

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY

<p>CAROLINE PINEAU, GYASI SELLERS, BOEY BERTOLD, LISA MAURIELLO,</p> <p>Plaintiffs,</p> <p>v.</p> <p>ANDREA JOY CAMPBELL, in her official capacity as the Attorney General,</p> <p>and</p> <p>WILLIAM F. GALVIN, in his official capacity as the Secretary of the Commonwealth,</p> <p>Defendants.</p>
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No. SJ-2026-_____

COMPLAINT

1. Plaintiffs bring this complaint in the nature of certiorari and mandamus, and for a declaratory judgment. It concerns the certification of Initiative Petition 25-10, which its proponents have entitled “Act to Restore Sensible Marijuana Policy” (the “**Petition**”).

2. Plaintiffs seek a declaration that the Petition violates Article 48 of the Amendments to the Massachusetts Constitution due to: *first*, its inclusion of impermissibly unrelated subjects and failure to present a unified statement of public policy to the voters; *second*, its misleading and deficient summary issued by the Attorney General; and *third*, the fact that it works an unconstitutional regulatory taking in violation of Article 48.

3. For the reasons set forth herein, Plaintiffs request that this Court quash the Attorney General’s certification of the Petition and enjoin the Secretary of the Commonwealth from placing the Petition on the ballot for the 2026 general election.

JURISDICTION

4. This Court has jurisdiction pursuant to G. L. c. 231A, § 1 et seq., G. L. c. 249, §§ 4–5, and G. L. c. 214, § 1.

PARTIES AND PETITION PROPONENTS

5. Plaintiff Caroline Pineau is a registered voter, small business owner, and resident in the City of Haverhill, Massachusetts. She is the sole owner of Haverhill Stem LLC (“**Stem**”), a marijuana retailer with its principal place of business at 124 Washington Street, Haverhill, Massachusetts 01832. Ms. Pineau was granted status as a Certified Economic Empowerment Priority Applicant. Ms. Pineau was one of the first women to receive a cannabis retail license in Massachusetts and the first to open a dispensary in Haverhill. She regularly engages in charitable activities in the community through partnerships with local nonprofit organizations, educational initiatives, and community artistic endeavors. Her community contributions were recognized by the Greater Haverhill Chamber of Commerce, which named her Member of the Month in August 2025. Ms. Pineau directly benefits from the Commonwealth’s Cannabis Social Equity Program because Stem has received hundreds of thousands of dollars in grant funding and Ms. Pineau has received technical assistance from the Program. Ms. Pineau's business has been built in reliance on the continued availability of grant funding from the Cannabis Social Equity Trust Fund (“**Trust Fund**”), which has provided Stem with hundreds of thousands of dollars to date. If the Petition is approved, Ms. Pineau and Stem will lose that funding entirely.

6. Plaintiff Gyasi Sellers is an entrepreneur and registered voter in Ludlow, Massachusetts. Mr. Sellers is the founder and CEO of Treevit LLC (“**Treevit**”), a Massachusetts limited liability company with its principal place of business at 134 Chestnut Hill Avenue, Athol, Massachusetts 01331. Mr. Sellers grew up in Springfield, a city identified by the Commonwealth as an area disproportionately impacted by the War on Drugs. He later served as a corrections officer, working directly with individuals caught up in the nation's enforcement of drug prohibition. When Massachusetts began legalizing adult-use marijuana, Mr. Sellers decided to enter the state-regulated marijuana market with the goals of being a positive force in the community, changing perceptions associated with marijuana use, and helping recently incarcerated persons integrate into society and avoid recidivism. In 2019, Mr. Sellers became one of the first participants in the Commonwealth’s Social Equity Program, which is aimed at creating sustainable pathways into the cannabis industry for individuals most impacted by the War on Drugs. Mr. Sellers’ business, Treevit, holds a Marijuana Courier license and operates a courier service that connects licensed marijuana retailers with customers, creating opportunities for individuals with mobility issues or other limitations who might otherwise be unable to participate in the Commonwealth's regulated marijuana programs. Mr. Sellers and Treevit have directly benefited from the Commonwealth's Social Equity Program, having received hundreds of thousands of dollars in grant funding from the Trust Fund. Mr. Sellers has structured Treevit's operations around the continued availability of those benefits, and his ability to sustain and grow his business depends on the Program's continuation. If the Petition is approved, Mr. Sellers and Treevit will lose that funding entirely.

7. Plaintiff Boey Bertold is a citizen of Massachusetts and a registered voter in the Town of Bedford. Mr. Bertold and coplaintiff Lisa Mauriello are the majority owners of Paper

Crane Provisions, LLC (“**Paper Crane**”), a Massachusetts limited liability company with its principal place of business at 56 Gardner Road, Hubbardston, Massachusetts 01452. Paper Crane holds a Tier 6 Outdoor Marijuana Cultivation license and was the first Social Equity Program outdoor and sun-grown farm in Massachusetts to commence operations. Paper Crane is a family-owned small business that is committed to sustainable cultivation practices, including minimal carbon footprint, locally sourced inputs, and environmentally responsible production methods, and has worked to promote awareness of the traditions of outdoor cannabis cultivation in the Commonwealth. Mr. Bertold was personally and directly impacted by the War on Drugs and marijuana prohibition. He was arrested in 2006 and incarcerated for marijuana-related offenses. That experience motivated him to enter the Commonwealth's regulated cannabis industry, with the goal of turning a personal harm into a community benefit. Accordingly, Mr. Bertold qualifies for Massachusetts’s Cannabis Social Equity Program as someone who was disproportionately harmed by marijuana prohibition and enforcement. Paper Crane's continued operation depends on the grant funding and support available through the Social Equity Program. If the Petition is approved, Mr. Bertold and Paper Crane will lose that funding entirely.

8. Plaintiff Lisa Mauriello is a citizen of Massachusetts and a registered voter in the Town of Bedford. Ms. Mauriello and coplaintiff Mr. Bertold are the majority owners of Paper Crane. Having shared in the hardships caused by Mr. Bertold's marijuana-related conviction as the spouse of a person convicted of a marijuana-related offense, Ms. Mauriello also qualifies for the Social Equity Program. Additionally, Ms. Mauriello and Mr. Bertold own Lovewell Provisions, LLC (“**Lovewell**”), a Massachusetts limited liability company with its principal place of business at 56 Gardner Road, Hubbardston, Massachusetts 01452. Lovewell holds a provisional Marijuana Retail license. Together, Paper Crane and Lovewell have received

hundreds of thousands of dollars in grant funding from the Trust Fund, and both businesses have been developed in reliance on the Program's continued support. If the Petition is approved, Ms. Mauriello, Mr. Bertold, Paper Crane, and Lovewell will lose that funding entirely.

9. Defendant Andrea Joy Campbell is the duly elected Attorney General of the Commonwealth of Massachusetts, having her usual place of business at One Ashburton Place, Boston, Massachusetts 02108. She is sued in her official capacity only.

10. Defendant William F. Galvin is the duly elected Secretary of the Commonwealth of Massachusetts, having his usual place of business at State House, 24 Beacon Street, Boston, Massachusetts 02133. He is sued in his official capacity only.

11. The Coalition for a Healthy Massachusetts is not a party to this matter, but is the ballot question committee that is the proponent and driving force behind the Petition. SAM Action Inc., an organization affiliated with the marijuana prohibitionist group Smart Approaches to Marijuana, is, to date, the sole source of funding behind the Petition.

STATEMENT OF FACTS

12. On September 3, 2025, the Attorney General of Massachusetts (the “**Attorney General**”) certified the Petition and issued a written summary of the Petition (the “**Summary**”) pursuant to Article 48 of the Amendments to the Massachusetts Constitution (“**Article 48**”).

13. On January 5, 2026, the Secretary of the Commonwealth (the “**Secretary**”) certified the Petition for submission to the Legislature after reviewing the signatures submitted by the Petition’s proponents. True and correct copies of the Petition and the Summary are attached hereto as Exhibits 1 and 2, respectively.

