



Cannabis Control Commission Public Meeting

In-Person and Remote via Teams



Meeting Book - Cannabis Control Commission Public Meeting Packet

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November 14, 2023

In accordance with Sections 18-25 of Chapter 30A of the Massachusetts General Laws and Chapter 107 of the Acts of 2022, notice is hereby given of a meeting of the Cannabis Control Commission. The meeting will take place as noted below.

CANNABIS CONTROL COMMISSION

**November 16, 2023
10:00 AM**

**Public Meeting Room
Worcester Union Station
Worcester, MA 01604
*Room Capacity: 78***

In-Person with Remote Access via [Microsoft Teams Live*](#)

PUBLIC MEETING AGENDA

- I. Call to Order
- II. Commissioners' Comments & Updates
- III. Staff Recommendations on Final Licenses
 - 1. Dris Corporation (#MD1321), Marijuana Delivery Operator
- IV. Commission Discussion and Votes
 - 1. Research Department Update
 - 2. Regulatory Review Discussion: Microbusiness License Type
 - 3. FY2025 Budget Update
- V. New Business Not Anticipated at the Time of Posting
- VI. Next Meeting Date
- VII. Adjournment

*Closed captioning available



Dris Corporation
MD1321

ESTABLISHMENT OVERVIEW

1. Name and address of the Marijuana Establishment:

Dris Corporation
16 Tech Circle, Suite 202, Natick, MA 01760

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

Marijuana Delivery Operator

3. The licensee is a licensee or applicant for other Marijuana Establishment and/or Medical Marijuana Treatment Center license(s):

Type	Status	Location
Transporter with Other ME License	Commence Operations	Bellingham
Marijuana Courier	Commence Operations	Bellingham
Product Manufacturing	Provisional License	Leicester

LICENSING OVERVIEW

4. The licensee was approved for provisional licensure for the above-mentioned license(s) on April 14, 2023.
5. The licensee has paid all applicable license fees.
6. No new information has been reported to Commission staff regarding the organizational structure of the entity since the issuance of the provisional license(s).
7. No new information has been discovered by Commission staff regarding the suitability of the licensees previously disclosed since the issuance of the provisional license(s).

INSPECTION OVERVIEW

8. Commission staff inspected the licensee's facility on the following date(s): September 12, 2023.



9. The licensee's facility was inspected by Commission staff and found to be in full compliance with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable.
10. No evidence was discovered during the inspection(s) that indicated the Marijuana Establishment was not in compliance with all applicable state laws and local bylaws or ordinances.
11. Specific information from Commission staff's inspection is highlighted below:

a. Security

Enforcement staff verified that all security-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. The security of all entrances and exits;
- ii. Visitor procedures;
- iii. Limited access areas;
- iv. Verification of a primary and back-up security company;
- v. Presence of perimeter and duress alarms; and
- vi. All cameras complied with Commission requirements.

b. Inventory and Storage

Enforcement staff verified that all inventory-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Secure storage of marijuana and marijuana products;
- ii. Sanitation and pest control measures; and
- iii. Inventory controls and procedures.

c. Transportation

Enforcement staff verified that all transportation-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Vehicle and staffing requirements;
- ii. Communication and reporting requirements; and
- iii. Inventory and manifests requirements.

RECOMMENDATION

Commission staff recommend final licensure with the following conditions:

1. The licensee may acquire, possess, and warehouse marijuana products but shall not sell or delivery marijuana products to consumers, until upon inspection, receiving permission from the Commission to commence full operations.



2. The licensee is subject to inspection to ascertain compliance with Commission regulations.
3. The licensee remains suitable for licensure.
4. The licensee shall cooperate with and provide information to Commission staff.
5. Licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) prior to the issuance of a commencement of operations and that Commission staff be given adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.

The licensee has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the licensee is recommended for final licensure.

As part of the approval of final licensure, the Commission authorizes staff to take all necessary actions to review compliance with the above-referenced conditions and to approve the commencement of operations.



Memorandum Deliberative Process

To: Shawn Collins, Executive Director
Cc: Kyle Potvin, Director of Licensing
Rebecca Lopez, Enforcement Counsel
From: Yaw Gyebi Jr., Chief of Investigations and Enforcement
Date: May 12, 2023
Subject: Microbusiness Policy Modification Options—FOR INFORMATIONAL
PURPOSES ONLY
Importance Level: Routine

PURPOSE: To provide the Executive Director (“ED”) with options for policy modifications regarding current license and canopy limitations on Microbusiness applicants and licensees.

REQUEST ACTION BY: N/A

BACKGROUND:

Commission staff have heard from Microbusiness applicants and licensees through various sources that their inability to apply for other license types, e.g., retail, or to increase their tier and canopy allowances, has presented a burden to business growth in the industry.

