

CANNABIS CONTROL COMMISSION

**January 16, 2020  
10:00AM**

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

PUBLIC MEETING MINUTES

**Documents:**

- Application Materials for the following applications:
  - Four Daughters Compassionate Care, Inc.
  - The Green Harbor Dispensary, LLC
  - Emerald Grove, Inc.
  - HVV Massachusetts, Inc. (#RMD-1405), Vertically-Integrated Medical Marijuana Treatment Center Renewal
  - Rise Holdings, Inc. (#MPR243506), Product Manufacturer Renewal
  - Rise Holdings, Inc. (#MCR139857), Cultivation Renewal
  - Sanctuary Medicinals, LLC (#MRR205551), Retailer Renewal
  - Herbology Group, Inc. (#MRR205557), Retailer Renewal
  - Mass Alternative Care, Inc. (MCR139856), Cultivation Renewal
  - Mass Alternative Care, Inc. (#MPR243505), Product Manufacturer Renewal
  - Mass Alternative Care, Inc. (#MRR205554), Retailer Renewal
  - Garden Remedies, Inc. (#MRR205550), Retailer Renewal
  - Apothca Inc (f/k/a. MA Patient Found), (#MCR139858), Cultivation Renewal
  - Apothca Inc (f/k/a. MA Patient Found), (#MPR243507), Product Manufacturer Renewal
  - Apothca Inc (f/k/a. MA Patient Found), (#MRR205558), Retailer Renewal
  - Pioneer Valley Extracts, LLC (#MPR243504), Product Manufacturer Renewal
  - LDE Holdings, LLC. (#MRR205553), Retailer Renewal
  - Garden Remedies, Inc. (#MRR205559), Retailer Renewal
  - Urban Grown Inc. (#MCR139859), Cultivation Renewal
  - In Good Health, Inc. (#MCR139860), Cultivation Renewal



- In Good Health, Inc. (#MPR243508), Product Manufacturer Renewal
- Nova Farms, LLC (f/k/a BCWC, LLC), (#MRR205556), Retailer Renewal
- T. Bear, Inc. (#MP281314), Product Manufacturer
- Theory Wellness, Inc. (#MR281835), Retailer
- Nature's Remedy of Massachusetts, LLC (#RMD1285), Vertically-Integrated Medical Marijuana Treatment Center
- Revolutionary Clinics II (#RMD1346), Vertically-Integrated Medical Marijuana Treatment Center
- Solar Therapeutics, Inc. (#RMD1205), Vertically-Integrated Medical Marijuana Treatment Center
- Pharmacannis Massachusetts, Inc., Vertically-Integrated Medical Marijuana Treatment Center
- Alchemy League (#MRN281275), Retailer
- CTDW, LLC (#MRN281844), Retailer
- ELEV8 CANNABIS INC. (#MRN281383), Retailer
- ELEV8 CANNABIS INC. (#MRN281810), Retailer
- ELEV8 CANNABIS INC. (#MRN282630), Retailer
- Elevated Gardens, LLC (#MCN281448), Cultivation, Tier 1 / Indoor
- Fidelity Wellness Center, Inc. (#MRN282801), Retailer
- Green Railroad Group, Inc. (#MRN281745), Retailer
- Hampshire Hemp, LLC (#MRN281867), Retailer
- Ipswich Pharmaceutical Associates, Inc. (#MCN281749), Cultivation, Tier 2 / Outdoor
- Jolly Green, Inc. (#MCN281283), Cultivation, Tier 1 / Indoor
- LDE Holdings, LLC (#MPN281436), Product Manufacturer
- NEW DIA (#MRN281269), Retailer
- ROARING GLEN FARMS, LLC (#CON281373), Craft Marijuana Cooperative, Tier 11 / Outdoor
- Royalston Farm, LLC (#MCN281430), Cultivation, Tier 2 / Indoor
- Royalston Farm, LLC (#MPN281544), Product Manufacturer
- TETRAMED LLC (#MCN281611), Cultivation, Tier 4 / Indoor
- The Headyco LLC (#MCN281292), Cultivation, Tier 2 / Indoor
- Two Buds, LLC (#MCN281702), Cultivation, Tier 3 / Indoor
- Two Buds, LLC (#MPN281506), Product Manufacturer
- Two Buds, LLC (#MRN281959), Retailer
- TYCA Green, Inc. (#MCN281844), Cultivation, Tier 1 / Indoor
- TYCA Green, Inc. (#MPN281555), Product Manufacturer
- TYCA Green, Inc. (#MRN282035), Retailer
- West County Collective LLC (#MCN281512), Cultivation, Tier 2 / Indoor



- WISEACRE FARM INC (#MCN281406), Cultivation, Tier 1 / Outdoor
- Guidance for Farmers
- Guidance on Host Community Agreements
- Guidance on Positive Impact Plans
- Guidance on Distribution
- Compiled Guidance on Energy & Environmental Compliance
- Compiled Guidance on Licensing
- Memorandum: Chapter 55 Report on Potential Criminal Penalties
- Staff Recommendations on Responsible Vendor Training
  - Crisis Solutionist Inc. (#RVN453134)
  - Kristi Talagan (#RVN453123)
  - Mary Hull (#RVN453160)
  - James Yagiello (#RVN453274)
  - Leafy Green LLC (#RVN453244)
  - Marijuana Handlers (#RVN453288)

**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 the quorum and called the meeting to order.
  - The Chairman noted that Commissioner McBride was joining remotely and would be joining in person shortly.
- The Chairman gave notice to the public that the meeting is being recorded.

2. Chairman's Comments & Updates

- The Chairman reminded the audience that the open meeting laws require that business be conducted in open and given the packed agenda, the Commission needs to get through its business without disruption. The Chairman gave notice that he will exercise his authority under the Open Meeting Law M.G.L. c. 30A to have disruptors removed from the space.
- The Chairman discussed the applicant forum at which the Commission will give the public an opportunity to provide feedback to the Commission.
- Commissioner Title asked to talk about the applicant forum.
  - Commissioner Title thanked all those who gave input on how the forum should be structured and encouraged folks to sign up in advance and come to the forum to



discuss their challenges and the potential solutions that applicants can offer. Commissioner Title added that there will be round table discussions following the applicant forum to work through options and recommendations.

- Commissioner Flanagan said that as part of the forum, the public must have some awareness that there are some changes that have to be made by the legislature and there is a limit to how much the Commission can change the law. Therefore, people who want to see certain changes in the law should be directed at legislators, as they hold the authority to enact those changes.
- The Chairman gave an overview of the agenda and opted to consider minutes when Commissioner McBride arrives in person.

