

CANNABIS CONTROL COMMISSION

March 26, 2026

10:00 AM

**In-Person at Cannabis Control Commission, Second Floor Public Meeting Room,
Worcester Union Station, 2 Washington Square, Worcester and with Remote Access via
[Microsoft Teams Live*](#)**

PUBLIC MEETING MINUTES

Documents:

- Application Materials associated with:
 - Staff Recommendations on Renewal Licenses
 - Staff Recommendations on Provisional Licenses
 - Staff Recommendations on Final Licenses
- [Meeting Packet](#)

In Attendance:

- Chair Shannon O'Brien
- Commissioner Carrie Benedon
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

I. Call to Order

- The Chair recognized a quorum and called the meeting to order.
- The Chair gave notice that the meeting is being recorded.
- The Chair gave an overview of the agenda.

II. Commissioners' Comments & Updates – 00:03:02

- Commissioner Benedon highlighted a wide variety of staff led initiatives and accomplishments from the last month. She noted the work on creating a public information campaign ahead of the entry of Social Consumption Establishments into the market and expressed she was looking forward to working closely with external partners as they work on the approach and messaging for the public integration campaign. She acknowledged the work of the testing team in undertaking a comprehensive review of lab testing protocols and suggested it be done periodically. She noted meetings and conversations with Licensees and advocates. She discussed the Public Listening Sessions held on March 18th, and felt the meeting was beneficial



and critical to educate the Commissioners on the nuances and realities of the industry. Commissioner Roy noted a visit with the Chair to Solar Cannabis in Somerset. She thanked the Chairman of the Senate Ways and Means Mike Rodrigues for learning about the facility and discussed the current challenges that the industry faces. She thanked anyone who testified at the March 18th Public Listening Sessions in person or who provided written testimony. She also gave special recognition to Chief of Technology and Innovation Officer Paul Clark (CTIO Paul Clark) and Director of Data Analytics Marianne Sarkis for their work in undergoing an expansion of the open data platform. She noted she already received a lot of feedback on who found great utility in it. She noted was in the process of crafting a Data Use Agreement and also working hard to get the new product catalog up and ready. Commissioner Stebbins noted that the Social Consumption (SC) Responsible Vendor Training (RVT) working group internal group met that week and reviewed feedback from their first meeting with the external stakeholders. He noted learning styles and if components of the training should be in-person as opposed to virtual came up and that they would be regrouping with the external stakeholders the week after next for a brainstorming session to get their input and ideas about what should be encompassed in a SC RVT program. He noted he had the opportunity to visit Stem in Haverhill on their plans for SC, and they are joining him on a SC panel at the upcoming New England Cannabis Convention. He noted the panel was being hosted and organized by Chris Faraone. He also discussed a meeting where Director of Equity and Community Outreach Silea Williams and he joined a call with Kevin Gilnack from Equitable Opportunities Now to discuss policy questions around census tracts. He discussed policy steps that could be considered in the near future, including Personal Protective Equipment upon request. He discussed the possibility of collaboration between employees of the Occupational Safety and Health Administration (OSHA) and the Commission's investigations team. He added that next week, he would be visiting Licensees in Salem as well as in the Athol-Barre region. He thanked the staff for all their great work. The Chair thanked the Chief Financial and Accounting Officer Lisa Schlegel (d Schlegel) for having gone above and beyond to move the issue of Cannabis research forward with her diligent activity to set up a trust. She also thanked folks who showed up for their worker safety Public Listening Session and Mr. Danny Carson Stair for making this his mission to advance this policy of safety for workers. She shouted out staff to make sure they have transparent data on their website to color their work and make the public safer and fairly priced.

III. Minutes – 00:12:37

- February 23, 2026
- Commissioner Roy moved to approve the February 23, 2026, Commission Public Meeting minutes.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes



- Commissioner Stebbins – Yes
 - Chair O’Brien – Yes
- The Commission unanimously approved the February 23, 2026, Commission Public Meeting minutes.
- February 26, 2026
- Commissioner Benedon moved to approve the February 26, 2026, Commission Public Meeting minutes.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes
- The Commission unanimously approved the February 26, 2026, Commission Public Meeting minutes.

IV. Staff Recommendations on Renewal Licenses – 00:13:41

- Commissioner Roy thanked Commissioner Benedon for her leadership on the Public Meeting (PM) minutes portal and staff all involved. Commissioner Benedon noted that the PM minutes were now posted on a dedicated page for minutes on the website.
- Licensing Manager Tsuko Defoe presented on behalf of the Licensing department its Recommendations for Changes of Ownership and Renewals.
- The Chair noted they were going to table the Renewal License numbered 11 as indicated on the agenda for Debilitating Medical Condition Centers (#MCR141003). The ED stated they would bring it back with more specific information and work with the Licensee on a question that came up through the process and will bring it back on April 7th.
- Commissioner Benedon moved to approve the renewal of items numbered 1 – 49 as indicated on the agenda, tabling Renewal License number 11 Debilitating Medical Condition Centers (#MCR141003).
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes
- The Commission unanimously approved the renewal of items numbered 1 – 49 as indicated on the agenda, tabling Renewal License number 11 Debilitating Medical Condition Centers (#MCR141003).