Pursuant to 935 CMR 500.050(5), Microbusinesses are licensees who can operate as a Tier 1 Marijuana Cultivator and/or Product Manufacturer. If the Microbusiness is held, owned, and operated by a majority of Economic Empowerment Priority Applicants and/or Social Equity Participants, the licensee may also apply for a Delivery Endorsement and sell and deliver their marijuana products to consumers. Additionally, a Microbusiness Licensee is specifically allowed to apply for a Social Consumption license subject to the same social equity participation requirements previously stated for the Delivery Endorsement and subject to implementation.

However, Microbusinesses, or the individuals and entities associated with such license, may not apply for any additional license types. Microbusiness cannot obtain a retail, or cultivation license at a higher tier, which could facilitate the growth of the overall business.

With this barrier to growth, and considering the Commission’s mission towards small businesses, staff have provided suggestions to reevaluate and modify the current policy limitations facing Microbusinesses for ED consideration.



Generally, factors to consider in modifying the current Microbusiness policy include the following:

- Allowing Microbusinesses to remain Microbusinesses but afford opportunities for growth.
- Policies regarding fee reductions and expedited review to remain solely with Microbusiness applications and licenses (and others specifically stated within the regulations) but not extend to future license types applied for by Microbusiness licensees.
- Ensuring the ability of Microbusinesses to transition into other license types (i.e., a retail, or cultivation license at a higher tier) through the established license process, as other applicants and licensees have, without any actual or perceived additional benefits not entitled to others.
- Ensuring Microbusiness licensees are held to the same license and canopy limitations as all other applicants and licensees.

The Commission can modify its policies relative to Microbusinesses through regulatory changes to realize policy objectives of supporting their ability to expand and transition into other license types. The pertinent and affected regulations that would be impacted are the following:

#1: 935 CMR 500.002: Definitions (Microbusiness)

Description of Proposed Change: Minimal change required to ensure that Microbusinesses that obtain additional Marijuana Product Manufacturing licenses are not limited to the amount of marijuana it may obtain under a separate Marijuana Product Manufacturing license.

*“Microbusiness means an entity that can be either a Tier 1 Marijuana Cultivator or Marijuana Product Manufacturer or both, in compliance with the operating procedures for each License and, if in receipt of a Delivery Endorsement issued by the Commission, may deliver Marijuana or Marijuana Products produced at the licensed location directly to Consumers in compliance with established regulatory requirements for retail sale as it relates to delivery. A Microbusiness that **conducts operations under said license as is** a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of Marijuana per year from other Marijuana Establishments for the purpose of Marijuana Product manufacturing by the Licensee **unless an additional and separate Marijuana Product Manufacturing license is obtained by the Microbusiness licensees.**”*

#2: 935 CMR 500.005(1)(b)(1)(a): Application Fees

Description of Proposed Change: Minimal change required to ensure that application fee waivers



apply solely to those applying for a Microbusiness as modified below:

(b) Waiver of Fees.

1. Application fees are waived for:
 - a. **Applicants for** Microbusinesses;

#3: 935 CMR 500.005(1)(b)(4)(b): Metrc Fees

Description of Proposed Change: Minimal change required to ensure that Metrc fee waivers apply solely to the Microbusiness license and not the licensee in general for any other licenses obtained and not specifically stated/listed, as modified below:

4. *Seed-to-sale SOR monthly program fees are waived for:*
 - a. *Craft Marijuana Cooperatives;*
 - b. *Microbusinesses **Licenses**;*

#4: 935 CMR 500.050(1)(b)(1): Control Limitations (licenses)

Description of Proposed Change: Moderate change required to ensure Microbusiness licenses count towards total Marijuana Cultivation and/or Product Manufacturing license limits, as modified below:

(b) *Control Limitations.*

1. *No Person or Entity Having Direct or Indirect Control shall be granted, or hold, more than three licenses in a particular class, except as otherwise specified in 935 CMR 500.000. **Microbusiness Licensees performing cultivation operations shall have the Microbusiness license count towards the total limit on Marijuana Cultivation licenses granted or held for any Person or Entity Having Direct or Indirect Control. Additionally, Microbusiness Licensees performing product manufacturing operations shall have the Microbusiness license count towards the total limit on Marijuana Product Manufacturing licenses granted or held for any Person or Entity Having Direct or Indirect Control.***

#5: 935 CMR 500.050(1)(b)(5): Control Limitations (canopy)

Description of Proposed Change: Minimal change required to ensure Microbusiness licenses held count towards total Marijuana Cultivation license and canopy limits, as modified below:

5. *Any Person or Entity Having Direct or Indirect Control, or Licensee, shall be limited to a total of 100,000 square feet of Canopy distributed across no more than **a combined number of** three cultivation Licenses **or Microbusiness Licenses, if applicable,** under 935 CMR 500.000 and three MTC Licenses. A Craft Marijuana*

Cooperative Licensee shall be limited to one license and a total of 100,000 square feet of Canopy.