### 3. Executive Director's Report

- The Executive Director began by introducing the newest HR generalist, Silea Williams.
- Kirsten Swenson has transitioned to a full-time role.

#### a. Job Descriptions

- The Executive Director discussed two new roles in the IT department.
    - Given the migration to the new server and online environment, it is incumbent upon the ensure we have the proper protections in place.
      - First role, Director of IT Services
      - Second role, Systems Administrator
  - The Chairman asked whether these positions are in the budget.
    - The Executive Director confirmed that they are.
  - The Chairman asked for a motion to approve the job positions.
  - Commissioner Flanagan moved to approve the job positions.
  - Commissioner Doyle seconded the motion
  - The Commission unanimously approved the job positions.
  - The Chairman acknowledged David McKenna for his work establishing the new server and virtual headquarters.
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- The Executive Director talked about certain logistical aspects of the technology migration, including folks establishing new log in credentials, etc.
    - The Executive Director also recognized that there will be some redundancies while the transition is happening, and Commission staff is working to reduce disruptions to patients and caregivers.
    - The overall user experience should be improved and give the Commission better control over maintenance and support on these systems.
    - The “flipping of the switch” will occur on Tuesday the 21<sup>st</sup> of January.



- New RMD/MTC applications will also be available online rather than being a paper-based application.
- The Adult application, reflecting the changes in the regulations for a single submission date, rather than a submission date for each of the 4 packets, will be up and live sometime later. The delay is due to data migration.

b. Guidance on Seed to Sale

- The Executive Director said that prior to a commission vote, we would like to share this with the public and solicit comment from the public prior to a vote by the Commission. The executive Director suggested vote on the guidance at the March meeting to allow sufficient time for comment.
- Commissioner Title thanked the Executive Director for the work on the guidance. She next asked the Executive Director to reiterate what patients and caregivers need to do with respect to the technology migration.
  - The Executive Director said that these folks should just go to log in and they will be prompted to update their username and password, and there is no deadline for that process to be completed, but folks can get ahead of it before the virtual gateway goes live.
- Commissioner Title also wanted to remind folks that our Mass.gov email addresses may no longer work.
  - The Executive Director thanked Commissioner Title for making that point and went further to explain that as part of the tech migration, we changed email addresses, and emails to the old addresses will be no longer be forwarded to new email addresses and emails should be directed to the cccmass.gov email address.

c. Executive Director's standard update

- The Executive Director gave an overview of the applications to date.
  - 437 total applications that have submitted all 4 packets
    - Majority (180) are Marijuana Retailer applications
    - Next (128) is Marijuana Cultivator applications
- The next slide covers the applications that have been approved for licensure to date
  - 258 total approved applications.
    - Of the 258 approved, the following is a breakdown of where the applications are in the licensing process:
      - 33 Provisionally approved (yet to pay fees)
      - 121 Provisional License
      - 24 Final License



- 80 Commence Operations
- Next slide is relative to priority or expedited review:
  - 699 total applications
    - 234 Registered Medical Dispensary
    - 24 Economic Empowerment Applicants
    - 63 Expedited review
    - 378 General applicants
  - Of the 63 expedited applications
    - 16 Expedited based on license type – microbusiness, craft cooperative, outdoor cultivation, testing labs.
    - 14 through Social Equity Program
    - 28 Disadvantaged Business Enterprise – minority owned, women owned, or veteran owned
      - 5 applicants satisfy two or more categories
    - The Chairman clarified that several of the applicants being considered at this meeting were expedited or priority review applicants.
      - The Executive Director confirmed this.
    - The Executive Director indicated that as this policy is being implemented, and applications come in, the Commission will work with the Supplier Diversity Office and applicants, and as they self-identify, they may be deemed eligible for expedited/priority review.
- Commissioner Title wanted to flag that our staff has uploaded an expedited review information sheet that would help folks who think they may qualify to figure out how to take advantage of that.
  - The Executive Director added that a notice was sent out to all applicants letting them know that if they think they may qualify for expedited/priority status, then they should let the Commission know. To that end, an affidavit form has been posted to the website in addition to the information sheet.
- Next the Executive Director discussed Disadvantaged Business Enterprise (DBE) statistics. The Executive Director noted that the process for identifying DBEs has changed. It used to be a check box whereby applicants self-identified, with little other analysis. Therefore, these numbers may also shift as the staff and applicants continue to identify eligibility.
  - Majority (573) did not identify as a DBE business.
  - 29 identified as women owned.
  - 8 identified as veteran owned.
  - 42 identified as minority owned.
  - 6 identified as LGBTQ+ owned.



- 1 identified as disability owned.
- Next the Executive Director gave an overview of the Commission’s internal workflow relative to the application queue.
  - 167 applications waiting for initial review.
  - 175 applications require additional information.
  - 69 applications deemed complete awaiting third party.
  - 26 applications all information received awaiting staff recommendation.
  - 262 applications have been considered by Commission to date.
- The Executive Director next gave a geographic break down of licenses, highlighting the net change for each county since the last meeting and gave the same statistics for retail only.
- Next the Executive Director gave an overview of each license type and where they are in the global application process.
- The Executive Director next gave an overview of agent registration.
  - 169 total agent applications pending.
    - 163 Pending Establishment Agents.
    - 6 Pending Laboratory Agents.
  - 7,281 active licenses.
  - Of those 169 pending:
    - 27 applications not yet reviewed.
    - 138 applications require additional information.
    - 4 applications are awaiting third party response.
    - 0 waiting for review by the Commission.
- Next the Executive Director gave a breakdown of down of agent applicants by race and gender
  - Gender – 66.6% Male.
  - Race/ethnicity – 74.1% identify as white.
  - The Executive Director then gave comparison of the demographics as they have changed over time.
    - .47% increase in female agents.
    - 3.34% increase in white agents.
- Next, the Executive Director gave an overview of Medical Marijuana License data
  - 160 total applications.
  - 26 applications pending at the Application of Intent stage.
  - 15 applications at the Management and Operations Profile stage.
  - 6 applications at the Siting Profile stage.
  - 100 applications have expired.
  - 3 applications were withdrawn.



