. (#MCN282123), Cultivation, Tier 3 / Indoor
- Grass Appeal, LLC. (#MRN282267), Retailer
- Greenstar Herbals, Inc. (#MRN282207), Retailer
- Heka, Inc. (#MCN282248), Cultivation, Tier 4 / Indoor
- Heka, Inc. (#MPN281736), Product Manufacturer
- Heka, Inc. (#MRN282770), Retailer
- Heka, Inc. (#MRN282903), Retailer
- Holistic Industries, Inc. (#MRN282605), Retailer
- M3 Ventures, Inc. (#MRN282350), Retailer
- Olde World Remedies, Inc. (#MRN282742), Retailer
- Pharmacannis Massachusetts, Inc. (#MCN282047), Cultivation, Tier 7 / Indoor
- Platinum Hydrolab, Inc. (#MCN281510), Cultivation, Tier 1 / Indoor
- Platinum Hydrolab, Inc. (#MPN281540), Product Manufacturer
- Resinate, Inc. (#MCN281259), Cultivation, Tier 3 / Indoor
- Resinate, Inc. (#MPN281753), Product Manufacturer
- Resinate, Inc. (#MRN281249), Retailer
- Resinate, Inc. (#MRN282398), Retailer
- Riverrun Gardens, LLC. (#MBN281332), Microbusiness (Cultivation Only)
- The Botanist, Inc. (#MRN282160), Retailer
- The Botanist, Inc. (#MRN282186), Retailer
- The Heirloom Collective, Inc. (#MRN283029), Retailer
- Western Front, LLC (#MRN281907), Retailer
- Research Report: Market Data & Industry Participation

In Attendance:

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

Minutes:

- 1) Call to Order
 - The chairman recognized a quorum and gave the public notice that the meeting is being recorded.
- 2) Chairman's Comments & Updates
 - The Chairman gave an overview of the agenda.
- 3) Approval of Minutes
 - Approval of minutes from January 16, 2020.



- Chairman asked if Commissioners had an opportunity to review the minutes and asked for questions and comments.
- Commissioner Flanagan moved to approve the minutes from the January 16, 2020 public meeting.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the minutes from the January 16, 2020 public meeting.

4) Executive Director's Report

- The Executive Director gave his standard report giving an overview of licensing based on statistics from the licensing portal
 - 431 Pending applications (all four packets received)
 - Largest number (178) of which are for Marijuana Retailer
 - Second largest (125) of which are for Marijuana Cultivator.
 - 5,012 Total applications
 - 431 Pending.
 - 454 Withdrawn.
 - 3,839 Incomplete.
 - 4 Denied.
 - 284 Approved.
 - Type of license:
 - Largest number (115) are Marijuana retailer.
 - Second largest (91) are Marijuana Cultivator.
 - Where in the licensing process?
 - 38 Provisionally Approved (waiting for fees).
 - 140 Provisionally Licensed (fees paid).
 - 14 Final Licenses.
 - 92 Commence Operations.
 - Priority application review:
 - 233 applications indicating RMD Priority Status.
 - 27 Economic Empowerment Priority.
 - 66 Expedited Review.
 - 15 based on license type.
 - 14 from the Social Equity Program.
 - 31 as a Disadvantaged Business Enterprise.
 - 6 that satisfy two or more categories.
 - 393 general applicants.
 - Disadvantaged Business Enterprise (DBE) Statistics
 - The Executive Director explained that recent changes to the process for identifying DBEs. Previously, there was a “check the box” method of identifying for one of these categories. Now, there is more process, which includes an affidavit attesting to the DBE status as well as attending a Supplier Diversity Office course. Therefore, these numbers are likely to be fluid over the next several months.



- 27 Women-owned.
 - 8 Veteran-owned.
 - 46 Minority-owned.
 - 6 LGBTQ-owned.
 - 1 Disability-owned.
 - 41 Two or more DBE.
 - 590 did not identify as a DBE business.
- Commissioner Title requested for the next meeting, in addition to the applications for the DBE categories, if the Executive Director can present statistics on DBE businesses for which licenses have actually been granted.
 - Next the Executive Director gave an overview of the 719 applications in the queue and where they are in the process:
 - 154 are awaiting review.
 - 184 have been reviewed with more information requested.
 - 66 deemed complete and are awaiting third-party responses
 - 27 are deemed complete and all information has been received and are awaiting staff recommendation.
 - 288 applications have been considered by the Commission to date.
 - Next the Executive Director gave an overview of all applications based on county and retail applications by county.
 - The Executive Director gave a global look at licenses based on license type and where each is in the process:
 - Retail is the most common application at a total of 294
 - Cultivation next most common at 218
 - Product manufacture third with 164.
 - Next the Executive Director went over Agent Registrations
 - 11,561 total agent applications
 - 152 pending applications
 - 147 pending Marijuana Establishment Agents.
 - 5 pending Laboratory Agents.
 - 26 not yet reviewed.
 - 124 for which the Commission requested additional information.
 - 2 awaiting third party responses.
 - 0 review complete/awaiting approval.
 - 554 withdrawn applications.
 - 1,175 incomplete applications.
 - 33 expired registrations.
 - 1,968 surrendered registrations.
 - 7,679 active registrations.
 - Pending/approved agents by demographics
 - 66% identify as male.
 - 74.4% identify as white.