#6: 935 CMR 500.050(5)(a): Marijuana Microbusiness (stated operations)

Description of Proposed Change: Minimal change required to ensure that Microbusinesses that obtain additional Marijuana Product Manufacturing licenses are not limited to the amount of marijuana it may obtain under a separate license (same as #1 above).

*“Microbusiness means an entity that can be either a Tier 1 Marijuana Cultivator or Marijuana Product Manufacturer or both, in compliance with the operating procedures for each License and, if in receipt of a Delivery Endorsement issued by the Commission, may deliver Marijuana or Marijuana Products produced at the licensed location directly to Consumers in compliance with established regulatory requirements for retail sale as it relates to delivery. A Microbusiness that **conducts operations under said license as is** a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of Marijuana per year from other Marijuana Establishments for the purpose of Marijuana Product manufacturing by the Licensee **unless an additional and separate Marijuana Product Manufacturing license is obtained by the Microbusiness licensees.**”*

#7: 935 CMR 500.050(5)(c): Marijuana Microbusiness (limitation on other licenses)

Description of Proposed Change: Minimal change required to ensure that Microbusinesses may obtain additional licenses, as stated below:

*(c) A Microbusiness Licensee may **not** be a Person or Entity Having Direct or Indirect Control for any other Marijuana Establishment, except **an Independent Testing Laboratory Social Consumption Establishment**. A majority of the Microbusiness' Executives or Members shall have been residents of Massachusetts for no less than 12 months prior to application.*

#8: 935 CMR 500.050(5)(d): Marijuana Microbusiness (fees)

Description of Proposed Change: Minimal change required to ensure compliance with current application fee structure and not to apply any waivers outside of the Microbusiness license unless otherwise provided, as stated below:

*(d) **Application fees and** License fees for Microbusinesses **licenses** shall be set at 50% of the combined sum of the **application fees and** license fees for all the cultivation or manufacturing activities in which the Licensee engages.*

#9: 935 CMR 500.101(5)(a)-(b): Expedited Applicants

Description of Proposed Change: No change required.

(5) Expedited Applicants. Following the review of applications submitted by priority applicants, applications submitted by Expedited Applicants shall be reviewed.

(a) The following applicants are eligible to be considered Expedited Applicants:

1. Social Equity Participants;
2. Marijuana Microbusiness applicants;
3. Marijuana Craft Marijuana Cooperative applicants;
4. Independent Testing Laboratory applicants;
5. Outdoor Marijuana Cultivator applicants; or
6. Minority, women, and veteran-owned businesses.

(b) Eligibility Criteria

1. Applicants for Marijuana Microbusinesses, Craft Marijuana Cooperatives, Independent Testing Laboratories, and Outdoor Marijuana Cultivators are only eligible for expedited review for those specific applications only and no other type of license application.

RECOMMENDATION: N/A

EXECUTIVE DIRECTOR DECISION: N/A





Cannabis Control Commission

Public Policy Meeting

November 16, 2023 at 10:00 a.m.

Via Microsoft Teams



Agenda

- Call to Order
- Commissioners' Comments and Updates
- Staff Recommendations on Final Licenses
- Commission Discussion and Votes
- New Business that the Chair did not Anticipate at the Time of Posting
- Next Meeting Date and Adjournment

Staff Recommendations on Final Licenses

1. Dris Corporation (#MDA1321), Marijuana Delivery Operator





Commission Discussion & Votes

Research Department Update

- Research Team
 - **Past:**
 - Samantha Doonan, Research Analyst
 - Jessica Hamilton, Research Fellow
 - Olivia Laramie, Project Coordinator
 - **Present:**
 - Alex Colby, Research Analyst
 - Graelyn Humiston, Research Analyst
 - Hailey Morgan, Project Coordinator
 - Julie Johnson, Chief of Research
- External Collaborators



Research Department Update

- External Products

- 12 comprehensive reports [legislative and special reports]
- 20 scientific, peer-review manuscripts
- 20 scientific conference presentations
- 1 Textbook chapter
- 17 guest lectures and panels
- 1 Subcommittee White Paper

- Internal Products

- Literature searches and reviews
- Content consulting and presentations
- Data analysis and visualization
- Survey construction



Research Department Update

- External Roles:

- Associate Editor and Members, Research Society on Marijuana (RSMj)
- Guest Editor, Clinical Therapeutics
- Co-Chair, CANNRA Medical Use and Research Subcommittee
- Members, Council of State and Territorial Epidemiologists (CSTE)
- CSTE Marijuana Subcommittee
- CSTE International Cannabis Policy Study (ICPS) Subcommittee
- Research Collaborators
- Consultants



Research: Where are we headed?