14. As of the date of the filing of this Complaint, the Legislature has not acted on the Petition.

EVOLUTION OF DISTINCT, NON-MUTUALLY EXCLUSIVE MARIJUANA LAWS BY BALLOT INITIATIVE

15. Massachusetts voters have consistently driven the advancement of marijuana policy in the Commonwealth, often acting in the face of legislative inaction.

16. On November 4, 2008, following decades of criminal sanctions for simple possession of marijuana, Massachusetts voters approved ballot initiative Question 2, which decriminalized possession of small amounts of marijuana. Question 2 presented a unified policy question: whether to replace criminal penalties for possession of one ounce or less of marijuana with a system of civil penalties. The initiative was approved by 65.25% of voters.

17. On November 6, 2012, Massachusetts voters approved ballot initiative Question 3, which established a medical marijuana program for qualified patients. Question 3 presented a unified policy question: whether to eliminate state criminal and civil penalties related to the medical use of marijuana and to permit qualifying patients to obtain marijuana from state-regulated dispensaries or, in limited circumstances, to cultivate marijuana for personal use. Question 3 was approved by 63.32% of voters.

18. On November 8, 2016, Massachusetts voters approved Question 4, a ballot initiative entitled “The Regulation and Taxation of Marijuana Act,” which legalized marijuana for adult use and established a framework for its taxation and regulation.

19. Question 4 was codified as Chapter 334 of the Acts of 2016 (“**Chapter 334**”). Chapter 334 created the Cannabis Control Commission (the “CCC”) and the Cannabis Advisory Board through the addition of §§ 76 and 77 to G. L. c. 10; enacted G. L. c. 94G to regulate adult-use marijuana (“**Chapter 94G**”); and enacted G. L. c. 64N to establish marijuana-related taxes.

20. Notwithstanding its comprehensive structure, including multiple statutory enactments and regulatory components, Question 4 satisfied the “related subjects” requirement of Article 48.

21. Notably, Question 4 did not alter the Commonwealth’s medical marijuana laws and left regulatory authority over medical marijuana with the Massachusetts Department of Public Health.

22. Consistent with prior initiatives, Question 4 presented voters with a unified policy question: whether to legalize marijuana (with limits) for adult use and to create a system that would license and regulate businesses involved in the cultivation, testing, manufacture, distribution, and sale of marijuana and that would tax the retail sale of marijuana to consumers.

23. Question 4 was approved by 53.66% of voters.

SUBSEQUENT LEGISLATIVE AMENDMENTS IN RESPONSE TO THE PASSAGE OF QUESTION 4

24. On July 19, 2017, the Massachusetts Legislature enacted House Bill 3818, which was signed into law by the Governor on July 28, 2017, as Chapter 55 of the Acts of 2017 (“**Chapter 55**”). Chapter 55 substantially amended Chapter 94G and enacted G. L. c. 94I, thereby replacing Chapter 369 of the Acts of 2012.

25. Chapter 55 effected significant changes to marijuana policy in the Commonwealth. Among other things, it consolidated regulatory authority over both adult-use and medical marijuana establishments within the CCC, transferring oversight of medical marijuana from the Department of Public Health.

26. In addition, Chapter 55 expanded local municipal authority over both adult-use and medical marijuana establishments, including through the introduction of mandatory host community agreements (“**HCA**s”).

27. Chapter 55 also introduced social equity provisions within Chapter 94G applicable to both adult-use and medical marijuana establishments.

28. Many of the subjects addressed in Chapter 55, and in subsequent amendments now codified in Chapter 94G, were not included in Question 4 and reflect policy choices beyond the unified subject presented to voters.

INTRODUCTION OF COMPREHENSIVE SOCIAL EQUITY INITIATIVES UNDER CHAPTER 94G

29. In 2017, the Legislature expanded the permissible uses of the Marijuana Regulation Fund to include “programming for restorative justice, jail diversion, workforce development, industry-specific technical assistance, and mentoring services for economically disadvantaged persons in communities disproportionately impacted by high rates of arrest and incarceration for marijuana offenses.” G. L. c. 94G, § 14(b), as amended by Chapter 55. This provision remains in effect.

30. These appropriations contributed to the creation by the CCC of the “Certified Economic Empowerment Priority Applicant” category for applicants seeking licensure in both the adult-use and medical marijuana programs.

31. On August 1, 2022, the Massachusetts Legislature enacted Senate Bill 3096, signed into law on August 11, 2022, as Chapter 180 of the Acts of 2022 (“**Chapter 180**”). Chapter 180 made substantial changes to the Commonwealth’s marijuana laws, including Chapter 94G.

32. As reflected in its text and legislative history, Chapter 180 was enacted based on a legislative determination that legalization of marijuana alone was insufficient to address the historical consequences of marijuana prohibition and enforcement. The Legislature expressly sought to expand participation in the regulated cannabis industry by individuals and communities

disproportionately harmed by prior enforcement, to reduce barriers to entry, and to promote a more equitable and competitive marketplace.

33. To that end, Chapter 180 amended requirements relating to HCAs and community impact fees; promoted equity in municipal processes governing the approval of marijuana establishments; authorized expungement of certain marijuana-related criminal records; permitted municipalities to authorize on-premises social consumption establishments; and established new funding mechanisms to support participation in the marijuana industry.

34. Chapter 180 also formalized the Commonwealth's Cannabis Social Equity Program and established the corresponding Trust Fund.

35. Under current law, G. L. c. 94G, § 22, directs the CCC to administer a social equity program designed to “encourage and enable full participation in the marijuana industry of people from communities that have been disproportionately harmed by marijuana prohibition and enforcement.”

36. The Social Equity Program provides, among other things: (i) technical assistance and training; and (ii) guidance on accessing funds available through the Trust Fund for individuals certified as economic empowerment priority applicants and others meeting criteria established by the CCC.

37. CCC regulations implement those statutory mandates and, in certain instances, encourage or require municipalities to prioritize participation by certified social equity businesses in both adult-use and medical marijuana licensing. See 935 Code Mass. Regs. §§ 500.181, 501.181.

38. The Social Equity Program further provides prioritized application review, workforce training, employment resources, fee waivers, and related support services to eligible participants.

39. The Trust Fund, governed by G. L. c. 94G, § 14A, is administered by the Executive Office of Housing and Economic Development in coordination with the Cannabis Social Equity Advisory Board.

40. The Trust Fund provides grant funding to qualifying businesses. By way of example, in fiscal year 2025, it awarded approximately \$26.5 million in grants to 181 social equity businesses in Massachusetts, including both adult-use and medical marijuana establishments. Executive Office of Economic Development, Cannabis Social Equity Trust Fund, <https://www.mass.gov/info-details/cannabis-social-equity-trust-fund#other-trust-fund-resources>.

41. These social equity initiatives apply across both adult-use and medical marijuana regulatory frameworks and reflect a comprehensive set of policy objectives not contained in the voter-enacted version of Chapter 94G via Question 4.

**COMPREHENSIVE LOCAL CONTROL OVER MARIJUANA ESTABLISHMENTS
UNDER CHAPTER 94G**

42. Section 3 of Chapter 94G authorizes municipalities to “adopt ordinances and by-laws that impose reasonable safeguards on the operation of marijuana establishments.” G. L. c. 94G, § 3 (a).

43. Such ordinances may, among other things: (1) regulate the time, place, and manner of marijuana establishment operations; (2) limit the number of establishments; (3) impose restrictions addressing public nuisance concerns; (4) regulate signage; and (5) establish civil penalties for violations. *Id.* § 3 (a) (1)–(5).

44. Section 3 further requires both adult-use and medical marijuana establishments to enter into an HCA with the municipality in which they operate. Id. § 3 (d).

45. Each HCA must set forth the respective obligations of the municipality and the marijuana establishment. Id. § 3 (d) (1).

46. HCAs may include a community impact fee intended to offset costs reasonably related to the operation of the establishment. Id. § 3 (d) (2) (i).