- The Executive Director noted that he gave a breakdown of agent demographics over time at the last meeting and explained that those numbers will be periodically updated, but on a monthly basis, that information may not be as helpful.
 - The Executive Director gave an overview of the Medical Marijuana Program and noted that this slide is a relic of old paper-based application process, which is why it is in a different format than the other licensing information.
 - 157 total MTC License Applications:
 - 36 pending at the application of intent stage.
 - 10 pending at the management and operations profile stage.
 - 8 pending at the siting profile stage.
 - 100 applications have expired.
 - 3 applications have been withdrawn.
 - 166 total MTC Licenses:
 - 90 provisional licenses.
 - 8 Final licenses.
 - 58 MTCs have commenced operations.
 - 10 licenses have expired.
 - The MTC application is now available through MassCIP, which in the future will allow the Commission to pull similar information with respect to applications and licenses as is done with the retail licenses.
 - The Chairman thanked the Executive Director and technology team for getting the MTC applications up and running on MassCIP.
 - MMJ agent and program data
 - 8,803 total MTC Agent Applications
 - 13 pending MTC agent applications.
 - 0 pending laboratory agents.
 - 3 revoked registrations.
 - 2,751 surrendered registrations.
 - 448 expired registrations.
 - 5,588 active registrations.
 - Overall Program Data
 - 67,228 certified patients.
 - 61,379 certified active patients.
 - 5,434 active caregivers.
 - 263 registered certifying physicians.
 - 75 registered certifying nurse practitioners.
 - 40,070 ounces sold.
 - Patient registrations became automated, rather than human reviews.
 - A week prior to the meeting there were 4,988 pending patient registrations in the system.



- Based on the transition to automated approval, the commission was able to automate 3,146 approvals, leaving only 1,842 applications pending.
 - The approvals were completed on Wednesday and patient cards were sent out on Thursday.
 - The backlog was cut down by 63%.
 - Next phase is to automate pediatric patient, which is still a paper-based application.
 - Automation is in large part based on the use of RMV data, so there are certain submissions that may require manual review, such as use of a passport as ID.
 - The Commission has also set up a robust auditing regime for the automated system.
 - The Executive Director introduced the five new staff.
 - The Chairman asked his two standard questions:
 - Are these positions in the budget?
 - The Executive Director said yes.
 - How many of them are Attorneys?
 - The Executive Director said that there is at least one.
 - The Executive Director noted that the Commission is currently hiring for several positions that are posted to the Commission’s website and encouraged folks to apply.
- a. Regulatory Timeline
 - The Executive Director gave a high-level overview of the planned regulatory review timeline.
 - The Chairman said this looks like a thoughtful process and clarified whether the Commission would hold more than one public hearing.
 - The Executive Director said based on past practice, the Commission would do more than one.
- b. Social Equity Program Update
 - The Chairman introduced the topic and asked the Executive Director if he wants to give introductory comments before Director of Community Outreach Shekia Scott speaks.
 - The Executive Director noted that new staff has just been added, but to date, Director Scott has been primarily responsible for the Social Equity Program.
 - Director Scott presented on the Social Equity Program’s first cohort.
 - High level overview of the program.
 - There are 18 courses left to be taught as part of this cohort.
 - Director Scott gave an overview of demographics of Social Equity Program participants
 - 73% identify as male.
 - 37% identify as black or African American.
 - Breakdown of the Track participants chose:
 - Entrepreneurship is the largest track by far.
 - Director Scott gave an overview of the Tracks:



- Entrepreneurship – teaches how to apply for licensure and own a Marijuana Establishment.
 - Director Scott gave a breakdown of the Entrepreneur track by demographics.
 - Programing began in October of 2019 and set to conclude in April 2020.
 - Reentry Track – prepares folks for entry level positions or careers within the Marijuana Industry.
 - All 7 courses of this track have been delivered and participants are encouraged to attend other courses in other tracks.
 - Program will conclude in April of 2020.
 - Core Track
 - Seeking management level careers and the marijuana industry.
 - Nine course curricula.
 - Two courses have been delivered and seven remain.
 - Ancillary Track
 - Skill sets that support cannabis industry but not seeking licensure or employment with a Marijuana Establishment.
 - It is seven course curricula; Three have been delivered and four remain.
 - Began in January of 2020 and is set to conclude in March.
 - Director Scott gave an overview of the next steps for the program.
 - Director Scott then gave an overview of changes to the program to expand participation.
- The Chairman thanked Director Scott.
 - Commissioner Flanagan was curious whether applicants asked about Delivery and Social Consumption, as they were not listed, but will be available to SEP participants.
 - Director Scott said that it was not included given that option did not exist at the time of initial application.
 - Commissioner McBride asked whether the Commission is receiving feedback from participants about what they want and need out of the program.
 - Director Scott said at the end of every course the Commission asks for feedback with respect to:
 - The vendor.
 - The facility used.
 - The content of the course.
 - Director Scott said that vendors also give feedback.
 - Commissioner McBride also asked if the Commission has considered what it can do in addition to the program to support program participants after they complete the program as they move forward into the industry, such as obtaining capital or ways to implement lessons from the program to make a funding pitch. Commissioner McBride asked whether there is a way for the Commission to do something like a showcase, that is a



value add to the program to help connect SEP participants to the additional resources they may be having trouble obtaining.

- Director Scott said that there have been discussions of what to do next, including a graduation ceremony for a generalized feedback opportunity.
- The course itself puts participants into contact with investors through the vendors and guest speakers.
- Commissioner McBride further asked what the Commission is doing to ensure the connections are being made, but don't run afoul of ethical rules by inadvertently funneling SEP participants only to investors already involved with the SEP.
 - Director Scott said it is a twofold answer:
 - Within the program, the Commission knows who will be on site for any class.
 - In order to not pigeonhole folks into connecting only those involved with the program with participants, but the Commission began soliciting all different types of professional services at pro or low bono rates.
 - The Commission just compiles and displays a list but does not vet those people or do the work of connecting SEP participants with them.
- Commissioner McBride made a pitch to anyone who provides professional services that is providing pro- or low-bono services, please be in touch with the Commission so it can make sure the connections are made.
- Commissioner Flanagan noted that in addition to making sure that folks completing the program, there are also intended outcomes the Commission wants to ensure are occurring. Therefore, Commissioner Flanagan asked how long the Commission is staying in touch or following up with participants after completion of the program.
 - Director Scott said that they have established check-ins at three, six and twelve months after the program.
- Commissioner Flanagan followed up to ask whether the Commission is following participants or staying in touch with them through the licensure process.
 - Director Scott said that at this time the Commission does not check in after the twelve-month mark, but each SEP participant has a specific identifying number associated with their application, so staff could follow as they work through the application process.
- Commissioner Flanagan made a request of the Chairman that the Commissioners and staff work together on outreach to SEP participants to track outcomes from the program.
- The Chairman added that folks in the entrepreneurship track, the Commission is giving folks the skills to get a license but also be successful thereafter, so it would be helpful to track their operational success as well.
- The Executive Director added that following the progress of SEP participants is something that is built into Commission systems and its research agenda.
- Commissioner Flanagan added that, with respect to Diversity Plans and Positive Impact plans, applicants say where they're posting jobs, and it might be helpful to ascertain whether those are successful resources with respect to connecting SEP participants or EEAs job applicants.