- 92 Provisional Licenses.
- 7 Final Licenses.
- 56 Commence Operations
- 10 expired licenses.
- The Executive Director next gave information relative to the Medical Marijuana Program Agents and the overall program with respect to patients, caregivers, and certifying healthcare providers.
- Commissioner Flanagan noted that the Commission reviews diversity plans that discuss the hiring of a diverse work force, but the industry over time remains 74% white, so she asked a rhetorical question for industry:
  - Where are your diversity plans? Commissioner Flanagan stated that she is not convinced diversity plans are being implemented given that the Commission/industry has not seen a change in the diversity of the industry work force.
  - Commissioner Flanagan said its time to look to the industry to take action to correct this disparity and that as round-table discussions occur, that is a question industry and industry groups can answer.
- Commissioners Title said she could not agree more with Commissioner Flanagan.
  - Commissioner Title went on to say that in many renewals, Commissioners are pulling out certain applications to discuss how diversity plans are insufficient or not being implemented.
  - Commissioner Title requested that at the February meeting having an agenda item to discuss the topic of diversity plans to clarify what they should say and what applicants should do to ensure that applicants are not only including best practices in their diversity plans, but also implementing them.

#### 4. Approval of Minutes

- The chairman noted that there were two sets of minutes to approve and asked whether the Commission had a chance to review.
  - December 19, 2019
    - Commissioner Flanagan moved to approve the minutes from the December 19, 2019 public meeting.
    - Commissioner Doyle seconded the motion.
    - The Commission unanimously approved the minutes from the December 19, 2019 public meeting.
  - January 9, 2020
    - Commissioner Doyle moved to approve the minutes from the January 9, 2020 public meeting.
    - Commissioner Flanagan seconded the motion.





- The Commission Unanimously approved the minutes from the January 9, 2020 public meeting.

## 5. Staff Recommendations on Change of Location

### a. Four Daughters Compassionate Care, Inc.

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

### b. The Green Harbor Dispensary, LLC

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

### c. Emerald Grove, Inc.

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

## 6. Staff Recommendations on Renewals

- The Chairman explained that the Commission generally considers renewals as a roster, unless a Commissioner has asked to separate specific applications for consideration. Therefore, there are four rosters with respect to renewals: (i) those for which a Commissioner is requesting a specific condition (to be considered individually), and (ii) all those without conditions or recusals (to be considered as a roster).
- Prior to this, Commissioner Doyle made a global motion in the interest of time to apply to any applicable license determined by the Licensing Staff as follows:
  - Commissioner Doyle moved that any Medical Marijuana Treatment Center or any adult license applicant or licensee seeking renewal that (i) has used priority MTC status and (ii) has a non-operational Medical Marijuana Treatment Center license,



shall have an additional condition added to any approval granted here today to update their timeline.

- Commissioner Title seconded the motion.
- The Commission unanimously adopted the motion establishing the additional condition requested by Commissioner Doyle.

a. HVV Massachusetts, Inc. (#RMD-1405), Vertically-Integrated Medical Marijuana Treatment Center Renewal

**b. Rise Holdings, Inc. (#MPR243506), Product Manufacturer Renewal**

- Director Potvin presented the staff recommendation for Renewal.
- Commissioner Title proposed a condition
  - Proposed Condition: Update to the positive impact plan including the metrics cited in the initial positive impact plan, specifically the employee surveys, the questions of which were included in the positive impact plan, and focus groups for qualitative measurements, as well as external auditing and workforce utilization report for quantitative measurement.
- 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 Flanagan moved to approve the Renewal subject to the condition requested by Commissioner Title.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the Renewal subject to the condition requested by Commissioner Title.

**c. Rise Holdings, Inc. (#MCR139857), Cultivation Renewal**

- Director Potvin presented the staff recommendation for Renewal.
- Commissioner Title proposed a condition
  - Proposed Condition: Update to the positive impact plan including the metrics cited in the initial positive impact plan, specifically the employee surveys, the questions of which were included in the positive impact plan, and focus groups for qualitative measurements, as well as external auditing and workforce utilization report for quantitative measurement.
- 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 Flanagan moved to approve the Renewal subject to the condition requested by Commissioner Title.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the Renewal subject to the condition requested by Commissioner Title.

**d. Sanctuary Medicinals, LLC (#MRR205551), Retailer Renewal**



- Director Potvin presented the staff recommendation for Renewal.
  - Commissioner Title noted that in this applicant’s diversity plan, they stated a goal to maintain contractor and vendor spending with diverse organization at or above 20% of total related expenses and issue an audit report by the company’s CEO
    - Proposed Condition: Update the progress report on the diversity plan with respect to (i) the actual contractor/vendor spending with diverse organizations and (ii) provide a status update on the audit report.
  - The Chairman asked for additional 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.
- e. Herbology Group, Inc. (#MRR205557), Retailer Renewal
- f. Mass Alternative Care, Inc. (MCR139856), Cultivation Renewal
- g. Mass Alternative Care, Inc. (#MPR243505), Product Manufacturer Renewal
- h. Mass Alternative Care, Inc. (#MRR205554), Retailer Renewal

**i. Garden Remedies, Inc. (#MRR205550), Retailer Renewal**

- Director Potvin presented the staff recommendation for Renewal.
  - Commissioner Flanagan proposed a condition.
    - Proposed condition: provide an update on the status of the applicant’s community relations board.
  - The Chairman asked for questions and comments then asked for a motion to approve the Renewal subject to the condition requested by Commissioner Flanagan.
  - Commissioner Doyle moved to approve the renewal subject to the condition requested by Commissioner Flanagan.
  - Commissioner Flanagan seconded the motion.
  - The Commission approved the Renewal subject to the condition requested by Commissioner Flanagan by a vote of four in favor (Doyle, Flanagan, Hoffman, McBride) and one abstention (Title).
- j. Apothca Inc (f/k/a. MA Patient Found), (#MCR139858), Cultivation Renewal
- k. Apothca Inc (f/k/a. MA Patient Found), (#MPR243507), Product Manufacturer Renewal
- l. Apothca Inc (f/k/a. MA Patient Found), (#MRR205558), Retailer Renewal

**m. Pioneer Valley Extracts, LLC (#MPR243504), Product Manufacturer Renewal**

- Director Potvin presented the staff recommendation for Renewal.



- Commissioner Title stated that this applicant did not provide a progress report on their diversity plan or positive impact plan, citing that they were early in the process. Commissioner Title noted, however, that there were several elements of the applicant’s plans that they could have started, including establishing relationships with career centers or other community organizations in a certain area.
  - Proposed Condition: Update to the positive impact plan and diversity plan progress reports, including with respect to whether they began establishing the relationships mentioned as part of the plans.
- The Chairman asked for additional questions and comments then asked for a motion to approve the Renewal subject to the condition requested by Commissioner Title.
- Commissioner Flanagan moved to approve the Renewal subject to the condition requested by Commissioner Title.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the Renewal subject to the condition requested by Commissioner Title.