V. Staff Recommendations on Provisional Licenses – 00:17:04

1. Exceptional Grow, LLC (#MPN282382), Marijuana Product Manufacturer
 - Commissioner Benedon moved to approve the Provisional License.
 - Commissioner Stebbins seconded the motion.
 - The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes
 - The Commission unanimously approved the Provisional License.
2. Great Northern Wellness, LLC (#MRN285477), Marijuana Retailer
 - Commissioner Roy moved to approve the Provisional License.
 - Commissioner Stebbins seconded the motion.
 - The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes
 - The Commission unanimously approved the Provisional License.
3. Sunfusions, Inc (#MRN285338), Marijuana Retailer
 - Commissioner Stebbins said he was intrigued to see in their Positive Impact Plan on how they plan to make a donation to the Social Equity Trust Fund. He noted it would be interesting if they reached out to the Executive Office to see if they were seeing donations and who they were coming from. The Chair noted tracking would be helpful and Commissioner Stebbins stated they could come to a future meeting and share information and the Chair noted it as an excellent idea. The Chair noted that there is a way to have positive impact but doing it in a less burdensome way. Commissioner Roy noted this as a source of red tape, and they are not seeing the impact as it was well intended, and it was causing them to spend resources they do not have for minimal impact and retooling for quality impact. The Chair mentioned the EquityWorks Career Hub and that a subgroup was looking at biennial renewal of Licenses as part of the red tape removal effort.
 - Commissioner Roy moved to approve the Provisional License.
 - Commissioner Stebbins seconded the motion.
 - The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes



- The Commission unanimously approved the Provisional License.

VI. Staff Recommendations on Final Licenses – 00:24:08

1. Arrow Cultivate, LLC (#MC283773), Marijuana Cultivator, Tier 11, Outdoor
 2. Motah 420, LLC (#MD1327), Marijuana Delivery Operator
 3. Motah 420, LLC (#MP282240), Marijuana Product Manufacturer
- Commissioner Roy moved to approve the Final Licenses.
 - Commissioner Stebbins seconded the motion.
 - The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
 - The Commission unanimously approved the Final Licenses.
 - Commissioner Benedon asked a question about licensing where she noticed when looking at the Renewal Licenses there was one Marijuana Treatment Center (MTC) Berkshire Roots which was specifically noted as not a cultivating under the MTC vertical, instead they do all their cultivation under a separate cultivation License, keeping the product as adult-use in Metrc until they then transfer it to medical but they do have a tier designation under their MTC License. She noted that they are essentially double counting when they look at total canopy since they are not cultivating under something that they could be cultivating under. The ED noted they could add this to an agenda and go through it all together in early April.

VII. Enforcement Actions – 00:27:07

1. Stipulated Agreement
 - i. Boston Bud Factory, Inc.
 - Enforcement Counsel Timothy Goodin (EC Goodin) presented for consideration by the board a Stipulated Agreement relative to Boston Bud Factory, Inc and Mr. Franklyn Dailey. He noted this as a proposed Final Order and Stipulated Agreement relative to the Licensee and the person having direct or indirect control. He stated that the Stipulated Agreement was back before them as it was previously considered in October 1, 2025, where it was rejected at that time with specific directions from the board to go back and renegotiate on certain elements. He provided a brief reminder on the specific violations that are findings in the order and the proposed resolutions. He shared that Enforcement staff recommend ratification of the agreement as an appropriate resolution of the violations taken as a whole. He added that they believe the agreed periods of the monetary fine, penalty in this revised agreement, as well as the periods of suspension for Mr. Daley and Mr. Sarno in addition to the affirmative relief that will ensure future compliance, represent a significant deterrence for any



future violations for the Licensee. The Chair noted her biggest concern was how long the process took and noted things that need to be included in any investigation and enforcement summary as they need to understand the dates and first engagement with the team. She suggested that further meetings were need to tighten-up and the timeframes. She commented about disparate treatment and that Commissioners should know that all Licensees are getting the same due process under M.G.L c. 30A. The Chair asked when the tip was first received and EC Goodin stated he needed to look into the information, but the first investigative steps and actual investigation were conducted at the first unannounced inspection on March 18, 2022. EC Goodin added he would be happy to work with the ED to identify potentially other information that could go into the executive summary. The Chair requested the inclusion of when the complaint was first reported to them team and when the first interaction was that followed up on the complaint. Commissioner Roy noted arcade machines and that at the block party, observations from the investigators that Boston Bud Factory were not doing age verification. EC Goodin noted that one of the finds were that Boston Bud Factory, Inc. did not employ reasonable measures to keep its advertising at the block party from reaching event attendees younger than 21. Commissioner Roy requested to go into Executive Session (ES) and the Chair stated it was noticed. Commissioner Benedon asked if they were proposing to go into ES under the purpose of being clearly and imminently threatened by litigation. The Chair noted there is no imminent litigation but to discuss potential litigation strategy or negotiation strategy. Commissioner Benedon noted she was not comfortable nor satisfied that the purpose met the threshold to enter ES. The Chair decided that the board would discuss the topic in open session. Commissioner Roy noted what stood out to her in the affirmative relief is that it does not speak to youth prevention in any way and proposed additional affirmative for youth prevention to be better versed. The Chair requested seeing the timeline and asked if they could share with the public how they conducted the interview. EC Goodin requested additional conversation with General Counsel Kajal Chattopadhyay (GC Chattopadhyay) Commissioner Roy asked if they could ratify subject to a condition. The Chair mentioned concerns around justice being delayed and recommended a prorated monthly payment over the course of 12 months. GC Chattopadhyay read 935 Code Mass. Regs. § 500.500(7) and stated he read that as the Commission's actions and options are limited to either approving or rejecting. He added they could give direction to EC Goodin and he can take that information and proceed. The Chair noted she did not like the language around 12 months as they have so many businesses near closure. EC Goodin noted that he was hearing tailoring the educational components. He also provided an explanation of instances in the past where they allowed multiple years for monetary penalty and that their retail License is set to expire in April and if it was ratified now that time period essentially lined up with their Renewal period. EC Goodin cautioned against specifically trying to relate one instance to another as each of these are handled at a case-by-case basis and this was tailored for specific accountability for the two owners here. The Chair noted too much discretion and not being consistent. The ED mentioned the feedback from October 1st was incorporated through the whole