- The Executive Director noted that a show case or job fair might be a great follow up to the program to help connect applicants and job seekers and help folks fulfill the promises in the positive impact plans and diversity plans.
- Commissioner Flanagan appreciated the Executive Director’s suggestion, highlighting that despite positive impact plans, diversity plans, and the SEP, we’re still seeing a largely white and male industry.
- Commissioners Title noted that the amount of work Director Scott has done is extraordinary. Commissioner Title also noted how Director Scott wanted to be data driven from start to finish, and that was accomplished.
- Commissioner Title also requested a 5 question FAQ for SEP applicants and what they can expect from the program with respect to timeline and next steps.
- Commissioner Title also asked for a time range in which a delivery application would be available to potential licensees.
 - The Executive Director said that the work of setting up the application is under way and the Commission is in a Quality Assurance testing phase for that online application. The delivery application, which includes a pre-certification process, will constitute a new workload and workflow for the Commission. The timeline estimate is early quarter 2 (April-May).
- Commissioner Title said it is easy to forget that it is the same team doing all of those things, so expressed appreciated the Executive Director pointing that out.
- The Chairman thanked both the Executive Director and Director Scott.

5) Staff Recommendations on Changes of Ownership

a. Hope Heal Health, Inc.

- Director Potvin presented the staff recommendation for Change of Ownership.
- The Chairman, in the interest of full disclosure, said that the he was a previous business partner of one of the owners of this entity, though the Chairman does not have any financial interest in the applicant and has been advised by counsel that it does not rise to the level of recusal.
- Commissioner McBride commented that looking at the lengthy list of owners and there’s not a single woman listed.
- The Chairman asked for questions and comments then asked for a motion to approve the Change of Ownership.
- Commissioner Flanagan moved to approve the Change of Ownership.
- Commissioner McBride seconded the motion
- The Commission unanimously approved the Change of Ownership.

b. MassMedicum Corp.

- Director Potvin presented the staff recommendation for Change of Ownership.
- The Chairman asked for questions and comments then asked for a motion to approve the Change of Ownership.
- Commissioner McBride moved to approve the Change of Ownership.



- Commissioner Flanagan seconded the motion.
- The Commission unanimously approved the Change of Ownership.

6) Staff Recommendations on Renewals

a. Baked Bean, LLC. (#MPR243509), Product Manufacturer Renewal

- Director Potvin presented the staff recommendation for Renewal.
- Commissioner Title requested a condition for which Commissioner Flanagan expressed support.
 - Proposed Condition: provide progress update on the licensees' positive impact plan.
- The Chairman asked for questions and comments then asked for a motion to approve the Renewal subject to the condition requested by Commissioner Title.
- Commissioner Doyle moved to approve the Renewal subject to the condition requested by Commissioner Title.
- Commissioner Flanagan seconded the motion.
- The Commission unanimously approved the Renewal subject to the condition requested by Commissioner Title.

b. Solar Therapeutics, Inc. (#MCR139862), Cultivation Renewal

- Director Potvin presented the staff recommendation for Renewal.
- The Chairman asked for questions and comments then asked for a motion to approve the Renewal.
- Commissioner Doyle moved to approve the Renewal.
- Commissioner Flanagan seconded the motion
- The Commission unanimously approved the Renewal

c. Holyoke Gardens, LLC. (#MCR139861), Cultivation Renewal

- Director Potvin presented the staff recommendation for Renewal.
- Commissioner Title noted that the progress update with respect to the Positive Impact plan and Diversity Plan was concerning. It stated that it was delayed because of a change of ownership. A change of ownership should not be a reason for delaying implementation of the plans. Therefore, Commissioner Title said she is hesitant to move forward with the Renewal.
 - Commissioner Flanagan stated she agreed with Commissioner Title.
 - Proposed Condition: Provide an update to their positive impact plan and diversity plan immediately.
 - The Chairman asked Director Potvin when their current license expires.
 - Director Potvin said he was unsure.
- The Chairman asked for questions and comments then asked for a motion to approve the Renewal.



- Commissioner Flanagan moved to approve the Renewal subjected to the condition requested by Commissioners Title and Flanagan.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the Renewal, subject to the condition requested by Commissioners Title and Flanagan.

d. Rise Holdings, Inc., (#MRR205560) Retailer Renewal

- Director Potvin gave an overview of the Staff Recommendation for Renewal.
- Commissioner Flanagan said she would like clarification on the entities participation in events hosted by the Cannabis Reform Coalition, a student organization at UMass Amherst. This licensee is an adult-use business attending a medical marijuana event.
 - Commissioner Flanagan would like additional information about what the licensee’s role was at this event, who was in attendance, and the age of attendees.
- Commissioner Title as part of the licensee’s positive impact plan, the licensee discussed a “wholistic evaluation of community investment practices” as a way of measuring success, which included an annual report and community perception survey. Neither of these things were included as part of the progress report.
 - Proposed condition - the positive impact plan progress report be updated with the annual report and survey.
- The Chairman then asked for additional questions or comments and a motion to approve the Renewal subject to the conditions proposed by Commissioners Title and Flanagan.
- Commissioner Doyle moved to approve the Renewal subject to the conditions proposed by Commissioners Title and Flanagan.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the Renewal subject to the conditions proposed by Commissioners Title and Flanagan

e. Liberty Compassion, Inc., Vertically-Integrated Medical Marijuana Treatment Center Renewal

- Director Potvin presented the staff recommendation for Renewal.
- The Chairman asked for questions and comments then asked for a motion to approve the Renewal.
- Commissioner Doyle moved to approve the Renewal.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the Renewal.
- Commissioner Title asked a follow up question on Renewal and Change of Ownership applications, if a licensee is not in compliance with the regulations, can they be issued a notice of deficiency.
 - Director Potvin said that first enforcement would investigate the situation and could ultimately issue a notice of deficiency.