47. The CCC must review and approve each HCA before issuing a final license. Id. § 3 (d) (3). Chapter 94G further directs the CCC to promulgate regulations establishing minimum standards for host communities that promote participation in the marijuana industry by individuals from disproportionately impacted communities. Id. § 3 (d) (5). A municipality's failure to adhere to such standards may result in financial penalties, including forfeiture of community impact fees. Id. § 3 (f).

**ADDITIONAL SUBJECTS ADDRESSED IN CHAPTER 94G IMPACTING ADULT-USE
AND MEDICAL MARIJUANA PROGRAMS**

48. Chapter 94G encompasses a broad range of important provisions applicable to both adult-use and medical marijuana.

49. Section 5 governs the licensing of marijuana establishments, including categories of licensure applicable to both adult-use and medical marijuana businesses. See G. L. c. 94G, § 5.

50. Section 8 prohibits criminal and civil penalties for the possession, manufacture, purchase, or sale of marijuana accessories by individuals twenty-one years of age or older. See G. L. c. 94G, § 8.

51. Section 10 provides that contracts related to marijuana establishments are enforceable, thereby facilitating the operation of the regulated industry. See G. L. c. 94G, § 10.

52. Section 11 prohibits professional discipline based solely on the provision of services to marijuana establishments. See G. L. c. 94G, § 11.

53. Section 12 imposes operational and public safety requirements on marijuana establishments, including security, inventory control, restricted access, inspection authority, licensing compliance, and emergency planning requirements. See G. L. c. 94G, § 12.

54. Section 16 limits the number of licenses that may be held by a single entity. See G. L. c. 94G, § 16.

55. Section 17 establishes research priorities concerning the social, economic, and public health impacts of marijuana. See G. L. c. 94G, § 17.

56. Section 21 mandates that the CCC conduct criminal history background checks for license applicants and certain employees. See G. L. c. 94G, § 21.

57. These provisions of Chapter 94G collectively apply across both adult-use and medical marijuana regulatory frameworks.

**CURRENT RELEVANT PENALTIES RELATED TO MARIJUANA POSSESSION
UNDER MASSACHUSETTS LAW**

58. Under Massachusetts law, marijuana is classified as a “Class D” controlled substance pursuant to G. L. c. 94C, § 31.

59. Massachusetts law permits persons twenty-one years of age or older to possess up to one ounce of marijuana or five grams of marijuana concentrate and to possess and cultivate up to six cannabis plants for personal use, provided that no more than twelve plants are cultivated on a single premises at one time. G. L. c. 94G, § 7 (a) (1)–(2).

60. Chapter 94G makes possession of between one and two ounces of marijuana by an adult twenty-one years of age or older a civil offense punishable by a fine of not more than \$100 and forfeiture of the marijuana. G. L. c. 94G, § 13(e).

61. For persons between eighteen and twenty-one years of age, possession of two ounces or less of marijuana is a civil offense punishable by a \$100 fine and forfeiture of the marijuana. G. L. c. 94C, § 32L.

62. A person under the age of eighteen who is found in possession of two ounces or less of marijuana is subject to the same civil penalties but must also complete a drug awareness program. *Id.* The parents or legal guardians of such person must be notified, and if the drug awareness program is not completed within one year, the fine increases to \$1,000, for which the parents or legal guardians may be jointly and severally liable. *Id.*

63. For a person under the age of eighteen at the time of the offense, failure to complete the drug awareness program may also serve as the basis for delinquency proceedings. G. L. c. 94C, § 32M.

64. Chapter 94G also prohibits the public consumption of marijuana and the smoking of marijuana in any location where tobacco smoking is prohibited. A person who violates this prohibition is subject to a civil penalty of not more than \$100. G. L. c. 94G, § 13(c).

65. Chapter 94G further prohibits any person from possessing an open container of marijuana or marijuana products in the passenger area of a motor vehicle on any public way or place accessible to the public. A person who violates this prohibition is subject to a civil penalty of not more than \$500. G. L. c. 94G, § 13(d).

THE INSTANT PETITION

66. The Petition at issue proposes a measure entitled “An Act to Restore a Sensible Marijuana Policy,” which, if approved, would impose a hodgepodge of changes to Massachusetts law that are related to one another only by the proponents’ vague and highly subjective assertion that, together, they constitute a “*sensible* marijuana policy.” See Ex. 1 (emphasis added).

67. Section 1 of the Petition describes the proposed Act's purpose as follows:

(a) continuing the medical use of marijuana program; (b) ensuring that the simple possession of one ounce or less of marijuana by persons twenty-one years of age and older is not punishable by civil or criminal penalties, and that possession of more than one ounce but not more than two ounces of marijuana is punishable only by a civil penalty; and (c) repealing Chapters 94G and 64N of the General Laws, which govern the possession, use, distribution, cultivation, and taxation of marijuana not medically prescribed. Id.

68. Section 2 of the Petition sets forth the title of the proposed Act.

69. Section 3 repeals G. L. c. 64N, including the statewide excise tax on retail marijuana of 10.75 percent.

70. The Petition's purported "sensible policy" retains the current law's absence of penalties for possession of marijuana by adults twenty-one years of age or older in certain amounts. Section 4 of the Petition amends G. L. c. 94C by striking and replacing section 32L, which governs penalties for possession of certain amounts of marijuana. The proposed new provisions maintain the current law's elimination of civil and criminal penalties for possession by an adult twenty-one years of age or older of one ounce or less of marijuana, or five grams or less of marijuana concentrate. The Petition also preserves the absence of any penalty or charge for gifting those same amounts of marijuana to another adult. It further provides for a civil penalty of \$100 and forfeiture of the marijuana for possession of between one and two ounces of marijuana, while maintaining the absence of criminal prosecution for such conduct, as is the case under current law.

71. Section 4 of the Petition also would amend G. L. c. 94C, § 32L, by raising from eighteen to twenty-one the age of a person required to complete a drug awareness program as a

consequence of marijuana possession. The Petition further provides, as current law already does, that any person under the age of twenty-one is subject to a civil penalty of \$100 and forfeiture of marijuana for possession of two ounces or less of marijuana and that, for persons under eighteen years of age, parents or legal guardians must be notified and, upon failure to complete the required drug awareness program, an additional \$1,000 penalty may be imposed, for which the parents may be jointly and severally liable.

72. Section 5 of the Petition would amend G. L. c. 94C, § 32M, by changing the statutory age of a youth offender from eighteen to twenty-one. Because section 32M permits the failure to complete the required drug awareness program to serve as the basis for delinquency proceedings, this proposed change would appear to authorize delinquency proceedings against persons up to twenty-one years of age.

73. That proposed change is inconsistent with existing Massachusetts law governing juvenile justice and adjudications of delinquency. General Laws c. 119, § 58 provides that “[i]f the allegations against a child are proved beyond a reasonable doubt, he may be adjudged a delinquent child.” A “child” is defined as “a person under the age of 18.” G. L. c. 119, § 21. The Petition would thus purport to subject eighteen to twenty-one-year-olds to delinquency proceedings under a statute that, by its own terms, applies only to persons under eighteen, a legal impossibility under existing law that further illustrates that the Petition’s provisions do not reflect a unified or coherent policy.

74. The Petition’s purported “sensible policy” then changes course dramatically in Section 6, which would repeal Chapter 94G in its entirety, thereby eliminating Massachusetts’s nearly decade-old adult-use marijuana industry and gutting the statutory framework of the medical marijuana program. That repeal would also eliminate the Social Equity Program and the

Trust Fund by repealing sections 22 and 14A of Chapter 94G, respectively. The purpose of the Social Equity Program and corresponding Trust Fund is to encourage participation in the cannabis industry by, and to positively impact, “people from communities that have been disproportionately harmed by marijuana prohibition and enforcement.” G. L. c. 94G, § 22. Thus, under the Petition, there would be neither funding nor any program for those who qualify as Social Equity or Empowerment Applicants, such as Plaintiffs here, to participate in the remaining medical marijuana framework.