package and mentioned the hourly employees to not be negatively impacted through actions of what was out of their control. Commissioner Roy applauded the hourly workers and reiterated she was uncomfortable with the affirmative relief not having something around youth prevention or even diversion. She also added she was not comfortable waiting 365 days before they paid. The Chair stated the need for no more delays or waiting any longer. Commissioner Stebbins agreed on for the health of the industry to move some of the investigations along quicker and he noted he liked the new version of the Stipulated Agreement. He mentioned wanting consistency and was happy to entertain that conversation. He also added that at some point they want to make the RVT training appropriate to potentially what some of the infractions were. He added another element is that he wants a copy of the Stipulated Agreement transmitted to the Host Community (HC) in all cases once the Final Stipulated Agreement is signed. Commissioner Benedon noted that it reflected the board's concerns as expressed in the fall and it did not really address the underlying issues as a general approach. She said she would prefer to see the remedy as training or some kind of remedial action that directly addresses whatever the underlying violation was and that ensured that it would not be repeated. She would rather see that action as opposed to any financial penalty. Commissioner Roy asked when they opened the regulations, will they have the ability to tweak them to give them more flexibility in the language. The Chair noted that back last October, she was not as fully aware at how much the industry is in crisis. She suggested a small tweak to not allow them to wait till the end and want them to pay it overtime. Commissioner Roy noted EC staff did a great job, and she would approve with a condition if she could. EC Goodin noted he needed to talk to their counsel around the Chair asking if he could get the edits done today and asked if there was a general time period that the board wanted to identify. GC Chattopadhyay noted Open Meeting Law (OML) and if amending the agreement, that would need to have been available for public inspection in the packet for a meeting and suggested an agenda item on a future meeting. The Chair tabled the discussion to the April 7th PM for a final vote. Commissioner Benedon asked EC Goodin if he knew what they were looking for and provided further clarity. EC Goodin asked if there was a time during that 12-month period that there needed to be some progress towards fulfilling the payment and the Chair opined no less than quarterly. Commissioner Stebbins suggested instead of RVT, having someone from the Commission doing instruction as to regulatory compliance instead of procuring someone. Commissioner Roy noted she was not comfortable with that because there are groups that specialize in youth prevention and suggested putting in a timeline when they have to find training. Co-Chief of Investigations and Enforcement Armond Enos (Co-CIE Enos) noted Commissioner Stebbins' approach and stated that certain RVT vendors have subject matter experts. The Chair noted while they treat every case individually, they need to be equitable and make sure they are setting standards that are not repeated. Commissioner Stebbins noted training people on violations of their regulations and why they their employers are in trouble are important facts and for violations of their regulations their staff is more appropriate to speak to those points than anyone. Commissioner Roy explained that are staff wearing multiple hats and



discussed resource issues. Co-CIE Enos noted that he did not see the space for training done by Commission staff eventually when they have more time and ability and could provide some kind of education to Licensees about commonly cited violations when bandwidth and resources open up. Commissioner Stebbins noted he was ok with stripping out the RVT four-hour program and finding something more dedicated. EC Goodin summarized his understandings of areas of adjustment. The Chair noted consensus. Commissioner Roy thanked Commissioner Benedon for pushing back on ES as it was a beneficial conversation. Commissioner Roy requested the Legal department draft memorandum around if they go into the regulations next time, ways they could modify the language in 935 Code Mass. Regs. § 500.500(7) to provide some flexibility. The Chair tabled the final approval or vote on the Stipulated Agreement with Boston Bud Factory, Inc. until the tentatively scheduled April 7th PM.

- Commissioner Roy moved to take a recess returning at 1:00 PM.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes
- The Commission unanimously approved the motion.
- The Commission took a brief recess. (Returned at 02:29:00.)

VIII. Commission Discussion and Votes

1. Exit Interviews Overview

- The Chair noted the Exit Interviews Overview discussion would be tabled and noted she would be taking the Discussion and Update on Addressing Testing Fraud agenda item out of order.

2. Discussion and Update on Addressing Testing Fraud

- The Chair acknowledged Commissioner Roy for pushing hard to make sure they had more transparent data on the website. She noted positive feedback and thanked staff. She noted at least 30 Licensees that are in receivership and heard anecdotal information that there could be another 30 facing receivership. She noted a visit at one high caliber Licensee down on the south coast and that they went from 200 employees to 140 employees and that they are only able to maintain their business because they have multiple operations where they can maintain the staff that they do have. She noted conversations about not knowing how much longer people would be able to keep their business open if they have to compete with cheaters. She noted she was given one example by someone who has looked at some of the data and who told her they can sell and are selling certain product for four or five dollars versus a competitor is selling it for eighteen. She noted staff had been discouraged from