7) Staff Recommendations on Final Licenses



The Chairman said that there will be two separate rosters including (1) those applications for which Commissioner Title abstained and (2) all other applications.

First Roster

- Commissioner Flanagan noted that the Commission still needs to have a conversation about naming conventions, specifically “patient caregiver connection”.
- Commissioner Title noted that she is abstaining due to extra payments in the Host Community Agreements.
- The Chairman asked for a motion to approve the final licenses on that roster.
- Commissioner Doyle moved to approve the Final Licenses for the roster.
- Commissioner McBride seconded the motion.
- The Commission approved the Final license by a vote of 4 (Doyle, Flanagan, Hoffman, McBride) and one abstention (Title).

Remaining Roster

- Chairman asked for questions or comments on that roster
 - Commissioner Doyle moved to approve the roster of remaining Final Licenses.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the roster of remaining Final Licenses.
- a. Blackstone Valley Naturals, LLC (#MB281476), Microbusiness
 - b. Caregiver-Patient Connection (#MR282131), Retailer
 - c. Curaleaf Massachusetts, Inc. (#MR282183), Retailer
 - d. Green Biz, LLC. (#MR281793), Retailer
 - e. Ipswich Pharmaceutical Associates, Inc. (#MR281571), Retailer
 - f. Nova Farms, LLC. (#MR281379), Retailer
 - g. Pioneer Valley Extracts, LLC (#MP281417), Product Manufacturer
 - h. Pure Oasis, LLC (#MR281352), Retailer
 - The Chairman noted that this is the first final license in Boston and the first final license for an Economic Empowerment Applicant
 - Commissioner Title said that the Commission must consider Economic Empowerment Applicants, but cities and Towns do not, so she wanted to commend the City of Boston for voluntarily prioritizing Economic Empowerment Applicants.
 - i. Solar Therapeutics (#MP281464), Product Manufacturer
 - j. The Verb is Herb (#MR281637), Retailer
 - k. Bountiful Farms (#RMD-1485), Vertically-Integrated Medical Marijuana Treatment Center
 - l. Resinate, Inc. (#RMD-1345), Vertically-Integrated Medical Marijuana Treatment Center



8) Staff Recommendations on Provisional Licenses

a. Apothca, Inc. (#MRN282730), Retailer

- Director Potvin presented the Staff Recommendation for Provisional License
- Commissioners Flanagan noted that there needed to be some clarification in the Positive Impact Plan with respect to the portion that reads that the licensee intends to positively impact “Fitchburg, Lynn and other areas.” In order to have measurable goals, it is important to know what those “other areas” are.
 - Proposed Condition – either clarify what those “other areas” would be or remove the reference.
- The Chairman asked for questions and comments then requested a motion to approve the Provisional License subject to the condition requested by Commissioner Flanagan.
- Commissioner Title moved to approve the Provisional License, subject to the condition requested by Commissioner Flanagan.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Flanagan.

b. Cultivate Holdings, LLC. (#MCN282053), Cultivation, Tier 5 / Indoor

- Director Potvin presented the Staff Recommendation for Provisional License for both Cultivate Holdings applications, but the Chairman noted that each application will be voted on separately.
- Commissioner Flanagan noted her concern that these applications do not indicate whether the organizations to which the applicant indicated it will donate money are willing to accept those funds. Commissioner Flanagan also expressed concern about the applicant’s location in Uxbridge in relation to its cultivation launch program and the associated goal of contacting Boston City Councilmembers who expressed interest in supporting and assisting the applicants.
 - Proposed conditions: provide clarification with respect to (1) whether the cited organizations are willing to accept the proposed donated funds and (2) the reasoning for connecting with Boston politicians when this is an Uxbridge based licensee.
- The Chairman asked for questions and comments then requested a motion to approve the Provisional License, subject to the conditions requested by Commissioner Flanagan.
- Commissioner Doyle moved to approve the Provisional License subject to the conditions requested by Commissioner Flanagan.
- Commissioner McBride seconded the motion
- The Commission unanimously approved the Provisional License subject to the conditions requested by Commissioner Flanagan.

c. Cultivate Holdings, LLC. (#MPN281742), Product Manufacturer

- The Chairman asked for a motion to approve the Provisional Licenses Subject to the Condition requested by Commissioner Flanagan.



- Commissioner Doyle moved to approve the Provisional License subject to the condition requested by Commissioner Flanagan.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the Final License subject to the conditions requested by Commissioner Flanagan.
- d. Diem Orange, LLC. (#MCN282161), Cultivation, Tier 2 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License for both Diem Orange applications, subject to separate votes.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Flanagan moved to approve the Provisional License.
 - Commissioner Doyle seconded the motion.
 - The Commission unanimously approved the Provisional License.
- e. Diem Orange, LLC. (#MPN281684), Product Manufacturer
- The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner McBride
 - Proposed condition: provide an update for the shapes and colors of the “gummies” they plan to use, prior to final licensure or before going to market.
 - Commissioner Flanagan moved to approve the Provisional License, subject to the condition requested by Commissioner McBride.
 - Commissioner Doyle seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner McBride.
- f. Grass Appeal, LLC. (#MCN282123), Cultivation, Tier 3 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License for both Grass Appeal applications, but there will be two votes.
 - Commissioner McBride noted that on the Executive Summary it reads that the applicant is not an applicant on another license type. Richard Rainone, however, was on the Baked Beans license renewal approved earlier at this meeting. Commissioner McBride asked whether there a disclosure of that connection and if not, why. The Commissioner clarified she’s not worried about violation of ownership limits but wants to understand the Commission’s process for disclosure around these types of connections.
 - Director Potvin noted that as applications move through different portions of the process, there are varying disclosures. When licensing/enforcements staff does its initial review, it will review the ownership structure. It will also do another review later.
 - Commissioner McBride asserted that, for the purposes of disclosure, applicants need to be disclosing to the Commission their ownership at the beginning. The licensing staff does a huge amount of work on a daily basis. Therefore, applicants



should be doing the work with respect to these disclosures. Therefore, Commissioner McBride requested that staff ask for those disclosures, and push applicants to provide those disclosures, and that Commissioners see those disclosures. This will ensure transparency to the public.