**n. LDE Holdings, LLC. (#MRR205553), Retailer Renewal**

- Director Potvin presented the staff recommendation for Renewal.
- Commissioner Title noted that this applicant did not provide an update to its positive impact plan or diversity plan, stating that it had not started hiring yet. Commissioner Title commented that there were elements of their plan that they could implement, including establishing a committee comprised of workers, management, hiring managers, owners, and members of the local community in Wareham and engaging contractors who are owned by disproportionately harmed people.
  - Proposed Condition: Provide an update to the diversity plan and positive impact plan, including with respect to whether they have established the committee or engaged certain contactors, as each is described in the applicant’s initial plans.
- The Chairman asked for additional questions and comments then asked for a motion to approve the Renewal subject to the condition requested by Commissioner Title.
- Commissioner Flanagan moved to approve the Renewal subject to the condition requested by Commissioner Title.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the Renewal subject to the condition requested by Commissioner Title.

**o. Garden Remedies, Inc. (#MRR205559), Retailer Renewal**

- Director Potvin presented the staff recommendation for Renewal.
- Commissioner Flanagan proposed a condition.
  - Proposed condition: provide an update on the status of the applicant’s community relations board.
- The Chairman asked for questions and comments then asked for a motion to approve the Renewal subject to the condition requested by Commissioner Flanagan.



- Commissioner McBride moved to approve the Renewal subject to the condition requested by Commissioner Flanagan.
- Commissioner Flanagan seconded the motion.
- The Commission approved the Renewal subject to the condition requested by Commissioner Flanagan by a vote of four in favor (Doyle, Flanagan, Hoffman, McBride) and one abstention (Title).

**p. Urban Grown Inc. (#MCR139859), Cultivation Renewal**

- Director Potvin presented the staff recommendation for Renewal.
- Commissioner Title commented that in the initial diversity plan, this applicant stated that it would maintain records of applicants and hires and continually make adjustments to ensure it is meeting its diversity plan goals in hiring decisions.
  - Proposed Condition: Update with diversity plan progress report with respect to whether such records have been kept.
- 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.

q. In Good Health, Inc. (#MCR139860), Cultivation Renewal

r. In Good Health, Inc. (#MPR243508), Product Manufacturer Renewal

s. Nova Farms, LLC (f/k/a BCWC, LLC), (#MRR205556), Retailer Renewal

- The Chairman asked for questions and comments then asked for a motion to approve the remaining roster of Renewals.
- Commissioner Flanagan moved to approve the roster of Renewals.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the remaining roster of Renewal.
- Commissioner Title commented that some of the impact plan and diversity plan progress reports were spectacular.

7. Staff Recommendations on Final Licenses

- The Chairman noted that, as with Renewals, the applications for Final License will be considered as a roster, unless a Commissioner has asked to consider the applications separately.

a. T. Bear, Inc. (#MP281314), Product Manufacturer



- Director Potvin presented the Staff Recommendation for Final Licensure.
- The Chairman asked for questions and comments then asked for a motion to approve the Final License.
- Commissioner Doyle moved to approve the Final License.
- Commissioner McBride seconded the motion.
- The Commission approved Final License by a vote of four in favor (Doyle, Flanagan, Hoffman, McBride) and one abstention (Title).

b. Theory Wellness, Inc. (#MR281835), Retailer

- Director Potvin presented the Staff Recommendation for Final Licensure.
- The Chairman asked for questions and comments then asked for a motion to approve the Final License.
- Commissioner Flanagan
- Commissioner Flanagan moved to approve the Final License.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the Final License by a vote of four in favor (Doyle, Flanagan, Hoffman, McBride) and one abstention (Title). TITLE ABSTAINED

c. Nature’s Remedy of Massachusetts, LLC (#RMD1285), Vertically-Integrated Medical Marijuana Treatment Center

d. Revolutionary Clinics II (#RMD1346), Vertically-Integrated Medical Marijuana Treatment Center

e. Solar Therapeutics, Inc. (#RMD1205), Vertically-Integrated Medical Marijuana Treatment Center

- The Chairman asked for questions and comments then asked for a motion to approve the remaining roster of Final Licenses.
- Commissioner Doyle moved to approve the roster of Final Licenses.
- Commissioner Flanagan seconded the motion.
- The Commission unanimously approved the remaining roster of Final License.

8. Staff Recommendations on Provisional Licenses

a. Pharmacannis Massachusetts, Inc., Vertically-Integrated Medical Marijuana Treatment Center

- Director Potvin presented the Staff Recommendation for Provisional License.
- The Chairman asked for questions and comments then asked for a motion to approve the Provisional License.
- Commissioner Doyle moved to approve the Provisional License.



- Commissioner Flanagan seconded the motion.
- The Commission unanimously approved the Provisional License.

b. Alchemy League (#MRN281275), Retailer

- Director Potvin presented the Staff Recommendation for Provisional License.
- Commissioner McBride asked Director Potvin for the timeline for the completed application was submitted to the commission, so that the Commission has a clear understanding
  - Director Potvin replied that:
    - All four packets were completed on May 1, 2018.
    - October 7, 2019, Commission deemed it complete.
  - Commissioners McBride what happened in that intervening time.
    - Director Potvin said there was a request for information then a change of location was requested in June of 2019.
  - Commissioner McBride asked what type of information was requested and what information is requested for a Change of Location.
    - Director Potvin responded that once the Commission has all four packets, staff reviews the application as whole then send request for information. When a response is received, staff reviews the response to see if the request was adequately answered.
    - When an applicant changes their location mid-application, certain things have to reviewed again, such as property documentation, location disclosures, and municipal certifications.
  - Commissioner McBride inquired further with respect to a mid-application change of location, what happens to the application with respect to where it falls in the queue for consideration by Commission Staff.
    - Director Potvin said that the information is reviewed again. If there is a need, an additional Request for Information is sent. The applicant's place in the cue is controlled by the Commission's regulations, so for example, if the applicant is eligible for priority, then the application would fall right back into the queue in same place it was prior to the Change of Location or Request for Information.
  - Commissioner McBride asked how staff communicates this process to applicants.
    - Director Potvin said that there is a licensing guidance currently in effect that explains this. He went on to say that the new licensing guidance will explain this in further detail. Notice is sent to applicants alerting applicants that the application will be reviewed upon submission of requested information, but it does not indicate priority status or an applicant's place in the queue.
  - Commissioner McBride followed up to ask how applicants are informed that their application is being reopened.
    - Director Potvin said it is part of the Request for Information, which includes instructions for how to submit the additional information and advance the application.