preventing information because it could be negatively perceived about the Commission's reputation. She noted that they need to be talking about where the problems are and have to plan to address those issues. She noted certain areas that need improvement and why testing fraud was important to her and they wanted the Commission to hold labs accountable by looking at publicly available data. She thanked the team for making changes to testing protocols and thanked outside stakeholders for providing stories and why this is critically important. She added her primary goal that the people who are following the rules do not have to compete with cheaters and have the tools to address testing fraud. Commissioner Roy echoed her sentiments and noted she had draft motion language. She noted that Licensees are struggling right now and running on fumes and cannot compete w cheaters and it was a nationwide problem. She thanked the testing task force team and their incredible work. She noted that testing fraud had multiple impacts and the importance of upholding pillars of public health and safety. She added that the task force team needed to be permanent and not temporary. She proposed draft motion language. Commissioner Stebbins agreed and discussed conversations with labs and the working group. He stated it was a great reaction of collaboration on their part with testing labs and it was helpful in trying to work through some of the solutions that are coming forward in hopefully in the near future. He noted something he kept hearing: the generous amount of data that is available through Metrc. He encouraged the board, the ED and staff to think about what they hear other jurisdictions do, which is hiring some investigative agent who is a desktop investigator as budget allows. The ED stated he thought it was a good direction to go and terms of prioritization that this was important. He added that dependent of budget issues or reallocate resources, to have a dedicated staff member so that while all of the other members contribute across multiple divisions and someone assigned specifically to that task would be helpful. He added that making it sustainable is going to be building in consistent queries into Snowflake that can be run on a consistent basis that are not going to take additional people hours, done consistently in short term. The Chair mentioned outside qualified data scientists providing information to the Investigations and Enforcement department that should provide them with guidance. She added that she received background information that testing labs that appear to be struggling, that are chasing business from small groups, seem to for some reason have the bulk of the business and it sounds like they are cutting their prices to be competitive. She noted that they should not allow people to pay for results and it should be a red flag for team to begin looking at immediately. She added they cannot wait months and the data needs to be analyzed as there is an immediate crisis both within the testing labs and accountability system. Commissioner Roy acknowledged the testing task force's work, and she proposed motion language for next steps. The ED noted an OML issue where if he gets conflicting feedback from Commissioners, he cannot resolve that outside of PM. Commissioner Roy suggested getting the feedback the same day the public does to avoid a violation. Commissioner Benedon suggested Commissioners provide their input prior to April 7th and they could talk it out during the April 7th PM. Commissioner Stebbins noted he would be comfortable talking about it in PM



before it got distributed to the Independent Testing Labs (ITLs). The ED noted the order and sequencing. The Chair noted they wanted input from the ITLs. Commissioner Stebbins stated it would be helpful for the Testing team to walk through the protocols. Commissioner Roy noted she wanted to hear from experts on pesticides. The Chair noted they need to make sure that they have the utmost health and safety in protecting the public but also not having something overly sensitive that is harming businesses as well. Commissioner Stebbins suggested discussing the draft protocols in PM and then put it out for public feedback. The Chair noted she felt more comfortable giving her input with expertise at her side and Commissioner Roy agreed. The ED walked through the process concurrently and next steps. He stated that if they gave a period of time to make the document publicly available, then give the timeline that you are asking the public and the ITLs to turn around their comments, then they could build that and then at the same point go through with the testing team initially, prior to having those comments, and then review with that feedback. Commissioner Roy noted it as helpful. Commissioner and proposed amended motion language.

- Commissioner Roy moved that within 5 business days, the Commission provide a publicly available document titled “Recommendations for Consideration: Testing of Marijuana and Marijuana Products Protocol” and any associated publicly available memoranda containing the recommendations concerning Independent Testing Laboratories and the Testing of Marijuana and Marijuana Products Protocol. ITLs shall be afforded a period of two weeks from the date of transmittal to review the recommendations and submit written comments and recommendations to the Commission. No vote of the Commission to adopt, modify, or reject any of the recommendations contained in the testing document shall occur until after the expiration of the two-week ITL comment period and after staff have compiled and presented ITL feedback to the Commission.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes
- The Commission unanimously approved the motion.
- Commissioner Roy mentioned the formal rules making process.

- Commissioner Roy moved to take a recess returning at 2:00 PM.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O’Brien – Yes



- The Commission unanimously approved the motion.
- The Commission took a brief recess. (Returned at 03:25:07.)

3. Update on Search for Chief of Investigations and Enforcement and Director of Testing Compliance

- The Chair noted that Commissioner Roy is on the team that is vetting the Director of Testing and Compliance. She added that Commissioners Roy and Benedon are going to be vetting with the review panel on the Chief of Investigations and Enforcement (CIE) position and then the ED and the Chair will be reviewing and finalizing those choices. The ED provided a timeline on expectations. The ED asked Chief People Officer Debra Hilton-Creek (CPO Hilton-Creek) to explain who determined who gets an initial phone screen and CPO Hilton-Creek stated that it was generally the hiring manager that would make the decision. The Chair noted that she wanted to make sure the Commissioners had a voice in hiring chief positions. She asked when it came to the CIE position, who was making the initial phone screens and CPO Hilton-Creek confirmed that the ED was considered the hiring manager and he was the final decision maker regarding who gets phone screened. Commissioner Benedon noted that she is one of the Commissioners involved in the hire and she was given the opportunity to review all of the resumes. She added that she identified a couple of candidates in addition to the ones the staff identified that she requested. Commissioner Roy noted she needed a couple days to review the resumes and CPO Hilton-Creek confirmed. Commissioner Stebbins clarified that they would continue to screen as they come in and the twelve picked was not a cap and CPO-Hilton confirmed that the position was still rolling and still accepting applications. The Chair mentioned for the Director of Testing and Compliance they need to hire someone with the best credentials without internal pushback. The Chair also noted the need to focus on the qualifications and none of the other extraneous and every qualified candidate, regardless of their history interacting with the Commission, has a fair shake. CPO Hilton-Creek noted their Leadership Diversity, Equity, Inclusion, Justice and Belonging (DEIJB) program and initiative covered recruitment and that as CPO she is committed to making sure that that is the way they select applicants and interview. She added she will always ensure that there is equitable review of every applicant and candidate in the way they hire and making sure the process is equitable. CPO Hilton-Creek mentioned to the Chair when she receives any information that she may feel might be subjective, she would appreciate it if she would talk some of it out with her. The Chair noted processes that were not done appropriately and said that she will provide written backup of some of the concerns that she raised and would share it with fellow Commissioners.