- Commissioner Title stated noted that the applicant stated a goal of hiring a staff that is 4% women.
 - Proposed condition: update that goal to an objectively reasonable goal.
 - The Executive Director followed up on Commissioner McBride’s comments with respect to ownership, he committed that staff will evaluate the executive summary process.
 - Commissioner Title noted that one piece of feedback received at the applicant forum that it is frustrating is that some applicants get a condition on their approval, while others have their license held up for the same issue.
 - The Chairman asked for additional questions and comments then requested a motion to approve the Provisional License, subject to the condition requested by Commissioner Title.
 - Commissioner Doyle moved to approve the Provisional License subject to the Condition requested by Commissioner Title.
 - Commissioner Flanagan seconded the Motion.
 - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Title.
- g. Grass Appeal, LLC. (#MRN282267), Retailer
- The Chairman asked for additional questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Title noted that the applicant stated a goal of hiring a staff that is 4% women.
 - Proposed condition: update that goal to an objectively reasonable goal.
 - Commissioner Doyle moved to approve the Provisional License, subject to the condition requested by Commissioner Title
 - Commissioner McBride Seconded the Motion.
 - The Commission unanimously approved the Provisional License, subject to the condition requested by Commissioner Title.
- h. Greenstar Herbals, Inc. (#MRN282207), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - Commissioner Title noted that the applicant stated a goal of hiring a staff that is 4% women.
 - Proposed condition: update that goal to an objectively reasonable goal.
 - The Chairman asked for additional questions and comments then requested a motion to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Doyle moved to approve the Provisional License, subject to the condition requested by Commissioner Title.



- Commissioner Title seconded the Motion.
- The Commission unanimously approved the Provisional License.

- After realizing the condition applied to Grass Appeal should have been applied to Green Star, the Chairman asked for a motion to reconsider the Grass Appeal Applications without conditions.
- Commissioner Doyle moved to reconsider the applications for Grass Appeal.
- Commissioner Flanagan seconded the motion.
- The Commission unanimously approved reconsideration of Grass Appeals.

- The chairman then asked for a motion to approve Provisional Licenses as is, without additional conditions.
- Commissioner Doyle moved to approve the Provisional Licenses without additional conditions.
- Commissioner Flanagan seconded the motion.
- The Commission unanimously approved the Provisional Licenses for Grass Appeal, without conditions.

- i. Heka, Inc. (#MCN282248), Cultivation, Tier 4 / Indoor
 - Director Potvin presented the Staff Recommendation for Provisional License for all Heka applications, subject to separate votes.
 - Commissioner McBride requested a condition with respect to certain edible products. Commissioner McBride did acknowledge that the applicant indicated that full descriptions of these products will be available on its website, but the Commission should receive it prior to that.
 - Proposed condition: provide a description of the shapes for the chocolate, hard candies, and gummies prior to final licensure and posting to the applicant's website to apply to the product manufacturer and retail license).
 - Commissioner Title stated that the first goal of the applicant's diversity plan was confusing as it seemingly consisted of placing newspaper ads to generate job applications and using the responses to the newspaper ads as measurement of diversity.
 - Proposed conditions: revise the first goal and its method of measurement (to apply to all three applications Westfield licenses and the Pittsfield retail license).
 - Commissioner Doyle thanked the staff for including the requirement to update the timeline toward commencing operations for all MTC priority applicants with an MTC that has not commenced operations.
 - The Chairman said that it reinforces the commendation made earlier with respect to staff's efforts to listen to Commissioners' conditions and incorporating them into the licensing process generally.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Doyle moved to approve the Provisional License subject to the condition requested by Commissioner Title.



- Commissioner McBride seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Title.
- j. Heka, Inc. (#MPN281736), Product Manufacturer
- The Chairman asked a motion to approve the Provisional License subject to the conditions requested by Commissioners McBride and Title.
 - Commissioner Flanagan moved to approve the Provisional License subject to the conditions requested by Commissioners McBride and Title.
 - Commissioner Doyle seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the conditions requested by Commissioners McBride and Title.
- k. Heka, Inc. (#MRN282770), Retailer
- The Chairman asked for a motion to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Doyle moved to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Title.
- l. Heka, Inc. (#MRN282903), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Flanagan moved to approve the Provisional License.
 - Commissioner Doyle seconded the motion.
 - The Commission unanimously approved the Provisional License.
- m. Holistic Industries, Inc. (#MRN282605), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Doyle moved to approve the Provisional License.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the Provisional License.
- n. M3 Ventures, Inc. (#MRN282350), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Doyle moved to approve the Provisional License.



- Commissioner Title seconded the motion.
 - The Commission unanimously approved the Provisional License.
- o. Olde World Remedies, Inc. (#MRN282742), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Doyle moved to approve the Provisional License.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the Provisional License.
- p. Pharmacannis Massachusetts, Inc. (#MCN282047), Cultivation, Tier 7 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner McBride moved to approve the Provisional License.
 - Commissioner Flanagan seconded the motion.
 - The Commission unanimously approved the Provisional License.
- q. Platinum Hydrolab, Inc. (#MCN281510), Cultivation, Tier 1 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License for both Platinum Hydro lab applications but will be voted on separately.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Flanagan moved to approve the Provisional License.
 - Commissioner Doyle seconded the motion.
 - The Commission unanimously approved the Provisional License.
- r. Platinum Hydrolab, Inc. (#MPN281540), Product Manufacturer
- Commissioner McBride noted that one of the strains to be sold by this entity is called “Jack Skellington” which is a children’s Disney movie character, which raises concerns as to whether this violates the Commissions regulations 500.105(4)(b)(4) regarding branding that includes mascots or cartoons deemed to appeal to children or individuals under the age of 21.
 - Proposed condition: Address this violation of the regulations and rename the strain/brand.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License subject to the condition requested by Commissioner McBride.
 - Commissioner Flanagan moved to approve the Provisional License subject to the condition requested by Commissioner McBride.
 - Commissioner Doyle seconded the motion.



