

CANNABIS CONTROL COMMISSION

**November 30, 2020
10:00AM**

Remote Participation via [Microsoft Teams Live](#)

PUBLIC MEETING MINUTES

Documents:

- [Meeting packet](#)

In Attendance:

- Chairman Steven Hoffman
- Commissioner Jennifer Flanagan
- Commissioner Britte McBride
- Commissioner Shaleen Title

Minutes:

- 1) Call to Order
 - The Chairman recognized a quorum and called the meeting to order.
 - The Chairman gave notice that the meeting is being recorded.
- 2) Chairman's Comments and Updates
 - The Chairman gave an overview of the agenda.
- 3) Commission Discussion and Votes
 - a. Third Party Platforms – 0:03:06
 - Commissioner McBride thanked the Legal staff and gave an overview of the topic, some of the issues grappled within the process, and the proposed revisions.
 - The Chairman noted how public comment has shaped this discussion.
 - Commissioner McBride moved to embed the proposed revisions into the draft regulations.
 - Commissioner Title seconded the motion.
 - The Chairman took a roll call vote:



- Commissioner Flanagan – Yes
- Commissioner McBride – Yes
- Commissioner Title – Yes
- Chairman Hoffman – Yes
- The Commission unanimously approved the motion.

b. Caps on Retail and Delivery – 0:06:12

- Commissioner McBride gave an overview of the topics and the proposed revisions especially with respect to prohibit any investment by a third party tech platform provider in a licensee with whom they have a contract and decoupling license caps from delivery license caps.
- Commissioner McBride moved to embed the proposed revisions into the draft regulations.
- Commissioner Title seconded the motion.
- The Chairman took a roll call vote:
 - Commissioner Flanagan – Yes
 - Commissioner McBride – Yes
 - Commissioner Title – Yes
 - Chairman Hoffman – Yes
- The Commission unanimously approved the motion.

c. Definition of Cure in the suitability process.

- Commissioner Title gave an overview of the topics and proposed revisions.
- Commissioner Title moved to embed the proposed revisions into the draft regulations.
- Commissioner McBride seconded the motion.
- The Chairman took a roll call vote:
 - Commissioner Flanagan – Yes
 - Commissioner McBride – Yes
 - Commissioner Title – Yes
 - Chairman Hoffman – Yes
- The Commission unanimously approved the motion.
- Commissioner Title moved to include a prohibition on monopolies, as circulated, into the medical regulations.
- Commissioner McBride seconded the motion.
- The Chairman took a roll call vote:
 - Commissioner Flanagan – Yes
 - Commissioner McBride – Yes
 - Commissioner Title – Yes
 - Chairman Hoffman – Yes
- The Commission unanimously approved the motion.



d. Final Regulations – 0:12:10

- The Chairman explained that he would go through the regulations section by section seeking input and revisions, then seek a vote on approval, starting with medical-use regulations, then adult-use.
- The Chairman went through each section of 935 CMR 501.000.
 - 935 CMR 501.040(3)(a)(4), Commissioner Title suggested revising the leadership rating criteria by removing the ending clause starting with “including.”
 - Commissioner Title moved to approve 935 CMR 501.000 and changes made as a result of the Commission’s deliberations and for the regulations to be finalized and filed with the Secretary of State’s Regulations and Publication Divisions.
 - Commissioner Flanagan seconded the motion.
 - The Chairman took a roll call vote:
 - Commissioner Flanagan – Yes
 - Commissioner McBride – Yes
 - Commissioner Title – Yes
 - Chairman Hoffman – Yes
 - The Commission unanimously approved the motion.
- The Chairman went through each section of 935 CMR 500.000. The Chairman commented that these revisions include a new definition for inducements that Commissioner McBride circulated.
 - Commissioner Title raised the issue of the definition of “small business” for the purposes of fee waivers, noting that if one does not have revenue from the previous year there will need to be a process for reconciliation if, after revenue is generated, the business does not satisfy the definition of small business. Commissioner Title clarified this is not a proposed change to the regulations, but an issue she wanted to bring to everyone’s attention.
 - 935 CMR 500.040(3)(a)(4), Commissioner Title suggested revising the criteria by removing the ending clause starting with “including.”
 - 935 CMR 500.050(10)(b)(e), Commissioner Title inquired whether the conversion language should be more specific with respect to the type of license to which a previously filed application would convert.
 - Commissioner McBride stated that it should specify Delivery Courier.
 - Commissioner McBride highlighted that 935 CMR 500.105(13) had previously been a point of discussion with respect to whether there were RMV requirements that impacted this provision. Commissioner McBride noted that after discussions with the RMV, there were no changes needed to this provision or similar provisions in 935 CMR 500.145.
 - Commissioner Title clarified 500.145(4)(b) (pre-verification), that Third-party platforms do not need to be Commission approved, but only need to be approved with respect to pre-verification purposes.
 - Commissioner McBride confirmed this.

The Commission took a ten minute recess returning at 0:48:49



- The Chairman finished going through section by section of the adult-use regulations.
 - Commissioner McBride moved to approve 935 CMR 500.000 of final regulations and changes made as a result of its deliberations and for the regulations to be finalized and filed with the Secretary of State's Regulations and Publication Divisions.
 - Commissioner Flanagan seconded the motion.
 - The Chairman took a roll call vote:
 - Commissioner Flanagan – No
 - Commissioner McBride – Yes
 - Commissioner Title – Yes
 - Chairman Hoffman – Yes
 - The Commission approved the motion by a vote of three in favor and one against.
 - The Chairman gave an overview with respect to the repeal of 935 MCR 502.000.
 - Commissioner McBride moved approve the repeal of 935 CMR 502.000 and file with the Secretary of State's Regulations and Publication Divisions.
 - Commissioner Flanagan seconded the motion.
 - The Chairman took a roll call vote:
 - Commissioner Flanagan – Yes
 - Commissioner McBride – Yes
 - Commissioner Title – Yes
 - Chairman Hoffman – Yes
 - The Commission unanimously approved the motion.
 - Commissioner Flanagan moved to allow ED and his delegees to finalize the final regulations, make further changes consistent with Commission's deliberations and votes, the Commission's governing laws, and the Regulation Division's requirements, and to take any additional steps necessary to file the final regulations with the Regulations Division.
 - Commissioner McBride seconded the motion.
 - The Chairman took a roll call vote:
 - Commissioner Flanagan – Yes
 - Commissioner McBride – Yes
 - Commissioner Title – Yes
 - Chairman Hoffman – Yes
 - The Commission unanimously approved the motion.
- 4) New Business the Chairman Did Not Anticipate at the Time of Posting - 0:54:20
- The Chairman noted that Commissioner Title wanted to raise the topic of voting on the updates to the Diversity Plan and Positive Impact Plan, but materials were not circulated for this meeting, so will be considered at a future meeting.
- 5) Next Meeting Date – 0:55:35
- The Chairman noted that the next meeting is not yet scheduled, and more information will be made public in the coming weeks.



- The Chairman noted that this was Commissioner McBride's last meeting.
- Each of the Commissioners shared words of kindness and thanks for Commissioner McBride.

6) Adjournment – 1:05:20

- Commissioner Flanagan moved to adjourn the meeting.
- Commissioner Title seconded the motion.
- The Chairman took a roll call vote:
 - Commissioner Flanagan – Yes
 - Commissioner McBride – Yes
 - Commissioner Title – Yes
 - Chairman Hoffman – Yes
- The Commission unanimously voted to adjourn.