- Commissioner Title requested a condition, noting that it is one she frequently requests.
    - Proposed Condition: revise the diversity plan goal that 25% come from groups of “all gender identities and sexual orientations.” This is a typo that needs to be corrected.
  - Commissioner Title also commented that she knew off the top of her head how many days this particular application had been open, given the amount of discussion surrounding it. She gave Kudos to Leah Daniels, a principal of the applicant, for raising awareness around the frustration she and others were feeling with respect to the licensing process and that there is a need to for folks to have an opportunity to express those frustrations, hence the applicant forum that is coming up. Commissioner Title noted that Ms. Daniels’s situation brought to the Commission’s attention some misconceptions that exist with respect to the licensing process and highlights the need to communicate more clearly with respect to how the licensing process works – both for applicants’ understanding and ways to address applicant concerns.
  - Commissioner McBride noted that in the security plan on page 7, in discussion about keys and access to keys by employees it reads, “employee will attempt to have duplicate made.” Commissioner McBride said she assumed it should say “will NOT attempt”.
    - Proposed condition: revise the typo in security plan.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License subject to the conditions requested by Commissioners Title and McBride.
  - Commissioner Doyle moved to approve the Provisional License subject to the conditions requested by Commissioners Title and McBride.
  - Commissioner Title seconded the motion.
  - The Commission unanimously approved the Provisional License.
- c. CTDW, LLC (#MRN281844), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
  - The Chairman asked for questions and comments then asked for a motion to approve the provisional license application.
  - Commissioner Doyle moved to approve the Provisional License.
  - Commissioner McBride seconded the motion.
  - The Commission unanimously approved the Provisional License.
- d. ELEV8 CANNABIS INC. (#MRN281383), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
  - Commissioner McBride noted there were particular public details that raises concerns with respect to control. Commissioner McBride asked Director Potvin with respect to ownership and control what the licensure process looks like and what was identified in the process.
    - Director Potvin noted that a capital investor in this applicant was under review because of the investor’s affiliation with another licensee. The first goal is to see if there are any ownership or control violations. The answer was unknown.





Investigators and Enforcement Counsel looked into the nature of the relationship between the applicant and investors, including loan agreements and other documents. It was a thorough review. At the end, the Director of Investigations and Enforcement Counsel determined that the investment was a basic loan and there was no implication of control or ownership.

- Commissioner McBride stated that due to the recent clarifying changes in the regulations with respect to Control and Ownership, this type of loan would not be prohibited.
  - The Chairman confirmed.
  - Commissioner Title asked whether there were disclosures that raised suitability issues.
    - Director Potvin said there were no suitability issues identified.
  - Commissioner Title commended the licensing team and recommended folks read the memorandum presented as part of the Staff Recommendation. There was a lot of issues to balance and Commissioner Title expressed her belief that the licensing team handled it with complete integrity and that she is proud of their work.
  - The Chairman echoed Commissioner Title's thanks to the licensing team, asked for additional questions and comments, then asked for a motion to approve the Provisional License.
  - Commissioner Doyle moved to approve the Provisional License.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the Provisional License.
- e. ELEV8 CANNABIS INC. (#MRN281810), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
  - The Chairman asked for questions and comments then asked for 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.
- f. ELEV8 CANNABIS INC. (#MRN282630), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
  - The Chairman asked for questions and comments then asked for 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.
- g. Elevated Gardens, LLC (#MCN281448), Cultivation, Tier 1 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License.



- Commissioner Flanagan expressed concerns with respect to the positive impact plan. She understands that people want to donate to certain organizations, but the purpose is to impact a Disproportionately Impacted Area.
    - Proposed condition: update positive impact plan to clarify how the studies described will impact those communities specifically intended.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License, subject to the condition requested by Commissioner Flanagan.
  - Commissioner McBride moved to approve the Provisional License subject to the condition requested by Commissioner Flanagan.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Flanagan.
- h. Fidelity Wellness Center, Inc. (#MRN282801), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
  - The Chairman asked for questions and comments then asked for 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.
- i. Green Railroad Group, Inc. (#MRN281745), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
  - The Chairman asked for questions and comments then asked for a motion to approve the Provisional License.
  - Commissioner Doyle moved to approve the Provisional License.
  - Commissioner McBride seconded the motion.
  - The Commission unanimously approved the Provisional License.
- j. Hampshire Hemp, LLC (#MRN281867), Retailer
- Director Potvin presented the Staff Recommendation for Provisional License.
  - The Chairman asked for questions and comments then asked for a motion to approve the Provisional License.
  - Commissioner Doyle moved to approve the Provisional License.
  - Commissioner McBride seconded the motion.
  - The Commission unanimously approved the Provisional License.
- k. Ipswich Pharmaceutical Associates, Inc. (#MCN281749), Cultivation, Tier 2 / Outdoor
- Director Potvin presented the Staff Recommendation for Provisional License.
  - Commissioner McBride flagged an issue, for both this licensee and Hampshire Hemp, to open the question and ask our legal team to define for us the propriety of use of the



word's "hemp" or "pharmaceuticals." The question is whether the use of these words in the name of the entity run afoul of regulatory provisions regarding marketing etc., and whether the use of Hemp and Pharmaceuticals is misleading. Commissioner McBride said she does not want to name businesses, but the question of what certain terms in a name are telegraphing about the business needs to be considered.

- The Executive Director said he preferred this be part of the ongoing discussions with respect to regulations changes.
- Commissioner Title said she would like to rely on staff to determine what types of name are appropriate, but this is an issue that she agrees with, and she is deeply uncomfortable with the name of this applicant.
- The Chairman asked for additional questions and comments then asked for 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.

l. Jolly Green, Inc. (#MCN281283), Cultivation, Tier 1 / Indoor

- Director Potvin presented the Staff Recommendation for Provisional License.
- The Chairman asked for questions and comments then asked for a motion to approve the Provisional License.
- Commissioner Flanagan moved to approve the Provisional License.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the Provisional License.

m. LDE Holdings, LLC (#MPN281436), Product Manufacturer

- Director Potvin presented the Staff Recommendation for Provisional License.
- The Chairman asked for questions and comments then asked for 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.

n. NEW DIA (#MRN281269), Retailer

- Director Potvin presented the Staff Recommendation for Provisional License.
- Commissioner Flanagan had questions with respect to the Positive Impact Plan. Commissioner Flanagan commended the initiative of education programming but expressed concern with respect to messaging around safe marijuana use. Commissioner Flanagan also noted that there are references in the Positive Impact Plan to the placement of security cameras on the outside of the building. Commissioner Flanagan noted that this should not be a part of the positive impact plan but more a part of the security plan and is a basic requirement of licensure.