75. Likewise, repeal of Chapter 94G would eliminate local control provisions that permit municipalities to approve applicants for licensure, limit the number of licensees, and require other locally relevant procedures through HCAs. The elimination of the provisions governing HCAs also casts doubt upon the continued effectiveness and enforceability of existing HCAs.

76. Further, repeal of Chapter 94G in its entirety would eliminate: (1) marijuana-establishment licensing provisions and authority, including those applicable to the remaining medical marijuana program; (2) protections from arrest and prosecution relating to marijuana accessories, even if used by a medical marijuana patient; (3) the enforceability of contracts, including medical marijuana-related contracts; (4) protections from professional discipline for licensed professionals, other than healthcare professionals, who provide services to marijuana clients, including medical marijuana licensees; (5) statutory security and other public-protection requirements applicable to marijuana establishments; (6) limits on the number of licenses any one entity may hold; (7) the Commonwealth’s mandated research priorities concerning public-health impacts of marijuana and impacts on historically disadvantaged communities; (8) the mandate that the CCC conduct criminal background checks before granting any license or

approving employment in a testing laboratory; (9) the prohibition on public consumption of marijuana and the associated civil penalty; and (10) the prohibition on open containers of marijuana in motor vehicles and the associated civil penalty.

77. Although the provisions and protections identified in the preceding paragraph apply to medical marijuana, they are not separately codified in G. L. c. 94I, which also governs medical marijuana in Massachusetts. Accordingly, if approved, the Petition would reach well beyond the adult-use marijuana industry and materially affect businesses and professionals operating in, or serving, the medical marijuana industry—not to mention the statutory mandates governing medical marijuana for the public’s benefit—a fact nowhere disclosed in the Summary and not clearly articulated in the Petition itself.

78. By way of example, despite the Petition’s attempt to preserve some elements of the status quo, an individual could remain immune from prosecution for possession of one ounce or less of marijuana, yet no longer be protected from prosecution for possession of a marijuana accessory. That would represent a fundamental change to Massachusetts criminal law.

79. Likewise, under the law proposed by the Petition, a professional such as an attorney providing regulatory, corporate, or commercial advice to a medical marijuana business would no longer be protected from disciplinary action by the relevant professional licensing board. As a result, the Petition would leave the Commonwealth’s medical marijuana industry in place while subjecting it to a potential scarcity of critical professional services, including legal and accounting services.

80. In fact, the only portion of G. L. c. 94G that the Petition would effectively preserve is the continued existence of the CCC, which Section 7 of the Petition retains by adding

substantially similar provisions governing the CCC, limited to medical marijuana, at newly created G. L. c. 94I, § 1A.

81. Section 8 of the Petition would direct the CCC to act on an expedited basis to permit current adult-use marijuana license holders to apply for licensure under the medical marijuana framework. Notably, however, the Petition does not guarantee a new medical marijuana license to any adult-use licensee.

82. If approved, the Petition would fundamentally alter the cannabis landscape in the Commonwealth, eliminate a multibillion-dollar industry, and destroy the tens of thousands of jobs associated with it.

83. Although there may conceivably be a lawful way to pursue that result by ballot initiative, this Petition runs afoul of Article 48 because it combines several unrelated and independent subjects, including criminal justice changes, elimination of the Social Equity Program, removal of local control over marijuana establishments by municipalities, elimination of professional discipline protections, elimination of public consumption and open container protections, and the dismantling of regulatory safeguards applicable to the medical marijuana industry, as set forth in detail above.

84. As this Court has previously observed, “[a]t some high level of abstraction, any two laws may be said to share a ‘common purpose.’” Carney v. Attorney General, 447 Mass. 218, 226 (2006). The only way the provisions in this Petition could be considered related would be to zoom out so far as to treat “marijuana” itself as the common purpose. But that is not the Petition’s true purpose. The Petition’s obvious objective is to eliminate adult-use marijuana in Massachusetts.

85. “To clear the relatedness hurdle, the initiative petition must express an operational relatedness among its substantive parts that would permit a reasonable voter to affirm or reject the entire petition as a unified statement of public policy.” Carney, 447 Mass. at 230-231.

86. This Petition does not contain the necessary “operational relatedness.”

87. By contrast, Question 4 presented voters with a straightforward policy question: whether the Commonwealth should regulate and tax marijuana in a manner analogous to alcohol.

88. The existing statutory and regulatory framework governing adult-use cannabis in Massachusetts is now the product of nearly a decade of legislative amendments. Those amendments materially expanded Chapter 94G beyond Question 4’s singular policy statement by enacting additional laws addressing distinct policy issues, including social justice and reparative measures embodied in the Commonwealth’s Social Equity Program, which serves both the adult-use and medical marijuana industries.

89. Because of the multiple unrelated provisions contained in the Petition, Massachusetts voters will be placed in the untenable position of being unable to vote “yes” or “no” on it as a unified statement of public policy. For example, a voter who wishes to repeal adult-use marijuana but retain the Social Equity Program or preserve access to legal services for the medical marijuana industry cannot reasonably cast a vote that reflects those preferences. Likewise, a voter who wishes to repeal adult-use marijuana but does not want to eliminate the statewide ban on public consumption of marijuana is forced to vote “yes” or “no” on the entire package.

90. These scenarios, among others, would force voters to accept provisions they oppose in order to secure provisions they support.

91. On its face, the Petition is a classic example of logrolling, which Article 48 prohibits. Its so-called “sensible policy” is an incoherent combination of repeal of adult-use marijuana, elimination of protections for professionals, dismantling of social equity initiatives, elimination of public safety protections, and purported measures relating to youth, among other things.

92. The Petition’s multi-issue character and impermissibly unrelated subjects are further illustrated by reports that many individuals who signed the Petition were misled by signature gatherers. See, e.g., Toby, *They Said They Were Asked to Sign Petitions for Housing or Safer Streets. It Was Really to End Recreational Weed Sales*, *Boston Globe* (Nov. 20, 2025), <https://www.bostonglobe.com/2025/11/20/business/voter-petition-ballot-recreational-weed>; Farrar, *Petitioners Gathering Signatures to Repeal Legal Marijuana Accused of Misleading Voters* (Nov. 10, 2025), <https://www.boston.com/news/local-news/2025/11/10/petitioners-gathering-signatures-to-repeal-legal-marijuana-accused-of-misleading-voters>; Landes, *Group Behind Cannabis Repeal Effort in Massachusetts Accused of Using Misleading Tactics* (Jan. 21, 2026), <https://www.wamc.org/news/2026-01-21/group-behind-cannabis-repeal-effort-in-massachusetts-accused-of-using-misleading-tactics>.

93. Individuals approached by signature gatherers reportedly stated that they were told, among other things, that the initiative would help get fentanyl off the streets, assist in creating affordable housing, protect youths from being jailed for marijuana, change zoning laws to move dispensaries farther from schools, promote same-day voting, or fund public parks. See Toby, *supra*, par. 92; Farrar, *supra*, par. 92; Landes, *supra*, par. 92.

94. Moreover, the Petition’s campaign is reportedly financed in its entirety by a single corporate prohibitionist entity, SAM Action Inc., a funding organization affiliated with Smart

Approaches to Marijuana. See Prince Lobel, Dark Money Funded Cannabis Repeal Efforts: What Investors and Operators in Massachusetts and Other States Should Know (Feb. 11, 2026).

95. This is not a grassroots initiative supported broadly by the people of the Commonwealth, but rather one backed by a single, specific special-interest group.

96. The Petition’s impact, if approved, would be sweeping. Counting only final adult-use licenses, and excluding hundreds of provisional and in-process licenses, Massachusetts has issued 812 cannabis licenses, including retail, cultivation, manufacturing, delivery, microbusiness, and courier licenses. Cannabis Control Commission, Adult-use Marijuana Establishment License Applications and Review Status, <https://masscannabiscontrol.com/open-data/applications-and-licenses> (last updated Feb. 27, 2026). There are also seventeen final licenses for Medical Marijuana Treatment Centers. *Id.*

97. If enacted, the Petition would cause nearly 800 marijuana businesses to lose their licenses and ability to operate, thereby eliminating the jobs of thousands of Massachusetts residents.