- The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner McBride.
- s. Resinate, Inc. (#MCN281259), Cultivation, Tier 3 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License for the cultivation and product manufacturer licenses, subject to separate votes.
 - Commissioner Title noted that the applicant set a hiring goal of 30% of a list of populations, including women, which is objectively unreasonable.
 - Proposed condition: revise this goal.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Flanagan moved to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Doyle seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Title.
- t. Resinate, Inc. (#MPN281753), Product Manufacturer
- The Chairman asked for a motion to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Flanagan moved to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Doyle seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Title.
- u. Resinate, Inc. (#MRN281249), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - Commissioner Title asked for the same condition as the other Resinate applications
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License, subject to the condition requested by Commissioner Title.
 - Commissioner Doyle moved to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Title.
- v. Resinate, Inc. (#MRN282398), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - Commissioner Title requested the same condition as the other Resinate applications.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License subject to the condition requested by Commissioner Title.



- Commissioner Doyle moved to approve the Provisional License subject to the condition requested by Commissioner Title.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Title.
- w. Riverrun Gardens, LLC. (#MBN281332), Microbusiness (Cultivation Only)
- Director Potvin presented the Staff Recommendation for Provisional License.
 - Commissioner Title noted that this was a good diversity plan, however, it had a goal of only hiring 5% women, which is objectively unreasonable.
 - Proposed condition: revise that goal.
 - Commissioner McBride noted that a reference in the security plan to section “(7)(a)” should read section “(9)(a)”. Also, both law enforcement and the Commission need to be notified within 10 days of an incident.
 - Proposed condition: update the security plan to reflect the correct provision of the regulations. Clarify the security plan per 500.110(9)(a).
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License subject to the conditions requested by Commissioners Title and McBride.
 - Commissioner Title moved to approve the Provisional License subject to the conditions requested by Commissioners Title and McBride.
 - Commissioner Flanagan seconded the motion.
 - The Commission unanimously approved the Provisional License subject to the conditions requested by commissioners Title and McBride.
- x. The Botanist, Inc. (#MRN282160), Retailer
- y. The Botanist, Inc. (#MRN282186), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - Commissioner McBride asked questions with respect to how many medical licenses does this company own right now?
 - Enforcement Counsel Payer referred to page 2 of agency memo, which states that the answer is 2 provisional licenses owned by Botanist. Botanist is a whole owned subsidiary of Acreage. The memo lays out the licenses held and current contractual agreements with Acreage. To be clear, the Botanist currently operates one MTC in Worcester. The Botanist also holds 2 provisional licenses for MTC locations in Shrewsbury and Leominster. With respect to the contractual relationships with Acreage, Patient Centric of Martha’s Vineyard holds on provisional license for an MTC. Health Circle also has a pending Provisional License for an MTC. In total, with respect to MTC licenses, Acreage, whether through a subsidiary or contractual relationship, is connected with a total of 4 provisional licenses and a single application.
 - Commissioner McBride asked about the nature of the contractual relationships between Acreage and Patient Centric of Martha’s Vineyard and Health Circle.



Ultimately, the question is whether there are violations of ownership and control by way of management agreement type contracts.

- Enforcement Counsel Payer stated that enforcement staff issued an inquiry notice to Acreage in July 2019 requesting production of documents for any and all agreements with any applicant or licensee in the Commonwealth. That information was provided by Acreage and they were reviewed by staff, the substance of which is included in the staff memo under Section 3, Investigative Findings. The staff sought to determine if these agreements established relationships of control. Staff looked at the nature of the services to be provided, remuneration being provided, and whether those amounted to 10% or more of net profits of the company with which Acreage has contracted, which is one of the elements of the controlling relationship. Staff also looked at whether these agreements and underlying loans were really one agreement, essentially establishing a controlling relationship. What staff looked for in these contractual arrangements was if the management or consulting services agreement were terminated or defaulted, whether that had an impact on the loan agreement. In some cases, a payment for consulting services was a percentage of sales.
- Commissioner McBride asked whether it was accurate to say that the nature of the relationships between Acreage and its contractual counter parties may establish some rights for Acreage to make controlling decisions with respect to the business of the counter party.
- Enforcement Counsel Payer confirmed that this was accurate and gave the example of Patient Centric of Martha's Vineyard, by which the loan agreement and management services agreement gave Acreage the right to review and approve annual operations budgets. There were also provisions that gave Acreage the right to appoint directors to the Board of Directors for Patient Centric of Marth's Vineyard. For Health Circle, the consulting services agreement required that Health Circle accept consulting services in exchange for capital financing.
- Commissioner McBride asked whether the staff knows whether this is a situation where Acreage would be over its cap by virtue of equity ownership or contractual relationships. There are 4 provisional licenses and 1 application for MTC use that are either owned by or associated by contract with Acreage. Whereas control and ownership are a suitability issue, the Commission needs to determine whether there is a violation of the cap with respect to medical before the Commission can move on the retail applications, because if there is a cap violation, there would be an effect on the retail applications. Commissioner McBride said she would like to hear more from the staff with respect to these relationships and whether there is a cap limit violation, by virtue of control issues, and if there are problems with the ownership and control limits, the Commission would want to give the applicant a chance to describe how they intend to move forward.
- The Chairman noted that the Commission asked the staff to prepare a memorandum of fact, in response to which they prepared a thorough report on facts of Acreage case. The Commission did not, however, ask staff for a



recommendation. The Chairman would like to give the staff a chance to develop a recommendation.