- Commissioner Title noted that this is the second an economic empowerment application considered at this meeting, so economic empowerment applications are moving through the process. Commissioner Title also echoed Commissioner Flanagan’s comments with respect to the inclusion of security cameras as part of the positive impact plan and went further to say that it is a misunderstanding of what positive impact plans are and who and who the plans are intended to benefit. Commissioner Title stated that something that is a requirement of licensure should not be included as part of the positive impact plan.
    - Proposed condition: update the positive impact plan to provide more information with respect to the safe marijuana use educational programming and remove goal of improving security profile.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License subject to the conditions requested by Commissioners Flanagan and Title.
  - Commissioner McBride moved to approve the Provisional License subject to the conditions requested by Commissioners Flanagan and Title.
  - Commissioner Title seconded the motion.
  - The Commission unanimously approved the Provisional License, subject to the conditions requested by Commissioners Flanagan and Title.
- o. ROARING GLEN FARMS, LLC (#CON281373), Craft Marijuana Cooperative, Tier 11 / Outdoor
- Director Potvin presented the Staff Recommendation for Provisional License.
  - Commissioner Flanagan highlighted three discrepancies with respect to the Area of Disproportionate Impact that the licensee is targeting.
    - Proposed condition: update the positive impact plan to clarify which Area of Disproportionate Impact the applicant is targeting.
  - Commissioner McBride highlighted language in the business plan of the application with respect to security indicating that the applicant is requesting a waiver request. Commissioner McBride noted that there was no such waiver request included in the application materials and asked whether such a waiver was in fact requested.
    - Director Potvin said there was not.
  - Commissioner McBride also asked whether additional coop members would trigger a change of Ownership application.
    - Director Potvin, it could, depending on the totality of the circumstances.
  - Commissioner Title expressed her giddiness for seeing the expedited review policy in action and that this applicant identified itself is a craft cooperative, a cultivator, a social equity program participant, a veteran-owned business, and a woman-owned business.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License 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 McBride seconded the motion.



- The Commission unanimously approved the Provisional License, subject to the condition requested by Commissioner Flanagan.
- p. Royalston Farm, LLC (#MCN281430), Cultivation, Tier 2 / Indoor
- Chairman indicated that the two Royalston Farm applications would be considered together.
  - Director Potvin presented the Staff Recommendation for Provisional License.
  - The Chairman asked for questions and comments then asked for a motion to approve the Provisional License.
  - Commissioner Doyle moved to approve the Provisional License.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the Provisional License.
- q. Royalston Farm, LLC (#MPN281544), Product Manufacturer
- The Chairman asked for questions and comments then asked for 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. TETRAMED LLC (#MCN281611), Cultivation, Tier 4 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License.
  - Commissioner Flanagan asked for clarification within the positive impact plan with respect to the towns they will partner with and have been identified the Area of Disproportionate Impact on the list. The positive impact plan currently states “in and around Gardner.” Commissioner Flanagan noted that to her knowledge Fitchburg would be the only identified Area of Disproportionate Impact near Gardner.
    - Proposed condition: Clarify if Fitchburg is the Area of Disproportionate Impact referenced in the positive impact plan.
  - Commissioner Title noted that a target of to hire 20% from various groups, including women, is objectively unreasonable.
    - Proposed condition: update the diversity goals to reflect a reasonable hiring goal.
  - Commissioner Flanagan also noted that in the positive impact plan, it reads that if the applicant does not reach its goal, it will donate money. Commissioner Flanagan said the incentive to reach the goal is reduced if at the end they can just write a check. They can do both, but it should not be one or the other.
    - Proposed condition: remove donating money as the alternative to meeting its goal under the plan.
  - Commissioner Title asked that the Commission discuss positive impact plans and diversity plans at next month’s meeting.



- The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License subject to the conditions requested by Commissioner’s Flanagan and Title.
  - Commissioner Doyle moved to approve the Provisional License subject to the conditions requested by Commissioners Flanagan and Title.
  - Commissioner McBride seconded the motion.
  - The Commission unanimously approved the Provisional License subject to the conditions requested by Commissioners Flanagan and Title.
- s. The Headyco LLC (#MCN281292), Cultivation, Tier 2 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License.
  - Commissioner Flanagan noted that the positive impact plan states that the applicant would work with a “TBD” staffing agency. Commissioner Flanagan said she would think they know which staffing agency that would be. Commissioner Flanagan also noted that the applicant said they would “be careful to comply” the existing “ban the box” law.
    - Proposed condition: update positive impact plan with the name of the staffing agency the applicant plans to work with and down the road, update the commission on its compliance with “ban the box” laws.
  - Commissioner Title noted that the goal of 20% representation of staff from all five categories is objectively unreasonable.
    - Proposed condition, update diversity plan with a more reasonable hiring goal.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License, subject to the conditions requested by Commissioners Flanagan and Title.
  - Commissioner Doyle moved to approve the Provisional License, subject to the conditions requested by Commissioners Flanagan and Title.
  - Commissioner Title seconded the motion.
  - The Commission unanimously approved the Provisional License subject to the conditions requested by Commissioners Flanagan and Title.
- t. Two Buds, LLC (#MCN281702), Cultivation, Tier 3 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License for all three co-located Two Buds licenses.
  - Commissioner Flanagan noted that in one part of the application, the applicant stated it would conduct quarterly community workshops and later it states that three workshops have been conducted and the applicant will continue to provide them.
    - Proposed condition: update positive impact plan to clarify the number of workshops per year.
    - The Chairman asked that the condition should apply to all three applications.
    - Commissioner Flanagan confirmed it should.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License, subject to the condition proposed 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 Provisional License, subject to the condition requested by Commissioner Flanagan.
- u. Two Buds, LLC (#MPN281506), Product Manufacturer
- The Chairman asked for questions and comments then asked for 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.
- v. Two Buds, LLC (#MRN281959), Retailer
- The Chairman asked for questions and comments then asked for a motion to approve the Provisional License 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 McBride seconded the motion.
  - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Flanagan.
- w. TYCA Green, Inc. (#MCN281844), Cultivation, Tier 1 / Indoor
- The Chairman noted that there would be one discussion but three separate votes for the TYCA Green, Inc. applications.
  - Director Potvin presented the Staff Recommendation for Provisional License.
  - Commissioner Flanagan noted that she would like clarity with respect to the program they are working on with Springfield Technical Community College (STCC).
    - Proposed condition: update positive impact plan with information about when the courses with STCC will be up and running and accepting students.
  - Commissioner Title
    - Proposed condition: update the diversity plan with (i) to increase the 20% goal for diverse representation and correct definition of diversity plan to no longer include the language “people of all gender identities.”
  - The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License subject to the conditions requested by Commissioners Flanagan and Tile.
  - Commissioner Flanagan moved to approve the Provisional License subject to the conditions requested by Commissioners Flanagan and Tile.
  - Commissioner Doyle seconded the motion.