4. Update on Petitions Process

- GC Chattopadhyay provided an update on the petition process and showed the changes and updates that they have made since the board voted to remove the delegation to the ED in reviewing petitions. He noted that they have not received any new petitions since that vote. He stated they developed an online form for folks to fill out to submit their requests for regulation change review and that it has been posted



on the Commission website. He added that staff are working to make it accessible and discoverable on the website. He noted that the process had been updated to basically once a petition is received through the online form it is directed to his department then he will provide that petition immediately to the Commissioners for their edification and notification and will provide an estimated timeline for review at that time to both the Commissioners and ED. He went on to say that then the ED would review the petition with the Chair and the Chair would determine next steps forward in terms of placing it on an agenda and when, after the legal review is complete. He proceeded to the next part of the process would be that the board would discuss that in an opening meeting after the item is noticed on the agenda. He added that once the form is fully ready and published, the Communications team will send out appropriate notice and will publicize the forms so that the public is aware. Commissioner Roy thanked him and was excited to see the development and noted the form will make the process much easier. She asked about training on MassAchieve and asked if the form would be Americans with Disabilities Act (ADA) compliant and he stated they would be complaint with any requirements in effect. Commissioner Roy asked about formatting questions and asked if it was fillable form and noted that the box was really small. CTIO Clark stated that the form in front of them was not the actual real form that people will be filling out, it was the PDF version of the form. He added that it will be through Formstack and everything is built in within the form itself. The Chair asked if they could use a voice dictation and he confirmed. He also confirmed it could be accessed on a mobile phone. CTIO Clark added that there is a group that meets regularly on ADA compliance and confirmed that the text boxes were expandable. The ED noted that pushing this out would drive more interest and this would be opportunity for the public or people in the industry to engage the Commissioners when they have a problem with the regulations or want to bring something to the Commissioners' attention. Commissioner Roy asked the ED about a petition in the queue and the ED confirmed that one came in around the time that the switch was made in terms of the process and that he established a small, nimble, and quick working group to review drive-thrus. He added that there are some elements within the red tape process that kind of overlap with the drive-thru concept, but ultimately it is kind of a standalone specific question so he has assigned staff from all different departments and two Commissioners to turn around a review, look at options for the drive-thrus, be responsive to that petition and bring it back to the board, hopefully in May. Commissioner Roy noted confusion around drive-up and drive-thrus and clarified that drive-up was what they allowed during COVID.

5. Rules of Necessity Open Meeting Law Quorum Discussion

- Commissioner Roy moved to waive privilege to discuss the memorandum.
- Commissioner Benedon seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes



- Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved the motion.
- GC Chattopadhyay confirmed that now that the board had waived privilege, it would become part of the public record. The Chair stated her questions were around during a couple of meetings where votes were taken where in the moment when there were three Commissioners there was perceived conflict and the question was whether they could vote or not. She noted that the memorandum might cause them to make additional actions and that the memorandum contradicted the previous advice he gave that it was acceptable to vote at that moment when we did not have enough votes to pass a License or approve a Renewal. GC Chattopadhyay stated that this merits an additional conversation down the road around the prior votes and that this discussion was not notice properly. The Chair disagreed. Commissioner Roy believed that the conversation was related and it was free flowing from a conversation. She added that they need to have a worthy discussion about previous votes that were taken at some point and put a process in place. She noted she had personally received uncomfortable feedback that that was not the proper way to go. The Chair asked GC Chattopadhyay if votes were taken that were not complaint with state statute and OML, did he recommend that they revoke under a proper quorum. GC Chattopadhyay stated he needed to be presented with a specific vote or votes. Commissioner Benedon noted that the big issue that has occurred in the past is the issue of Commissioners who perhaps had a conflict voting to essentially delegate their vote to somebody else like the ED and the question raised in those situations is, if I am conflicting from voting on this Licensee, can I delegate my vote. She noted the rule of necessity is available. She added that as Commissioners they had a practice of being really careful abstaining and they should not invoke this rule unless you have an actual conflict not potential appearance of a conflict. Commissioner Roy suggested re-examining and talking to individual Commissioners to see what was is an actual conflict or an appearance of conflict and they need guidance on that. The Chair noted she did think that there have been some votes that have been taken without authority that they have. The Chair suggested tabling the conversation to the 7th and clearly writing out specific questions for GC Chattopadhyay to have a fuller conversation on delegation in general. Commissioner Roy proposed motion language. Commissioner Benedon asked the intention and asked if they only wanted to go back one year as it is more than a year ago the Licensee presumably had been approved again and Commissioner Roy noted it as a good point. Commissioner Benedon suggested a year look back. The Chair noted that they needed to make sure they have the proper separation of responsibilities, proper delegation and are following the statute. Commissioner Roy noted that even by voting to delegate the authority, you are still voting on the matter. Commissioner Roy reread her proposed motion language with Commissioner Benedon's edit. Commissioner Roy asked about not marking privilege and confidential. GC Chattopadhyay cautioned against waiving privilege in advance of seeing a document and it was a prudent position to take. Commissioner Roy asked if



they can always assert privilege right after they look at it and GC Chattopadhyay stated that they cannot reassert. Commissioner Benedon agreed to want to know what she is waiving.

- Commissioner Roy moved to direct the Executive Director and General Counsel to develop a proposed policy establishing a clear and consistent threshold for Commissioner recusal from licensing decisions, taking into account the Rules of Necessity and Open Meeting Law quorum requirements; and to review prior instances, going back one calendar year, in which recusals necessitated delegation of licensing approvals, with findings and recommendations to be presented to the Commission within 60 days.
- Commissioner Benedon seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved the motion.