- Commissioner McBride confirmed that she is asking that the two Botanist applications be tabled until staff can develop its recommendation.
- Commissioner Title asked with respect to Patient Centric of Martha's Vineyard, whether Acreage has approval rights with respect to appointing new members to Patient Centric of Martha's Vineyard's Board of Directors?
- Enforcement Counsel Payer confirmed this.
- Commissioner Title also referred to the regulation's provisions deeming ability to appoint 51% or more of an applicant/licensee's Board of Directors as one of the factors in determining control.
- Enforcement Counsel Payer confirmed this.
- Commissioner Title asked whether Acreage's relationship with Patient Centric of Martha's Vineyard was not initially disclosed to the Commission as a controlling relationship.
- Enforcement Counsel stated that that relationship was discovered through the documents produced in response to the inquiry notice issued by the Commission. With respect to the disclosures on the Botanist's application, the contractual relationships between Acreage and other entities were listed but were expressly described as not constituting a controlling relationship.
- Commissioner Title further clarified that the relationships were disclosed as contractual but not controlling relationships.
- Enforcement Counsel Payer confirmed.
- Commissioner Title noted that in previous decisions, applicants amended their agreements prior to applications coming before the Commission, but in this case, the intent to amend the agreements existed, but the amendments had not been made.
- Enforcement Counsel Payer confirmed and explained that in the initial production of documents, Acreage indicated an intent that if certain provisions trigger a control relationship, they would amend their contracts.
- Commissioner Title stated that based on these facts, she is very concerned about a scenario specifically contemplated as a controlling relationship in the Commission's regulations being represented in an application as a non-controlling relationship, which Commissioner Title said is a suitability issue in her opinion for both current and future licenses and noted that were the Commission voting at this meeting, she would not be prepared to vote for its approval. Commissioner Title stated further, with request to considering this application with future action, she would like to consider all the licenses together at that time, if possible, for efficiency and completeness. Commissioner Title also expressed concern that it would not be the correct course of action to approve these licenses today subject to a condition to make the necessary changes, as that is not what conditions are for, in her opinion. Commissioner Title went on to state that the Commission has been clear about its regulations and the intent behind them, and so she is concerned about that request. Finally, Commissioner Title expressed concern



about staff time preparing the report presented at this meeting, which is time that might have been used toward other applications or other work. She asked that any potential agreement that may be proposed in the future consider all of these issues.

- Commissioner Doyle asked staff to be mindful of due process of all applicants and requested that the staff provide notice to the applicants that their suitability and ownership relationships will be reviewed, given they are in different points in the licensing process. Notice should include what the questions are with respect to this inquiry and notice should describe the process.
 - The Chairman asked for a motion to table the consideration of the Botanist's applications and asked what next steps shall be.
 - Commissioner McBride moved to table both of the applications for Botanist that were before the Commission, pending determination/opinion by Commission staff with respect to the issue of control and whether there are license cap limits that have been exceeded by the applicant's parent company or any of its affiliates by virtue of agreements as relate to any applications before the Commission.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the motion to table both of the applications for Botanist that were before the Commission, pending determination/opinion by Commission staff with respect to the issue of control and whether there are license cap limits that have been exceeded by the applicant's parent company or any of its affiliates by virtue of agreements as relate to any applications before the Commission.
 - Commissioner Flanagan asked about a timeline with respect to taking action on this.
 - The Chairman deferred to the Executive Director.
 - The Executive Director said that it is not entirely up to staff to complete this work, but it will require engagement with the applicants, so it will depend on how that engagement goes.
- z. The Heirloom Collective, Inc. (#MRN283029), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Doyle moved to approve the Provisional License.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the Provisional License.
- aa. Western Front, LLC (#MRN281907), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
 - The Chairman asked for questions and comments then requested a motion to approve the Provisional License.
 - Commissioner Doyle moved to approve the Provisional License.
 - Commissioner Title seconded the motion.
 - The Commission unanimously approved the Provisional License.



9) Commission Discussion and Votes

a. Diversity Plans and Best Practices

- Commissioner Title noted that when the first state to do something, it is important to stop, evaluate, and reconsider things. This will allow the Commission to have a thoughtful deliberate conversation before the regulatory review to make sure everyone is on the same page.
- The commission has a diversity plan to promote equity.
 - Our current model requires businesses to design their own Diversity Plans.
 - The Commissioner makes sure they have goals and measurements.
- Commissioner Title read through the Diversity Plan requirements at initial application and renewal.
- Commissioner Title went over the numbers.
 - She first caveated that she is not intending to shame anyone or suggest that people don't care. This is a hard goal, but it is a part of the legal requirements of licensure.
 - Looking at the comparison between October 15, 2019 through January 10, 2020, there has been no change.
 - Commissioner Title further stated that this cannot be accounted for by location. There are women everywhere.
 - As some commissioners have pointed out, the number of white employees has actually gone up.
- Commissioner Title went over that the purpose of this discussion to discuss best practices and elements of an effective plan, it is an opportunity to raise questions to be explored in advance of regulatory discussion.
- Commissioner Title made comparison with the tech sector; it can be a heavy lift when it is being implemented after a business/industry has developed.
 - Earlier success on diversity and inclusion means more rewarding and impactful results for the industry statewide.
- Commissioner Title noted that the benefits of diverse and inclusive companies, based on other industries, have:
 - Better financial performance.
 - More innovated.
 - Better-equipped to handle uncertain environments.
 - Reduced turnover.
 - Compliant with state law regulations.
- Commissioner Title went on to say that there are better decision making.
 - Used the example of more diverse juries making better, more objective decision.
- Commissioner Title went on to say it is also about a feeling of belonging for those who might otherwise face barriers to entry into the industry.