- The Commission unanimously approved the Provisional License subject to the conditions requested by Commissioners Flanagan and Tile.
- x. TYCA Green, Inc. (#MPN281555), Product Manufacturer
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license application subject to the conditions requested by Commissioners Flanagan and Tile.
  - Commissioner Flanagan moved to approve the provisional license application subject to the conditions requested by Commissioners Flanagan and Tile.
  - Commissioner Doyle seconded the motion.
  - The Commission unanimously approved the provisional license applications subject to the conditions requested by Commissioners Flanagan and Tile.
- y. TYCA Green, Inc. (#MRN282035), Retailer
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license application subject to the conditions requested by Commissioners Flanagan and Tile.
  - Commissioner Doyle moved to approve the provisional license application subject to the conditions requested by Commissioners Flanagan and Tile.
  - Commissioner Title seconded the motion.
  - The Commission unanimously approved the provisional license applications subject to the conditions requested by Commissioners Flanagan and Tile.
- z. West County Collective LLC (#MCN281512), Cultivation, Tier 2 / Indoor
- Director Potvin presented the Staff Recommendation for Provisional License.
  - Commissioner Title noted that the diversity plan goal of 20% diverse representation is objectively unreasonable. Further, it reads that it will say “20% of employees and/or contractors.
    - Proposed Condition: update diversity plan with respect to the 20% goal and remove “and/or contractors” and replace with “and contractors” to make it clearer.
  - Commissioner Flanagan noted that the positive impact plan for this applicant stated it would participate in bimonthly and biannual clean ups.
    - Proposed condition: clarify whether the clean ups would occur bimonthly or biannually.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the Provisional License subject to the conditions requested by Commissioners Flanagan and Tile.
  - Commissioner McBride moved to approve the Provisional License subject to the conditions requested by Commissioners Flanagan and Tile.
  - Commissioner Doyle seconded the motion.
  - The Commission unanimously approved the Provisional License subject to the conditions requested by Commissioners Flanagan and Tile.





- aa. WISEACRE FARM INC (#MCN281406), Cultivation, Tier 1 / Outdoor
  - Director Potvin presented the Staff Recommendation for Provisional License.
  - The Chairman asked for questions and comments then asked for a motion to approve the Provisional License.
  - Commissioner Flanagan moved to approve the Provisional License.
  - Commissioner McBride seconded the motion.
  - The Commission unanimously approved the Provisional License.
- 9. Commission Discussion and Votes
  - The Executive Director gave general comment that these guidances were updated as a result of the changes in the regulations.
  - a. Guidance for Farmers
    - Commissioner Doyle moved to approve the Guidance for Farmers.
    - Commissioner Title seconded the motion.
    - The Commission unanimously approved the Guidance for Farmers.
  - b. Guidance on Host Community Agreements
    - Commissioner Doyle moved to approve the Guidance on Host Community Agreements.
    - Commissioner McBride seconded the motion.
    - The Commission unanimously approved the Guidance on Host Community Agreements.
  - c. Guidance on Positive Impact Plans
    - Commissioner Flanagan commented that this Guidance was an attempt by Commissioner Title and Commissioner Flanagan to really spell out what the Commission is looking for in the positive impact plans. During licensing, there's a lot of conditions requested by Commissioners with respect to these plans. This guidance will hopefully clear it up on the front end so that those conditions won't be necessary. The intent is to have a true impact. One area of policy Commissioner Flanagan said there would need to be some discussion around is allowing some aspects of Host Community Agreements to be included as part of the positive impact plan if the host community is requiring certain donations or activities that would further the positive impact plan. While Host Community Agreements should not replace a positive impact plan, there might be aspects that can supplement the HCA
    - Commissioner Title added that there were a lot of request to make the Commission's requirements clearer. The Commission's research fellow presented that some clarity could be provided with respect to the expectations for these plans. The Commission has had the benefit of seeing a lot of positive impact plans that are innovating in new ways. The goal of this guidance is to make it clearer so that upon renewal, licensees will know exactly what to expect. This is not just performance, but actual should be been made.
    - Commissioner Flanagan moved to allow Licensees to include HCA requirements as part of the positive impact plan and approve the Guidance on Positive Impact Plans.



- Commissioner Doyle seconded the motion.
  - The Commission unanimously approved the inclusion of certain Host Community Agreement requirements as part of their positive impact plan and approval of the Guidance on Positive Impact Plans.
- d. Guidance on Distribution
- The Executive Director clarified that this agenda item was not to update a guidance but rather to remove the guidance and consolidated portions of it throughout other guidances.
  - Commissioner Title moved to approve the removal of the Guidance on Distribution.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the removal of the Guidance on Distribution.
- e. Compiled Guidance on Energy & Environmental Compliance
- Commissioner Doyle explained that this was a Guidance considered in November, but since November timelines for enforcement were changed. These changes will be reflected in the 2020 regulatory amendments. These changes were the result of the Commission's delay in getting information out with respect to energy issues with enough time to make business decisions regarding compliance. Therefore, this proposed an amendment to the guidance creates a new compliance goal of July 1, 2020, which was formerly January 1, 2020, with associated move back in the date for the of energy survey extension option.
    - By way of reminder, Commissioner Doyle explained that if applicants fill out the energy survey, their timeline will be pushed to January 1, 2021.
    - Commissioner Doyle further explained that new applicants will have to comply with energy and environmental requirements as of July 1, 2020.
  - Commissioner Doyle moved to approve the amended Guidance on Energy & Environmental Compliance.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the Guidance on Energy & Environmental Compliance.
- f. Compiled Guidance on Licensing
- The Executive Director gave an overview of the guidance and the process for drafting. The goal was to consolidate previous guidances on licensing but also to create a one stop shop document. The Executive Director described this was a very collaborative and iterative effort among staff and Commissioners. Based on feedback received from applicants.
  - The Chairman expressed his appreciation for the work that went into this guidance.
  - Commissioner McBride commented that it is essentially a manual more than a guidance and commended Director Potvin, General Counsel Baily, and all staff that worked on this.
  - Commissioner Doyle said there are updates that need to be included from the Guidance on Energy and Environmental Compliance. Commissioner Doyle also expressed gratitude



to staff for the work to put in this. It was gratifying to see the explanation of priority and expedition policies.