98. Although the Petition attempts to address this result by directing the CCC to “expedite and streamline” conversion of adult-use licenses to medical licenses, it is inconceivable that all such licensees would obtain new licenses, much less that any such licenses would retain comparable value in a dramatically constricted market.

99. The inevitable result of the Petition’s proposed policy is that thousands of Massachusetts residents would lose their livelihoods virtually overnight.

THE ATTORNEY GENERAL’S SUMMARY OF THE PETITION

100. Pursuant to Article 48, The Initiative, III, § 3, of the Amendments to the Massachusetts Constitution, as amended by art. 74 of the Amendments, the Attorney General

must prepare and issue a “fair, concise summary” of each certified petition, which appears on the signature forms and, if the measure advances, on the ballot itself.

101. The Summary states that “[t]he proposed law would change the type and amount of marijuana that may legally be possessed in Massachusetts by repealing the laws that legalize, regulate, and tax the retail sale of adult recreational use marijuana in Massachusetts.”

102. The Summary further states that adults twenty-one years of age and older may possess one ounce or less of marijuana, or five grams or less of marijuana concentrate, without penalty.

103. It then states that possession of between one and two ounces of marijuana would be subject to a civil penalty of \$100 and forfeiture of the marijuana.

104. The Summary also includes a brief description of the civil penalty for persons under the age of twenty-one, noting the \$100 fine, forfeiture of marijuana, completion of a drug awareness program, and notice to a parent or legal guardian.

105. Finally, the Summary states that current adult-use marijuana businesses could apply for medical marijuana licenses and sell their inventory to medical marijuana dispensaries, and that the CCC would be retained but its authority modified to govern only medical marijuana.

106. Critically, when discussing penalties relating to possession of certain amounts of marijuana, the Summary characterizes those penalties as changes in the law by stating that “[t]he proposed law *would also impose* a civil penalty of \$100 and forfeiture of the marijuana for the possession of marijuana between 1 and 2 ounces.” But that is already the law in Massachusetts. See G. L. c. 94G, § 13(e).

107. The Summary again characterizes underage possession penalties as a change, stating that “[f]or persons 21 years of age and younger, the proposed law *would make* the

possession of 2 ounces or less of marijuana a civil infraction.” Again, that is already the law in Massachusetts. See G. L. c. 94C, § 32L.

108. The Attorney General’s word choice is particularly notable because, in discussing the CCC, the Summary states that “[t]he proposed law *would retain* the Cannabis Control Commission.”

109. The use of the term “retain” in that context stands in marked contrast to the Summary’s use of “would also impose” and “would make” when discussing possession penalties.

110. To an average voter who may be unfamiliar with current marijuana-possession penalties, language such as “would make” reasonably suggests that the Petition would change the law, particularly where the Summary uses “retain” when referring to the CCC.

111. Moreover, the Summary fails to inform voters that the Petition would eliminate the Commonwealth’s entire Social Equity Program, notwithstanding that the medical marijuana industry, which the Program also serves, would continue to exist.

112. The Summary likewise fails to inform voters that the repeal of Chapter 94G would eliminate municipalities’ local control over the choice, number, and operation of marijuana establishments.

113. The Summary also fails to disclose that local communities would no longer be required to prioritize Social Equity applicants when deciding with whom to enter HCAs.

114. The Summary further fails to explain that the Petition raises from eighteen to twenty-one the age of those required to complete drug awareness programs as a consequence of marijuana possession.

115. The Summary does not disclose that, if approved, the Petition would severely diminish medical marijuana licensees' access to legal and other professional services because it eliminates statutory protections for those professionals.

116. Nor does the Summary explain that medical marijuana patients could be subject to prosecution for possession of marijuana accessories, which in many instances are necessary for safe and effective administration.

117. The Summary likewise omits that certain safety and security measures currently required of marijuana establishments would no longer be mandated.

118. The Summary also fails to mention that the Petition would eliminate statutory assurance of enforceability of marijuana-related contracts.

119. The Summary further fails to inform voters that the Petition would remove limits on the number of marijuana-related licenses a single entity may hold.

120. The Summary makes no mention of the elimination of the Commonwealth's mandated research priorities concerning the public-health impacts of marijuana.

121. The Summary fails to inform voters that the Petition eliminates the current prohibition on public consumption of marijuana and the associated civil penalty under Chapter 94G, meaning that if the Petition is approved, there would be no civil or criminal penalty for consuming marijuana in a public place.

122. The Summary fails to inform voters that the Petition eliminates the current prohibition on open containers of marijuana in motor vehicles and the associated civil penalty under Chapter 94G, a public safety protection that applies to all Massachusetts residents regardless of whether they use marijuana for medical or adult-use purposes.

123. Finally, the Summary fails to address the Petition’s use of the term “sensible” in its title. That term has long been used by marijuana reform organizations, including NORML, the Drug Policy Alliance, the Marijuana Policy Project, and Students for Sensible Drug Policy, specifically in the context of advocating for decriminalization, legalization, and expanded access to marijuana. The organization that funds this Petition, SAM, does not use the word “sensible” in its own messaging, instead describing its approach as “smart,” “health-first,” and “commonsense.” By adopting language historically identified with the reform movement to describe a measure that dismantles it, the Petition’s title is affirmatively misleading. The Summary’s failure to clarify this distinction creates the false impression, that this Petition continues the decades-long trend toward marijuana liberalization rather than reversing it.

124. These omissions and mischaracterizations render the Summary neither fair nor concise, in violation of Article 48.

COUNT ONE

THE PETITION CONTAINS SUBJECTS THAT ARE NOT RELATED OR MUTUALLY DEPENDENT IN VIOLATION OF ARTICLE 48

125. Paragraphs 1 through 124 are incorporated herein by reference.

126. The Petition contains multiple provisions that are unrelated to one another and that could each stand independently as the subject of a separate initiative petition, including, without limitation:

- a. the repeal of the adult-use marijuana framework;
- b. changes to juvenile criminal justice provisions;
- c. the elimination of social equity programs, including the Trust Fund, for, among others, qualifying medical marijuana licensees;

- d. the elimination of municipalities’ local control over adult-use and medical marijuana establishments;
- e. the elimination of protections for licensed professionals (e.g., attorneys, accountants, etc.) serving licensees and businesses directly and indirectly involved in the remaining medical marijuana industry;
- f. the elimination of protections from prosecution and arrest for the possession of marijuana accessories;
- g. the elimination of public safety protections, including, without limitation, the prohibition on public consumption of marijuana and open containers in motor vehicles; and
- h. the dismantling of regulatory safeguards applicable to the medical marijuana industry.

127. These provisions address distinct policy areas and are not mutually dependent. Although a petition might lawfully seek to repeal adult-use marijuana, it cannot do so while simultaneously altering criminal justice provisions that apply to the public at large, eliminating social equity programs for medical marijuana licensees, removing local control by municipalities over marijuana establishments, and dismantling regulatory protections applicable to the medical marijuana industry.

128. By combining these unrelated subjects, the Petition engages in impermissible logrolling in violation of Article 48. The Petition’s attempt to unify its disparate provisions through the title “An Act to Restore a Sensible Marijuana Policy” relies on a purely subjective value judgment rather than a genuine policy description and cannot supply the operational link that Article 48 requires.

129. Because the Petition combines unrelated subjects, a reasonable voter cannot cast a “yes” or “no” vote on it as a single, unified statement of public policy.

130. Accordingly, the Petition fails to satisfy Article 48’s requirement that initiative provisions be related and mutually dependent.

131. The Attorney General therefore erred in certifying the Petition as compliant with Article 48.

132. The Secretary will violate his public duty if he undertakes any further steps toward placement of the Petition on the ballot.