- Commissioner Title said that at the Renewal application phase, it seems like these plans are not being implemented to the extent the Commission would like them to be or perhaps there is a fractured understanding.
- Commissioner Title then went over what makes a successful diversity plan.
 - It is not just on paper, and not just led by the CEO or diversity experts.
 - Has buy in across the company, rooted in the culture at every level and found in the organization.
- Commissioner Title then went on to discuss the elements of a diversity plan
 - Set quantitative goals that can be measured.
 - Codify culture through an organizational statement.
 - Commit to implementing and upholding your written policies.
- Even if you have the best plan, you're doing it wrong if there is not someone always providing feedback to continue progressing.
 - There should always be a level of discomfort as part of growing.
- Commissioner Title expressed a concern that a lot of diversity plans include surveys, but those surveys are not necessarily being conducted.
- With respect to programs, the Commission's guidance talks about hiring and interviewing, but there is a lot that can be done after someone is hired.
- Developing a cross functional diversity committee is a great way to be sure that the company is being held accountable.
- There are a lot of great training options including cultural competency.
- Applicants should be able to articulate how you move training into the day to day work of the company.
- Consider externally discussing these policies – it can be part of your branding.
- Celebrate successes – for diversity and other things – to help motivate and give a sense of belonging, especially for those who may not be receiving that kind of feedback regularly.
- It is important to have a forum for open conversations.
- Commissioner Title then went over frequently asked questions:
 - What's the difference between a diversity plan and a positive impact plan?
 - Diversity is internal facing.
 - Positive impact plan could be internal or external, but specific to positively impacting communities and areas that were disproportionately impacted by marijuana prohibition.
 - What if we're located in an area that is not racially diverse?
 - Diversity can also include women, veterans and other populations.
 - Why is a typo such a big deal?
 - Specifically, the Commission's guidance discusses various populations, including "people of all gender identities and sexualities." Applicants often copy and past language from the regulations or guidance and assign percentages to each population. The reason it is written that way, is because it was appropriate in the context of the guidance, but in making a plan based on certain goals, then they should make sense and setting a



goal to higher a certain percentage of “all gender identities and sexual orientations” does not make sense.

- What if our pool of applicants isn’t diverse?
 - Then applicants can take measures to expand the pool of applicants, which can be a part of diversity plans.
 - What if we don’t reach our goals?
 - Look back to the regulations which require documentation showing “substantial effort or progress.” If you show substantial effort, then you’ve satisfied this requirement.
 - In particular, if you say you’ll measure something, then measure it; if you say you’re going to survey employees, then you should survey them.
 - Commissioner Flanagan thanked Commissioner Title. There is definitely some confusion between the diversity and the positive impact plan. Also, with respect to the question “what if we don’t live in a racially diverse area,” the question in response is “what is diversity.” Think of people who might not be able to go to college, women, veterans. There are different communities across the that are not racially diverse, but there are other metrics of diversity to ensure compliance with the diversity of the plan.
 - Commissioner Flanagan went on to say she is most concerned with the results and outcomes.
 - Commissioner Flanagan said that as the Commission moves forward, it needs to consider what “diversity” looks like beyond racial diversity.
 - Commissioners Doyle said that she likes the Commission’s evidence-based approach to things and work with its Research Department, determining among industry, what the hurdles and difficulties are so the Commission can help them.
 - Commissioner Flanagan suggested that this could be a topic for the round table discussions around the Commonwealth.
 - Commissioner McBride said she thinks everyone agrees this is important, but beggars can’t be choosers. If a licensee has resources, then it should be meeting this goal full on. But the industry needs to stop being siloed and has to be cross functional to accomplishing the diversity goals as an industry, not only on the individual licensee basis.
 - The Chairman noted that the next steps after the applicant listening session, the Commission would do round table discussions and this topic should be one of those discussed at those events.
- b. Election of Commission Secretary and Commission Treasurer
- The Chairman gave an overview of the requirements of the Commission to appoint a Secretary of Treasurer.
 - Commissioner Doyle moved to appoint Commissioner Title as Secretary of the Commission.
 - Commissioner Flanagan seconded the motion.



- The Commission unanimously approved Commissioner Title as Secretary of the Commission.
 - Commissioner Flanagan moved to appoint Commissioner Doyle as Treasurer of the Commission.
 - Commissioner McBride seconded the motion.
 - The Commission unanimously voted to approve Commissioner Doyle as Treasurer of the Commission.
- c. Research Report: Market Data & Industry Participation
- Doctor Johnson presented a Baseline Review and Assessment of the Adult-use Massachusetts Cannabis Industry.
 - The Chairman said that he is proud of the Commission’s open data approach and that he did not know Massachusetts is the only state to do that.
 - Commissioner Doyle asked a question about terminology, with respect to provisional consideration.
 - The Executive Director stated that this was the equivalent of a Provisionally Approved application, i.e. they had not paid their fees yet.
 - Commissioner Title asked about 25% of agents living in an ADI. If a person lives in a non-ADI-census track part of that city that is being counted toward the 25%
 - Dr. Johnson said that was a limit on the data. They could not break it out based on census track, so there may be some over estimation.
 - The Chairman noted that the average price per unit by month fluctuates and asked if Dr. Johnson had a sense of why that was.
 - Dr. Johnson said she was not sure but is willing to bet price and types of products available is at play in that fluctuation.
 - The Chairman asked a question about pricing within the illicit market and “premium” pricing and whether some of the literature indicate what the specific premium price point at which folks move back to the illicit market.
 - Dr. Johnson said the data is still too new to answer that accurately, but the literature does show that price and she would follow up with the Chairman, but generally speaking, people who are daily users and youth are more likely to go to the illicit market.
 - Commissioner McBride noted that consumers tend to gravitate toward higher potency products. Commissioner McBride acknowledged that linkage between data from lab reports to products is not yet available but asked whether that something the Commission will eventually be able to measure.
 - Dr. Johnson explained that she and the Chief Technology officer, Dr. McKenna, already had a meeting with Socrata about how to make that data available and assessable.

10) New Business that the Chairman did not anticipate at time of posting



- Commissioner Doyle announced an information webpage with respect to municipal zoning decisions and the parameters set forth in regulations with respect to delivery and social consumption.

11) Next Meeting Date

- The Chairman announced that the next meeting would take place on March 5, 2020 at 10a in the Commissions headquarters.
- Commissioner Flanagan moved to adjourn the meeting.
- Commissioner Doyle seconded the motion.
- Commission unanimously voted to adjourn the meeting.