- Center for Cannabis Research and Policy (CCRP): Approved by the Executive Director 10/17/2022 and presented internally 4/26/2023
 - Hiring
 - CCRP Establishment
 - Internal Steering Committee
 - External Consultant
 - Commission data and processes to inform evidence-based policy
 - Collaborations and Potential Funding [e.g., National Institutes of Health (NIH) grants]
 - Current: Working on five different grants with colleagues from: 1) Columbia University (Dr. Deborah Hasin); 2) MGH and Harvard University (Dr. Jodi Gilman); 3) University of North Carolina (Drs. Leah Ranny and Sarah Kowitt); 4) Cannabis Policy Consulting (Dr. Michael Sofis); 5) Cambridge Health Alliance and Harvard Medical School (Dr. Andy Hyatt)
 - Dr. Rosalie Pacula visit, 11/13/2023-11/14/2023– Medical Marijuana Program and Data





Regulatory Review Discussion: Microbusiness License Type

November 16, 2023

Commissioner Kimberly Roy and Commissioner Bruce Stebbins



Agenda

- Overview of Microbusiness License
- Licensing Landscape By Year
- Impact
- Social Equity
- Proposed Action

Overview of Microbusiness License

- Intended to give small entrepreneurs an opportunity to enter the market and compete in the marketplace.
- To qualify, a license applicant must provide proof of evidence of residency within the Commonwealth for a period of 12 consecutive months prior to the date of application.
- Entity can be either a Tier 1 Cultivator, a Product Manufacturer, or both.
- Smaller size of operation was intended to lower the financial barrier to entry.



Overview of Microbusiness License

- Microbusiness Applicants are not charged an Application Fee
- Microbusiness Applicants and Licensees receive Expedited Review. Licensees receive this review for initial application and license inspections.
- A Microbusiness that was also an SEP, EE or DBE would receive:
 - 50% reduction in license fees and
 - 100% waiver in METRC fees
- Additional Options for Microbusinesses that are held by EE and/or SEP's are:
 - Delivery Endorsement
 - Social Consumption License



Microbusiness Landscape By Year

Microbusiness Applications/Licenses in Volume Over Time (Not Including Delivery Endorsements):

	2018	2019	2020	2021	2022	2023	Total
Application Submitted	5	10	4	14	7	2	42
Application Deemed Complete	3	2	12	12	5	0	34
Provisional Approval	1	3	13	7	10	0	34
Provisional License	1	2	10	7	10	0	30
Final License	0	1	2	3	5	2	13
Commence Operations	0	1	1	3	3	3	11



Microbusiness Current Landscape

Microbusiness Licenses (Not Including Delivery Endorsements)

All Microbusiness Applications

	Total	SEP/EEA	DBE
Pending	7	2	3
Incomplete	7	-	-
Provisionally Approved	4	0	0
Provisional License	17	5	7
Final License	2	0	0
Commence Operations	11	2	4
Denied	0	0	0
Withdrawn	1	-	-
Total	49	9	14

Submitted Microbusiness Licenses That Have Not Commenced Operations

Received Provisional Licensure but have not yet Commenced Operations	23
Have Submitted Application and Later Withdrawn	3
Expired	10
Surrendered	0
Revoked	0
Total	36



Microbusiness - Impact

Microbusiness Employment Impact

- As of 10/31/2023, 160 active agent registrations are attached to Microbusiness licensees



Microbusiness License / Social Equity

- Out of **9 SEP** Microbusiness license applicants, **7** have received at least a Provisional License. **2** have commenced operations.
- Out of **11 DBE** Microbusiness license applicants, all have received at least a Provisional License. **4** have commenced operations.
- Freshly Baked has commenced operations and is certified as both SEP and DBE.
- Buddie's Ice Cream and Fourtwenty Industries are Provisional Licensees and are both certified as both SEP and DBE.



Proposed Action for Microbusiness Licenses

- Allow Microbusinesses to pursue or transition into additional Licenses
- Benefits for Microbusinesses may not extend to new Licenses being sought
(i.e. expedited review, waived application fees)



Motion Language

Move that staff be instructed to integrate the revisions to the Microbusiness License type regulations as outlined in the memorandum dated 5/12/2023 and included in the 11/16/2023 Commissioner board book and include those proposed changes with the Commission's next regulatory submission.



Discussion

Commission Discussion & Votes

1. FY2025 Budget Update





The Commission is in recess
until



Upcoming Meetings & Adjournment

Upcoming Meetings and Important Dates

Next Meeting Date

**December 14,
2023**

Monthly Public Meeting
Remote via Teams
10:00am