6. Overview of Executive Director Performance Review Form

- The Chair noted that Commissioner Stebbins had been working with prior EDs to manage the goals. She recognized that setting goals for the ED needed to be fair as a lot of the goals that were set for the ED may be budget dependent. She noted that CPO Hilton-Creek suggested using percentages. She added moving forward, they should add the second formatting that is budget dependent. CPO Hilton-Creek noted she was trying to fashion the form off of the same evaluation form that is used for staff. She noted that herself, the Chair and Commissioner Roy reviewed it and made amendments. Commissioner Roy noted leadership and managerial expertise and how you can execute specific goals. It was noted as a great product but open for suggestions. The Chair walked through the different categories and descriptions on the form. She added that each had room for comment to provide context and grade. She stated that the Commission Chair would inform the ED of the scheduled public performance evaluation four weeks prior to the evaluation date at a PM. She added that at the direction of the Chair, each Commissioner would complete an evaluation form and submit it to the Chair six weeks prior to the scheduled evaluation date. She added that the Chair will compile a unified draft evaluation document and schedule a final review with each Commissioners for final input two weeks prior to the scheduled evaluation date. Lastly, the Commission Chair will prepare the final unified document and submit it to BoardEffects. The Chair questioned if she was getting individual feedback from Commissioners, it might need to be initially anonymized. The ED noted that generally the consolidation of these types of things goes through a third-party and he had used the town clerk as example and the Chair noted she would work with outside labor counsel. Commissioner Roy asked Commissioner Stebbins about synthesizing conflicting ideologies in the document.



Commissioner Stebbins answered they were anonymized by a third party and noted when he was previously worked on the process that was inherited from the inaugural set of Commissioners, he was concerned about them using ES inappropriately to discuss the evaluation and discuss an eventual salary adjustment. He added where they landed was a review of all the comments where Human Resources helped him compile a general overview comment of all the reviews and then they would bring that to a PM where they would discuss. He added he then brought forward a proposal that all of his colleagues with respect to salary adjustment had a chance to opine on and then ultimately vote on. He clarified that the review, commentary, and the summary document was all presented in public. Commissioner Roy noted it must be done in public. The Chair asked Commissioner Benedon to describe what character means under the exemption for ES. Commissioner Benedon noted generally the examples she can think of involved the honesty or the truthfulness of a person, persons kind of their trustworthiness and truly to character not how they are doing their job and more intrinsic traits of a person not evaluation of performance. Commissioner Benedon noted that with ES in general, the general rule is openness and transparency and ES is always an exception to that general rule and they should narrowly and strictly construe the exceptions because they are exceptions to the general principles of transparency. Commissioner Roy noted the Governance Charter. The Chair suggested doing a final draft of this the following week or the 7th to fix typos. The ED noted he had nothing he is concerned about and noted it as a good opportunity for him to get feedback from the board and also a good opportunity for him to give feedback to the board. Commissioner Stebbins suggested a quick edit around who the ED reported to and that it should read the Commission not just to the Chair. The Chair noted the statute as it pertained to the unique special authority for the Chair to be responsible over all administration and authority of the Commission. Commissioner Stebbins noted to be mindful of the Chair going back and meeting with each of the Commissioners outside of a PM and expressed his worry that might conflict with OML. The Chair noted she would work the CPO to make sure it complies and will figure out how to get feedback that follows the statute, follows OML and is fair to the ED. Commissioner Roy asked the ED about his prior experience and he stated that a third-party would do the intermediary compilation, grading, no serial communications where he used a separate elected individual. He mentioned in the instance here, either the CPO or outside labor counsel could be that intermediary. The Chair noted being more comfortable with outside labor counsel as it would be neutral. The ED noted the procedures at the end of the document, may want to be clear on what the expectation is there, everything would be compiled by the Chair. Commissioner Roy suggested the outside labor counsel compile and next meeting vote on it and put safeguards in that motion language. Commissioner Benedon commended the ED for embracing the open and transparent review process, which may not have been normal in the past. She added as public servants having these things done publicly that nobody in the private sector would ever have to endure publicly and they endure a lot more scrutiny than their private sector counterparts would ever imagine.



7. Executive Director Goal Setting for CY26 and FY27 Format

- The Chair noted this as one of the things that the ED had asked them to provide with their input as to what they think should be his priorities. She read that the set of goals allowed them to execute a holistic change from calendar year to fiscal year goals as much of the organizational bandwidth is determined by each fiscal year appropriation. She noted that ultimately approaching an 18-month goal setting process may make sense for quarters three and four of fiscal year 2026 and dates listed. The ED noted that they have moved staff to fiscal year and then this would put the ED on the same trajectory. The Chair noted that seeking improvements or replacing IT infrastructure were budget dependent and that it remained priority as improvements are necessary regardless of whether the funding comes from a bond bill or through operating budget. She noted this goal as the least fair to grade the ED on as it was the one he controls the least. The ED highlighted that the Commission asked for the medical platform funding with a discussion later on the agenda. The ED mentioned quarterly updates on the goals that were set by the board and that a lot of things would fall within IT infrastructure and suggested identifying in the title that Massachusetts Cannabis Industry Portal (MassCIP) is the clear priority of what will move them the furthest. The Chair moved onto institute lab testing protocols and strategies and noted the need to prioritize review and approval of ITL lab testing protocols. The Chair asked the ED to explain direct consulting and the ED clarified that consulting services that they are engaged to build on the next rounds of protocols would be that the Commissioners are working directly with them. He noted he was prioritizing their access to those consulting services in the next couple months and how they will approach getting them feedback from the ITLs. The Chair mentioned making sure that the new standing committee was functioning appropriately to move the ball forward based on data. Commissioner Roy mentioned no language on standards lab and the ED noted they can write that they are making progress. Commissioner Roy suggested language. The Chair suggested wordsmithing to utilize public data to develop. The ED stated that the adjusted scope direction for the task force is what they wanted to see. Commissioner Roy asked the ED to provide clarify on the difference of a reference lab and standards lab. He added that if they operated a lab, they would need a Director of Testing Compliance and a Lab Director to operate a lab. Commissioner Roy noted an oversight in their regulations in reference of standards lab and no fee. She noted there should not be a fee as this is such a critical public health thing they need. The Chair stated the next goal was around focusing to improve organization structure and organizational culture. Commissioner Roy noted it was important for her and the ED to land on the language of the document. The Chair noted next was goal around the Commission's DEIJB initiative must be prioritized to build in work and undertake implementation of SC regulatory framework. The Chair suggested having an update from all the working groups. The next two goals were about bill H 4206, and continuing regulatory implantation with red tape production about approved changes. The Chair highlighted ongoing goals and products. The ED noted that they established a working group on the research