COUNT TWO

THE ATTORNEY GENERAL’S SUMMARY OF THE PETITION IS NOT FAIR AND CONCISE IN VIOLATION OF ARTICLE 48

133. Paragraphs 1 through 124 are incorporated herein by reference.

134. Article 48 requires that the Attorney General provide a “fair, concise summary” of each certified petition.

135. The Attorney General has failed to meet that standard because the Summary omits material information necessary for voters to make an informed decision, including, without limitation:

- a. the elimination of the Commonwealth’s entire Social Equity Program and Trust Fund;
- b. the elimination of local control by municipalities over marijuana establishments and HCAs;
- c. the raising of the age for drug awareness programs and delinquency proceedings from eighteen to twenty-one;

- d. the elimination of statutory protections for licensed professionals, including attorneys and accountants, serving marijuana businesses;
- e. the elimination of protections against prosecution for possession or use of marijuana accessories, even for medical marijuana patients;
- f. the elimination of the enforceability of marijuana-related contracts, including those involving medical marijuana licensees;
- g. the elimination of mandated safety and security requirements;
- h. the elimination of caps on the number of available licenses;
- i. the elimination of the Commonwealth’s marijuana-related statutory research priorities;
- j. the elimination of the CCC’s criminal background check mandate; and
- k. the elimination of the current prohibitions on public consumption of marijuana and open containers of marijuana in motor vehicles.

136. The Summary is further misleading because it characterizes certain possession-related provisions as changes to existing law when those provisions already reflect current Massachusetts law.

137. The Summary is also misleading because it incorporates the Petition’s use of the term “sensible” without definition or clarification, a term that carries a well-established historical association with marijuana liberalization rather than prohibition.

138. These omissions and mischaracterizations, individually and collectively, render the Summary neither fair nor concise, in violation of Article 48.

139. The Attorney General therefore erred in certifying the Petition as compliant with Article 48.

140. The Secretary will violate his public duty if he undertakes any further steps toward placement of the Petition on the ballot.

COUNT THREE

**THE PETITION IS INCONSISTENT WITH THE RIGHT TO RECEIVE
COMPENSATION FOR PROPERTY APPROPRIATED TO PUBLIC USE IN
VIOLATION OF ARTICLE 48**

141. Paragraphs 1 through 124 are incorporated herein by reference.

142. Pursuant to Article 48, no proposition inconsistent with the right to receive compensation for private property appropriated to public use, as declared in the Declaration of Rights, shall be the subject of an initiative petition.

143. The Petition seeks to eliminate the Commonwealth's adult-use marijuana industry in its entirety by the repeal of Chapter 94G.

144. Because the Trust Fund is located in Chapter 94G, the Petition eliminates tens of millions of dollars in funding to participants who rely on such funding to operate businesses and employ Massachusetts residents in both the adult-use and medical marijuana industries.

145. Those funds will inevitably revert to the public coffers should the Petition become law.

146. Moreover, by repealing Chapter 94G, the Petition would eliminate the statutory guarantee of enforceability of marijuana-related contracts, thereby undermining the legal and financial stability of affected businesses, including medical marijuana licensees that continue to operate.

147. The Petition would further undermine existing HCAs and eliminate the statutory framework governing such agreements for future operations.

148. As a result, the Petition would destroy the reasonable, investment-backed expectations of affected businesses and individuals and would eliminate the livelihoods of thousands of Massachusetts residents.

149. Because the proposed law, without properly declaring a public emergency, would appropriate private property rights for public use without providing compensation, it is inconsistent with the right to receive compensation for private property appropriated to public use as guaranteed by the Declaration of Rights.

150. The Attorney General therefore erred in certifying the Petition as compliant with Article 48.

151. The Secretary will violate his public duty if he undertakes any further steps toward placement of the Petition on the ballot.

PRAYERS FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

1. Declare that the Petition fails to meet the requirements of Article 48, and is therefore invalid;
2. Declare that the Attorney General erred as a matter of law, and quash the certificate of the Attorney General dated September 3, 2025, that certified the Petition;
3. Enjoin the Secretary from placing the Petition on the ballot of the general election of 2026; and
4. Grant such further relief as is just and proper.

DATED: March 31, 2026

Respectfully submitted,

CAROLINE PINEAU, GYASI SELLERS,
BOEY BERTOLD, and LISA MAURIELLO

By their attorneys,

/s/ Adam Fine

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EXHIBIT 1

INITIATIVE PETITION FOR A LAW RELATIVE TO REGULATING MARIJUANA

Be it enacted by the People, and by their authority, as follows:

AN ACT TO RESTORE A SENSIBLE MARIJUANA POLICY

SECTION 1. The Act’s purpose is to modify the criteria for the legal possession, distribution, and use of marijuana by: (a) continuing the medical use of marijuana program; (b) ensuring that the simple possession of 1 ounce or less of marijuana by those 21 and over is not punishable by civil or criminal penalties, and that possession of over 1 ounce to no more than 2 ounces of marijuana is punishable only by a civil penalty; and (c) repealing Chapters 94G and 64N of the General Laws which govern the possession, use, distribution, cultivation, and taxation of marijuana not medically prescribed. To the fullest extent possible, the Act’s terms are to be interpreted in accordance with the purpose and intent set forth in this section.

SECTION 2. This act may be known as “An Act to Restore A Sensible Marijuana Policy.”

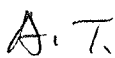




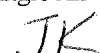


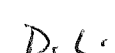

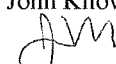
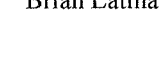





SECTION 3. Chapter 64N of the General Laws is hereby repealed.

SECTION 4. Chapter 94C of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out section 32L and inserting in place thereof the following section:

Section 32L Possession of marihuana; civil penalty and forfeiture; other sanctions or disqualifications prohibited

(a) Notwithstanding any other general or special law to the contrary, except as otherwise provided in this chapter, a person 21 years of age or older shall not be arrested, prosecuted, penalized, sanctioned or disqualified under the laws of the commonwealth in any manner, or denied any right or privilege and shall not be subject to seizure or forfeiture of assets for:

- (1) possessing 1 ounce or less of marihuana, except that not more than 5 grams of marihuana may be in the form of marihuana concentrate; or
- (2) giving away or otherwise transferring without remuneration up to 1 ounce of marihuana, except that not more than 5 grams of marihuana may be in the form of

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 _____ John Knowles	 _____ Brian Latina	 _____ Catherine Latina	 _____ David Lungert	 _____ Kathleen Lynch
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 _____ Timothy Smyth	 _____ Armerys Suarez			

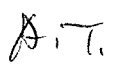



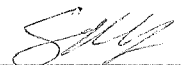

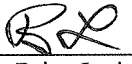
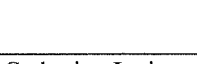
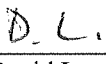
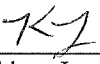






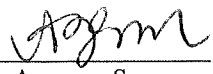
marihuana concentrate, to a person 21 years of age or older, as long as the transfer is not advertised or promoted to the public.

(b) Notwithstanding any general or special law to the contrary, possession of an amount between more than 1 ounce and 2 ounces or less of marihuana for an offender 21 years of age or older shall only be a civil offense, subjecting an offender to a civil penalty of one hundred dollars and forfeiture of the marihuana, but not to any other form of criminal or civil punishment or disqualification.

(c) Notwithstanding any general or special law to the contrary, possession of an amount of 2 ounces or less of marihuana for an offender under the age of 21 shall be subject to the same forfeiture and civil penalty provisions as subsection (b), provided he or she completes a drug awareness program which meets the criteria set forth in Section 32M of this Chapter. The parents or legal guardian of any offender under the age of eighteen shall be notified in accordance with Section 32N of this Chapter of the offense and the availability of a drug awareness program and community service option. If an offender under the age of eighteen fails within one year of the offense to complete both a drug awareness program and the required community service, the civil penalty may be increased pursuant to Section 32N of this Chapter to one thousand dollars and the offender and his or her parents shall be jointly and severally liable to pay that amount.

