

February 28, 2022

Voting Members

Present: Ana Albuquerque, Ranch Kimball, John Kleschinsky, Vaughan Rees, Alok Somani (Chair).

Tardy: Scott Ananian

Regrets: n/a

Others Present: Perry Grossman, John VanScoyoc

Pre-Read

1. 20220214 (Draft) Meeting Notes (word file)
2. 20220228 (Draft) Proposed Agenda

Agenda

1. Public comment
2. Review committee charge and agreed output
3. Discuss and agree proposed content for report
 - a. Three phases: gather evidence, analysis, draft recommendations
4. Agenda for next meeting
5. Any other business

Committee Charge:

- Consider and recommend measures to ensure that licensing of Marijuana Establishments in Brookline genuinely provides disadvantaged racial, ethnic or other minority equity applicants and employees with on-going access to economic opportunity;
- Consider and recommend whether there are other measures that might better provide disadvantaged minority equity applicants and employees with access to economic opportunity; and
- Consider and recommend zoning, caps and other restrictions that may deliver the desired equity outcome and best serve the public good when licensing Marijuana Establishments in Brookline.

Note: "Marijuana Establishments" means the full set of activity that the CCC intends to regulate which includes production, retail, delivery, social consumption, etc.

Agreed Output:

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- Evidence informed recommendations and a Brookline policy framework to guide the Select Board when considering the licensing and operation of Marijuana Establishments.

Proposed Content (What):

A. Gather Evidence

- What has been the impact of Marijuana Establishments ("ME") licensing on Brookline and compared to other towns in MA and beyond > both on delivering the equity goals and other impacts.
- What is the current approach to licensing in Brookline – goals, policy and effectiveness.
- What is the current legal framework in MA, how does that frame the topic and how effective is the current legal framework in delivering the stated goals?
- What is the "equity" map for current ME operations?
- What new laws or amendments is the State legislature currently considering?
- What regulations is the CCC currently considering – shape of current, changes to existing, shape of new and timeline?
- What has the public input been State-wide?
- What are interest groups – both pro / con – promoting for policy and restrictions?
- Input from the Brookline community – ensure different points of view are heard, ensure that those who led the effort to legalize, craft existing bylaws and implement are heard, including input from
 - under-aged,
 - parents,
 - pediatricians,
 - school officials (teachers, nurses, etc),
 - public safety officials
- Revenue potential from ME licensing for Brookline.
- Data on youth consumption in Brookline and compared across the State.
 - Should this include middle school, high school and college
- Data on under-aged consumption of marijuana as well as other substances such as alcohol, tobacco.
- What are the policy proposals that have been (i) tried, (2) proposed in MA and other States to ensure economic access – inside and outside of marijuana industry participation – and results?
- How is economic value generated and shared across the full value chain of the marijuana industry both in MA and other States?
 - Value chain economics might be different State to State and dependent upon State specific regulations.

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- What are the generally accepted elements of public good associated with legalization of marijuana?
 - Preventing under-age access
 - Role of medical marijuana cards
 - Community health impacts
 - Emerging medical research
 - Policing approach > policy related to enforcement
 - Impact on road vehicle use
 - Impact of quantity and location of outlets in geographic areas on business economics
 - Zoning restrictions
 - Advertising restrictions (on-line, mailers, billboards, kiosks, store fronts, etc)
- What restrictions have other communities put in place with respect to marijuana licensing and the identified basis for the restriction.
- What are the analogous products / industries and how are these regulated?

B. Analysis

- Policies and effectiveness
- Restrictions and effectiveness
- Implications of public input
- Direction of the State legislature and CCC

C. Draft Recommendations

Decisions

- Include in the policy framework, a recommendation for data collection to assess the on-going effectiveness of the policy framework.

Actions

- **Ranch** to share the standard State definition of "minority." And in next meeting we will discuss the appropriateness of the standard definition for use in our charge, keeping in mind that the Select Board goal is to address economic disparity. And we will request Town Counsel to review.
- **John** to send a link to Dr. Archibald review of "social consumption cafes."
- **Voting Members** to individually review and red line the Gather Evidence list. Chair will collate responses and include in the agenda our next meeting on March 14, 2022.

Meeting Notes

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There were no members of the public in attendance during public comment period; but two members of the public subsequently joined.

The Committee considered the charge and discussed the term "minority equity applicants." There was agreement that the charge should not be written so that it limits the frame to ethnic or racial minorities. And there was discussion about how a policy might overcome an initial qualification works versus continuous monitoring. One member made the point that once we've agreed wording, that we should ensure Town Counsel review.

The Committee considered the outcome and discussed how in practice the desire to base recommendations on evidence might work. It may be that for some topics, that the evidence is absent, or inconclusive. We agreed to modify the wording so that the recommendations are "informed" by the evidence.

The Committee also discussed whether there would be a need to validate the effectiveness of policy through on-going data collection and as a means to address unintended consequences. We agreed that the policy framework should include data gathering to validate that the intended outcome of the policy framework is delivered.

The Committee then discussed content by brainstorming a list of questions for which we would like to gather evidence and from that evidence, discuss what might be learned and ultimately, craft recommendations.

There was discussion about the balance between data and anecdotal evidence; especially where credible data might not exist or where data and anecdotal evidence might not be in agreement. The Committee discussed the value of both recognizing legitimate views as well as weighing that against quantitative data.

John shared that Brookline may have good youth data to share, but maybe not broader community data. He will share with the Committee the work that Dr. Archibald did with respect to a review of social consumption.

Committee members are interested to hear from a broad section of the community, including those who are under-age, parents, health professionals and public safety professionals. And some Committee members would like to include in the data gathering, how policy frameworks can address the negative impact of past enforcement on certain segments of society.

Chair mentioned that the Committee is in brainstorm mode at the moment with respect to the Gather Evidence list. Once we have a collated list, the next step will

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be to discuss, rationalize and prioritize it. It is unlikely that the Committee will be able to gather evidence for each item included in the full brainstorm list.

The Committee meeting closed at 1pm with an action for each member to review the Gather Evidence list and to send a redline to the Chair for collation and further discussion at our next meeting in two week's time.

- - - end