center and that in January of 2027 was the goal to be through that process with all recommendations and implementation. The Chair finished with the goal of expanding the data platform.

- Commissioner Roy moved to take a recess returning at 3:45 PM.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved the motion.
- The Commission took a brief recess. (Returned at 05:11:46.)

8. Approval of Medical Marijuana Patient Portal Contract Funded by the Executive Office of Technology Services and Security

- The Chair thanked everyone for their work helping take a positive step forward on the Center of Research. CFAO Schlegel noted that in December they received funding from the Executive Office of Technology Services and Security (EOTTS) for a medical patient portal. She noted that immediately the team went into procurement mode and issued an RFR through COMMBUYS which is set up that over 2000 vendors were notified that there was a Request for Response (RFR) through the automatic COMMBUYS process. She added that responses were submitted and they got four responses to the RFR. She noted that one was deemed unresponsive as they did not submit the correct paperwork with their applications and three others. She noted that the procurement team had ten members on it and the procurement manager and staff reviewed those responses and came up with some ratings from there. She stated that JD Software was the highest rated, but they went and got demonstrations from all the participants, and the demonstrations were done for the procurement team and followed up by clarifying and confirmatory questions for the respondents and references were checked. She added that this is for the medical patient portal solution and it would replace some parts of the Marijuana Program Online System (MMJOS). She added that the medical Licensees have already been transferred over to MassCIP and now they will have a licensing portal. She added that MMJOS used to have Licenses within it. She noted that agents will eventually get moved over to another system and is just the patients, caregivers, and certified health providers that are going to be using the new portal, allotments will be transferred over to Metrc, but they will communicate through the two portals. Commissioner Roy asked about allotments being transferred over to Metrc and asked if she foresaw this being more seamless for patients and CTIO Clark confirmed. He gave an overview of the current process. He noted that Metrc would be managing it but the recording the sales history will be viewable to the patient and to the healthcare providers in the new portal. The Chair asked if he could explain the two optional 12-month extensions and would it have to be brought back to the board and CTIO Clark confirmed it would be brought



back to the board given the dollar volumes. The Chair suggested staying ahead of it and that any optional 12-month extension will come before the Commission with plenty of time that if the Commission determines not to extend, they get to work with CTIO Clark and the ED to make sure that is done appropriately. CTIO Clark confirmed it was not an automatic extension. Commissioner Roy asked if he felt the team adequately discussed the deficiencies and if he felt like they were adequately addressed so patients are best served. CFAO Schlegel confirmed that they had a number of meetings and discussions for the whole committee to make sure they had the best product. She noted it was a unanimous point where everybody agreed that this was the best fit for the Commission. The Chair asked if they got any input from patients and whether it was considered. CFAO Schlegel stated that they had two staff from Constituent Services and the Director and they raised concerns with the user experience. CFAO Schlegel mentioned Artificial Intelligence (AI) functionality built into the next phase of the platform to assist with users. The Chair asked her to explain why this would work well for patients and CTIO Clark explained it would improve user interface and patient experience. He added they have the ability to still over the next six months as they build this out, provide some context and are looking for additional input. The Chair asked how they would incorporate that feedback and CTIO Clark noted they have used a lot of feedback from the Constituent Services team and there had been conversation about sending around a survey to patients. CTIO Clark suggested continuous feedback to answer all the patients' needs and health care providers. CTIO Clark noted that the AI and their expectations was not AI talking to people and it will help on the back end moving people through the process and automate some of the backend work. The Chair noted it was just being used to enhance the experience not used to replace a human being answering your questions. Commissioner Roy asked CTIO Clark if they could message through text messaging and CTIO Clark noted that they do not have the full phone number list from all of the patients. Commissioner Roy asked if there was a way to make best effort to get mobile numbers and to get to a point where they were able to communicate that way. CTIO Clark mentioned communicate through the portal and platform itself and the new medical patient portal is mobile focused. Commissioner Roy asked if the board rarified this or approved it, what would be the rollout date and how do they communicate that to patients. CTIO Clark stated that the contract is a six-month implementation from the beginning to build it and to be ready to use. He added that he was in talks with the Communications team about the need to begin that communication. CTIO Clark noted the patient ID number would be the same and they are going to make it as smooth as possible. Commissioner Roy envisioned an overnight update of the operating system where it happens seamlessly. CTIO Clark also noted it would redirect too. CFAO Schlegel stated they vetted this out completely. Commissioner Roy asked about safeguards around deficiencies and CFAO Schlegel confirmed the report is better with better analytics and very cross functional. She shared the need for everyone from different departments at the table to all be a part of creating and providing feedback. The ED thanked everyone on the Procurement Management Team (PMT), procurement team and the Legal department



for working on the contract. Commissioner Roy asked who was in the PMT group and the ED named the members. CTIO Clark mentioned looking at the clauses on deliverability and service level agreements which address a lot of concerns.