(d) Except as specifically provided in this chapter, section 24I of chapter 90, and chapter 387 of the acts of 2008, neither the Commonwealth nor any of its political subdivisions or their respective agencies, authorities or instrumentalities may impose any other form of penalty, sanction or disqualification on an offender for possessing 2 ounces or less of marihuana. By way of illustration rather than limitation, possession of 2 ounces or less of marihuana shall not provide a basis to deny an offender student financial aid, public housing or any form of public financial assistance including unemployment benefits, to deny the right to operate a motor vehicle or to disqualify an offender from serving as a foster parent or adoptive parent. Information concerning the offense of possession of 2 ounces or less of marihuana shall not be deemed "criminal offender record information," "evaluative information," or "intelligence information" as those terms are defined in Section 167 of Chapter 6 of the General Laws and shall not be recorded in the Criminal Offender Record Information system.

(e) As used herein, "possession of 2 ounces or less of marihuana" includes possession of 2 ounces or less of marihuana or tetrahydrocannabinol and having cannabinoids or cannabinoid

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 _____ John Knowles	 _____ Brian Latina	 _____ Catherine Latina	 _____ David Lunger	 _____ Kathleen Lynch
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 _____ Timothy Smyth	 _____ Armerys Suarez			

metabolites in the urine, blood, saliva, sweat, hair, fingernails, toe nails or other tissue or fluid of the human body. Nothing contained herein shall be construed to repeal or modify existing laws, ordinances or bylaws, regulations, personnel practices or policies concerning the operation of motor vehicles or other actions taken while under the influence of marihuana or tetrahydrocannabinol, laws concerning the unlawful possession of prescription forms of marihuana or tetrahydrocannabinol such as Marinol, possession of more than 2 ounces of marihuana or tetrahydrocannabinol, or selling, manufacturing or trafficking in marihuana or tetrahydrocannabinol. Nothing contained herein shall prohibit a political subdivision of the Commonwealth from enacting ordinances or bylaws regulating or prohibiting the consumption of marihuana or tetrahydrocannabinol in public places and providing for additional penalties for the public use of marihuana or tetrahydrocannabinol.

(f) The use of marihuana shall not disqualify a person from any needed medical procedure or treatment, including organ and tissue transplants.

(g) This section shall not apply to the sale, delivery or furnishing of medical use marijuana pursuant to chapter 94I.

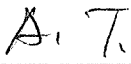





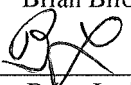
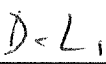






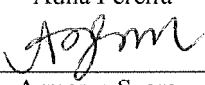
(h) For the purposes of this section, "marihuana concentrate" means a substance derived from marihuana that is produced by extracting or concentrating cannabinoids from the plant through the use of: (i) solvents; (ii) carbon dioxide; or (iii) heat, screens, presses, or distillation.

SECTION 5. Section 32M of said chapter 94C, as so appearing, is hereby amended by striking out both of said section's references to the word "eighteen" and inserting in place thereof the following word:- 21

SECTION 6. Chapter 94G of the General Laws is hereby repealed.

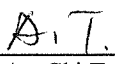
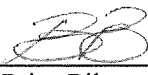



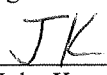
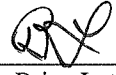


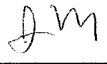



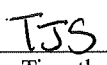
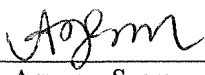
SECTION 7. Chapter 94I of the General Laws is hereby amended by inserting after section 1 the following section:-

Section 1A. The Cannabis Control Commission.

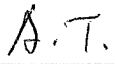




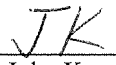
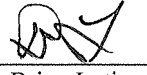


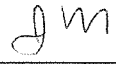




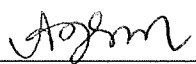
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 _____ Jeffrey Morgan	_____ Adna Pereira	 _____ Lynn Reid	 _____ Richard Reid	 _____ Adrienne Simeone
 _____ Timothy Smyth	 _____ Armerys Suarez			

(a) The commission shall have all the powers necessary or convenient to carry out and effectuate its purposes including, but not limited to, the power to:

- (i) appoint officers and hire employees;
- (ii) establish and amend a plan of organization that it considers expedient;
- (iii) execute all instruments necessary or convenient for accomplishing the purposes of this chapter;
- (iv) enter into agreements or other transactions with a person, including, but not limited to, a public entity or other governmental instrumentality or authority in connection with its powers and duties under this chapter;
- (v) appear on its own behalf before boards, commissions, departments or other agencies of municipal, state or federal government;
- (vi) apply for and accept subventions, grants, loans, advances and contributions of money, property, labor or other things of value from any source, to be held, used and applied for its purposes;
- (vii) provide and pay for advisory services and technical assistance as may be necessary in its judgment to carry out this chapter and fix the compensation of persons providing such services or assistance;
- (viii) prepare, publish and distribute, with or without charge as the commission may determine, such studies, reports, bulletins and other materials as the commission considers appropriate;
- (ix) require an applicant for licensure under this chapter to apply for such licensure and approve or disapprove any such application or other transactions, events and processes as provided in this chapter;
- (x) determine which applicants shall be awarded licenses;
- (xi) deny an application or limit, condition, restrict, revoke or suspend a license;
- (xii) establish a registration process, based on finding of suitability or approval of licensure;

 _____ Angie An-Chi Tso	 _____ Brian Bilowz	 _____ Victoria Cudmore	 _____ Caroline Cunningham	 _____ Nassir Ghaemi
 _____ John Knowles	 _____ Brian Latina	_____ Catherine Latina	 _____ David Lunger	 _____ Kathleen Lynch
 _____ Jeffrey Morgan	_____ Adna Pereira	 _____ Lynn Reid	 _____ Richard Reid	 _____ Adrienne Simeone
 _____ Timothy Smyth	 _____ Armerys Suarez			

- (xiii) fine a person licensed, registered, found suitable or approved for licensure, for any cause that the commission deems reasonable;
- (xiv) gather facts and information applicable to the commission's obligation to issue, suspend or revoke licenses, registrations, finding of suitability or approval of licensure for: (A) a violation of this chapter or any regulation adopted by the commission; (B) willfully violating an order of the commission directed to a licensee or a person required to be registered; (C) the conviction of a criminal offense; or (D) any other offense which would disqualify such a licensee from holding a license;
- (xv) conduct investigations into the qualifications of all applicants for employment by the commission and all applicants for licensure;
- (xvi) receive from the state police, the department of criminal justice information services or other criminal justice agencies including, but not limited to, the Federal Bureau of Investigation and the Internal Revenue Service, such criminal offender record information relating to criminal and background investigations as necessary for the purpose of evaluating licensees, applicants for license, and lab agents;
- (xvii) be present, through its inspectors and agents, at any time, in any medical marijuana treatment center for the purposes of exercising its oversight responsibilities;
- (xviii) inspect and have access to all equipment and supplies in a medical marijuana treatment center;
- (xix) seize and remove from the premises of a medical marijuana treatment center and impound any marijuana, equipment, supplies, documents and records obtained or possessed in violation of this chapter for the purpose of examination and inspection;
- (xx) for cause, demand access to and inspect all papers, books and records of close associates of a licensee whom the commission suspects is involved in the financing, operation or management of the licensee; provided, however, that the inspection, examination, photocopying and audit may take place on the affiliate's premises or elsewhere as practicable and in the presence of the affiliate or its agent;
- (xxi) require that the books and financial or other records or statements of a licensee be kept in a manner that the commission considers proper;

 _____ Angie An-Chi Tso	 _____ Brian Bilowz	 _____ Victoria Cudmore	 _____ Caroline Cunningham	 _____ Nassir Ghaemi
 _____ John Knowles	 _____ Brian Latina	_____ Catherine Latina	 _____ David Lungert	 _____ Kathleen Lynch
 _____ Jeffrey Morgan	_____ Adna Pereira	 _____ Lynn Reid	 _____ Richard Reid	 _____ Adrienne Simeone
 _____ Timothy Smyth	 _____ Armerys Suarez			

- (xxii) impose fees and fines, as authorized by this chapter and penalties and sanctions for a violation of this chapter or any regulations promulgated by the commission;
- (xxiii) collect fees under this chapter;
- (xxiv) conduct adjudicatory proceedings and promulgate regulations in accordance with chapter 30A;
- (xxv) refer cases for criminal prosecution to the appropriate federal, state or local authorities;
- (xxvi) maintain an official internet website for the commission;
- (xxvii) monitor any federal activity regarding marijuana; and
- (xxviii) adopt, amend or repeal regulations for the implementation, administration and enforcement of this chapter.