- Commissioner Title said that it is not easy to take all the information and put it into a readable document. Commissioner Title complimented the work of Director Potvin and General Counsel Baily and thinks of this document as an equalizer among applicants.
- Commissioner Flanagan also thanked all the staff.
- Commissioner McBride moved to approve the Guidance on Licensing.
- Commissioner Flanagan seconded the motion.
- The Commission unanimously approved the Guidance on Licensing.

g. Memorandum: Chapter 55 Report on Potential Criminal Penalties

- General Counsel Baily described the requirement under Chapter 55 to study investigation and make recommendations with respect to criminal penalties. General Counsel Baily thanked Gabrielle Viator at the Massachusetts Attorney General's Office. General Counsel Baily said she was glad to report that the Commission has fulfilled its mandate in part by conducting the joint investigation, which included an extensive review of criminal and civil law and reaching out to other agencies with common concerns. General Counsel Baily offered the joint recommendations and draft report for the Commission's consideration and noted that the Attorney General's Office is conducting its own internal review. General Counsel Baily noted the following:
  - The report does not recommend new criminal penalties.
  - There are existing environmental penalties and tax implications for illicit market sales.
  - The report contains three key recommendations:
    - Clarify Commission statutes and regulations that if acting in the scope of licensure, one will not be subject to criminal penalties, but illicit market participants will be.
    - Support a joint task force to bring together administrative and enforcement agencies to conduct further investigations and studies into the illicit market, and consider penalties to address illegal activity
    - Expand the Department of Revenue enforcement authority. Currently the Department of Revenue has the ability to assess sales tax on illegal sales. The Report recommends expanding that authority to include excise and local taxes as well to deter illegal activity and as an alternative to federal prosecution.
  - General Counsel Baily asked that Commission approve the recommendations, approach, and content of report.
- Commissioner Title stated that she was going to vote no on principle but wanted to note that the report is thoughtful and well done. Commissioner Title explained that her reason voting no is based on her belief that a task force, if warranted at this time, should be limited only to current public health issues, such as dealing with counterfeit product or health issues like the vaping crisis. Beyond that, enforcement would be premature without an accompanying pathway to transition from the illicit market to the regulated market. Commissioner Title expressed that, despite these reservations, she does not want



to model a refusal to engage in this conversation, because looking at the illicit market and enforcement is crucial, as is having as many stakeholders as possible involved in the process of establishing an enforcement task force. Commissioner Title expressed her appreciation for the data collection aspect to understanding the illicit market and, in theory, the focus on alternatives to criminal prosecution.

- Commissioner McBride highlighted that no additional criminal penalties were suggested in the report. Commissioner McBride also noted that there are models the Commission can look to with respect to enforcement task forces, including with respect of tobacco. Ultimately, the goal is to end the illicit market and prevent diversion from the legal market. Commissioner McBride agreed with Commissioner Title that if a task force comes to fruition, there will need to be a close look at data relative to enforcement issues. Commissioner McBride stated that as the Commission moves forward with additional licensing and addressing the issues of supply and demand, this is a recommendation that will help.
  - Chairman asked for a motion to approve the release of the Chapter 55 report.
  - General Counsel Baily asked for authority to work with Attorney General's office to make additional non-substantive changes.
  - Commissioner Doyle moved to approve the release of the Chapter 55 report subject to non-substantive changes by General Counsel Baily in coordination with the Attorney General's Office.
  - Commissioner Flanagan seconded the motion.
  - The motion was approved by a vote of four in favor (Doyle, Flanagan, Hoffman, McBride) and one against (Title)
  - The Chairman thanked the General Counsel for her work.
- h. Staff Recommendations on Responsible Vendor Training
- The Executive Director gave an overview of the Responsible Vendor Training application process. The process is open and does not have a finite end date. This is the first wave. There were also other applications that were reopened for additional information and will be considered in the future. The notice requesting additional information includes the checklist staff is using to evaluate applications. The review is a team effort lead by Dr. Johnson, including folks from communications, investigations, and legal. The applications will be considered in waves. Before the commission today is six applications.
  - The Executive Director gave an overview of the Staff Recommendations for approval as a Responsible Vendor Trainor.
    - i. Crisis Solutionist Inc. (#RVN453134)
    - ii. Kristi Talagan (#RVN453123)
    - iii. Mary Hull (#RVN453160)
    - iv. James Yagielo (#RVN453274)
    - v. Leafy Green LLC (#RVN453244)
    - vi. Marijuana Handlers (#RVN453288)
  - The Chairman indicated that the applications would be considered as a roster.



- Commissioner Title noted that she previously asked for consideration with respect to priority and expedited and noted that she has been asked by other applicants for business planning purposes to indicate a schedule on which approvals will be considered.
- The Executive Director said that because these are reviewed as batches, priority does not make as much sense as it would with other applications, since they are all reviewed together. We did look at the process to see if there are efficiencies. The folks that are reviewing this are doing it in addition to their regular responsibilities. The Executive Director said he hopes to add a staff member focused on these applications. The Executive Director noted in discussions with Dr. Johnson that requests for Information tend to generate a lot of questions and request for support, therefore, the Executive Director renewed his commitment to ensure efficiency and assess the structure of the application process for opportunities to improve.
- Commissioner Title clarified that when reviewing the applications as batches it was not set in stone that there would be 6 selected for Commission review, but rather any and all applications that were ready for review were put before the Commission.
  - The Executive Director confirmed this to be the case.
- The Chairman asked for additional comments and questions then asked for a motion to approve the roster for Responsible Vendor Training.
- Commissioner Flanagan moved to approve the roster for Responsible Vendor Training.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the roster for Responsible Vendor Training.

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

#### 11. Next Meeting Date

- The Chairman gave an overview of the Applicant Forum and encouraged folks to sign up for it. The Chairman also noted the following meeting would be February 6, 2020.
- Chairman thanked staff, Commissioners, and public for their cooperation to make the meeting successful.
- Commissioner Title thanked the Chairman for his focus and leadership of the meeting.
- Commissioner Flanagan moved to adjourn the meeting.
- Commissioner Doyle seconded the motion.
- The Commission unanimously voted to adjourn the meeting.