- Commissioner Roy moved to approve the contract.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved to adjourn.

9. Commission Research Center Trust Fund for Grant Applications

- The Chair noted that the staff have been doing great work to create an independent for Cannabis research and mentioned potential additional partnership to find ways that they can both improve public policy but also find new therapies for people looking at both the positive and negative impacts of Cannabis. She applauded CFAO Schlegel on the work with the Comptroller. CFAO Schlegel noted that right now they are looking to set up an expendable trust though they need to get the Executive Office of Administration and Finance (A&F)'s approval. She added that they have the paperwork from A&F and they have to get approval on the language. She noted that Chief Johnson was working on a full-blown budget. CFAO Schlegel noted that she did get the revenue sources and is working with Associate General Counsel Steven Laduzinski (AGC Laduzinski) to create draft language to submit. The Chair asked if this required any legislative approval and CFAO Schlegel confirmed A&F makes that legislature request on their behalf. AGC Laduzinski noted that once they draft the expendable trust document, it is in the name of A&F, and they are the ones who sign it once they approve it. The Chair asked about making a motion. Commissioner Roy noted that they needed to make adjustments in their research License type as it disincentivized research. She suggested formulating a plan on who can tackle the research License because it is not protective of intellectual property. The Chair noted the question to think about was how they nuance both the public nature of what they do with the need for anybody investing money in research to make sure they can protect their intellectual property. The ED mentioned the red tape removal and stated research could be added as a consideration. AGC Laduzinski mentioned that they have two current consulting contracts with two consultants where they do vet out the research permit applications. Commissioner Roy read 935 Code Mass. Regs. § 500.147(k).

10. Red Tape Removal and Regulatory Timelines

- The Chair noted non-enforcement and that under the regulations and rules they are supposed to be enforcing relegation and that has not been happening. She noted with red tape removal they were talking about a number of different items. She noted an



issue that came up about the issue of requiring provisional Licensees to have real estate either a lease or own a property, which has been a huge barrier to Social Equity applicants. She noted that they had heard from some stakeholders in Social Equity that did not want more competition and she asked about the waiver process. The ED noted that staff had already starting working on putting forward the prioritization from the red tape removal and will come back with anything that they feel would fit in the non-enforcement category. On waivers, he noted that the board wanted periodic updates on what the general outlook of all the waivers they receive because that may impact the way they approach the regulations. He noted if they are seeing consistent waivers on the regulation, that means that they should consider if they need to amend the regulation. The ED recommended also bringing back an interim update on what waiver requests are that they have received. He noted that the waiver process goes through the EC's office. The Chair suggested allowing people to file waivers to consider rather than non-enforcement. Commissioner Roy read 935 Code Mass. Regs. § 500.101(g)5. and 6. and mentioned removing red tape to sunset it out. The Chair expressed providing relief to Social Equity applicants. Commissioner Stebbins mentioned people that have hung onto property for years from a Provisional approval to finally getting their Final License. He suggested changing shall to may on required documentation to include the with tier relegation and enforcement. He noted he was worried about the Social Equity applicants thinking about SC and if we were to send a message to those folks of, we will change this, hopefully that might stop some of them from going out and signing on the dotted line unless they want the property so bad. He suggested at least communicating to them, they are going to make this change. The Chair noted consensus on it needing to be relaxed in some fashion. Commissioner Benedon noted she agreed on the policy issue and noted that EC Goodin spoke with her on that part of the reason that the waiver approval rate is so low is that when they consider waivers, a key consideration is whether the request is something that is unique to that particular applicant and EC Goodin does not want to step into the policy making role that is reserved for the board and if somebody is requesting a waiver of something that is not unique to their situation, but really is just a burden that all Licensees bear and they are seeking an exception, that is not something that EC Goodin is inclined to approved. She asked if the waiver process was the appropriate vehicle. The Chair noted non-enforcement of some items, but it has not been by the endorsement or consensus of Commissioners. The ED noted that this is a question that they've requested feedback from the red tape removal group on. Manager of Government Affairs and Policy Jessica Porter (Manager Porter) noted they are still compiling recommendations and a lot of additional comments that they were not able to talk about in the in-person meeting, so they are incorporating those into the revision as well. She added that some staff have been able to go through the form and prioritize them as well. She noted that 10 out of the 21 members of the external consulting group said do not incorporate the recommendation to remove the requirement for physical location. Manager Porter stated they would have this final recommendation list for the ED who will bring it forward to the Commissioners at a future PM and it will include high level overview of what recommendations they did



want the Commission to consider and it will go into regulatory timeline procedure and use legal process for that. Commissioner Roy noted examples of Renewals impact every License type, cadence for RVT and badging, quality impact plans and letting retail discount. The Chair recommended a conversation to make sure they have staff and the deployment of resources and Manager Porter confirmed she would have the conversations with the Legal department. Commissioner Roy noted they might be able to fold biennial Renewals into testing and the Chair noted they can define the scope. The Chair noted they need to make sure they are responsive to these situations and have a proposal for people who have invested.

IX. New Business Not Anticipated at the Time of Posting – 06:05:04

- The Chair stated that there was no new business not anticipated at the time of posting.

X. Next Meeting Date – 06:05:30

- The Chair stated that the next meeting is to be held on April 7, 2026.

XI. Adjournment – 06:05:56

- Commissioner Benedon moved to adjourn.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved to adjourn.