(b) The commission shall, in accordance with chapter 30A, adopt regulations consistent with this chapter for the administration, clarification and enforcement of laws regulating and licensing the medical use marijuana program. The regulations shall include:

- (i) licensure and oversight of independent testing laboratories, and establish testing protocols for the sampling, testing and analysis of marijuana, finished marijuana and medical use marijuana products in consultation with the department of public health and the department of agricultural resources.

(c) The commission shall administer the laws and regulations relating to licensing in this chapter.

(d) Each fiscal year the commission shall submit an annual finance plan to the secretary of administration and finance, and updates to such plan, in accordance with instructions issued by said secretary.

(e) The commission shall hold a public hearing before the adoption, amendment or repeal of any regulation. Adjudicatory proceedings shall be conducted pursuant to chapter 30A of the General Laws and to standard rules of adjudicatory procedure established pursuant to section 9 of chapter 30A of the General Laws.

<u>A.T.</u> Angie An-Chi Tso	<u>BB</u> Brian Bilowz	<u>VAC</u> Victoria Cudmore	<u>CC</u> Caroline Cunningham	<u>SKM</u> Nassir Ghaemi
<u>JK</u> John Knowles	<u>BL</u> Brian Latina	<u></u> Catherine Latina	<u>D.L.</u> David Lunger	<u>KL</u> Kathleen Lynch
<u>Jm</u> Jeffrey Morgan	<u></u> Adna Pereira	<u>lr</u> Lynn Reid	<u>RA</u> Richard Reid	<u>AS</u> Adrienne Simeone
<u>TJS</u> Timothy Smyth	<u>ASm</u> Armerys Suarez			

(f) The commission shall annually submit a complete and detailed report of the commission’s activities, including a review of the implementation and enforcement of this chapter and the governance structure established in this chapter, not more than 90 days after the end of the fiscal year to the governor, the attorney general, the treasurer and receiver-general, the clerks of the house of representatives and the senate, the chairs of the joint committee on cannabis policy and the chairs of the house and senate committees on ways and means.

(g) The commission and the department of public health shall work collaboratively to ensure that the production and distribution of medical use marijuana is effectively regulated in the commonwealth in furtherance of the intent of this act.

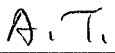
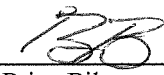


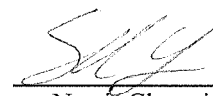
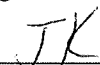


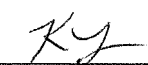
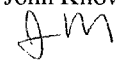




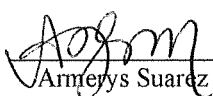
(h) The commission shall promulgate advisory guidelines and best practices on the cultivating of marijuana within a person’s primary residence pursuant to section 2 of this chapter.

SECTION 8. Notwithstanding any general or special law to the contrary, the Cannabis Control Commission shall act to expedite and streamline the process for licensees under Chapter 94G, including marijuana establishments, to apply for and obtain licenses to participate in the medical use marijuana program administered pursuant to Chapter 94I and for licensees under Chapter 94G to sell existing marijuana supplies to medical marijuana treatment centers licensed pursuant to Chapter 94I.

SECTION 9. Severability

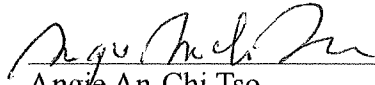
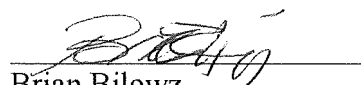
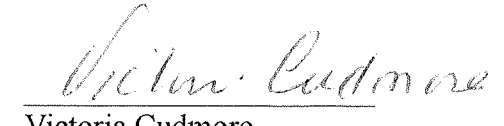
The provisions of this law are severable and if any clause, sentence, paragraph or section of this measure, or an application thereof, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or application adjudged invalid.

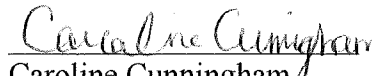
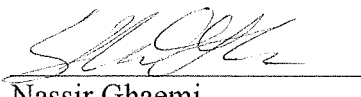
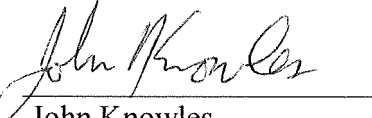
SECTION 10. Effective Date

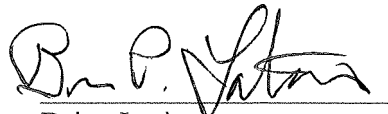

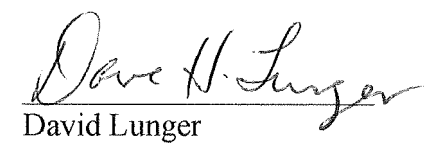
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 _____ Timothy Smyth	 _____ Armerys Suarez			

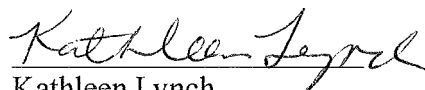
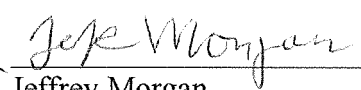
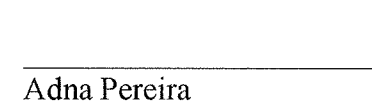
This law shall take effect January 1, 2028.

We, the undersigned registered voters of the Commonwealth of Massachusetts, having each personally read the full text of the foregoing proposed law, do fully subscribe to its contents and agree to be among the original signers of the Petition.


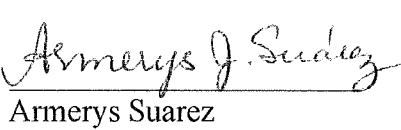
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 Lynn Reid	 Richard Reid	 Adrienne Simeone
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 Timothy Smyth	 Armerys Suarez
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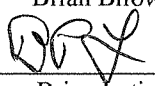


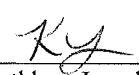
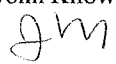
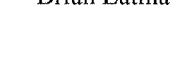




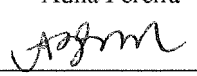
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 John Knowles	 Brian Latina	 Catherine Latina	 David Lunger	 Kathleen Lynch
 Jeffrey Morgan	 Adna Pereira	 Lynn Reid	 Richard Reid	 Adrienne Simeone
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EXHIBIT 2

SUMMARY OF NO. 25-10

The proposed law would change the type and amount of marijuana that may legally be possessed in Massachusetts by repealing the laws that legalize, regulate, and tax the retail sale of adult recreational use marijuana in Massachusetts. The proposed law would also permit persons 21 years of age and older to possess 1 ounce or less of marijuana including no more than 5 grams in the form of concentrate, and to gift or transfer to another person 21 years of age and older 1 ounce or less of marijuana including no more than 5 grams in the form of concentrate. The proposed law would also impose a civil penalty of \$100 and forfeiture of the marijuana for the possession of marijuana between the weight of 1 and 2 ounces.

For persons 21 years of age and younger, the proposed law would make the possession of 2 ounces or less of marijuana a civil infraction subject to a \$100 fine, forfeiture of the marijuana, completion of a drug awareness program and community service, and notification to their parents or legal guardian of the offense and penalties.

The proposed law would allow currently licensed adult recreational marijuana businesses to apply on an expedited basis to become a licensed medical marijuana dispensary and to sell their remaining inventory of adult recreational marijuana to medical marijuana dispensaries. The proposed law would retain

the Cannabis Control Commission but modify its authority so it would regulate only the medical marijuana market.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect.

The proposed law would take effect on January 1, 2028.