

Illegal Tobacco Task Force Meeting #40 Minutes

Meeting Date: Wednesday, February 24, 2021

Meeting Time: 10:30am

Meeting Location: Dial (617) 315-0704, Meeting ID# 123 451 2345, WebEx

Board Members Present: Marikae Toye (Co-Chair), Maj. Steve Fennessy (Co-Chair), Patricia Henley, Michael Sweeney, Susan Terrey, Amber Villa and Jennifer Zalnasky

Call to Order:

- Meeting was called to order at 10:31am by Mrs. Toye.
- Mrs. Toye informed all participants that this meeting is being recorded by WebEx to aid in the preparation of the minutes, only. She indicates that the WebEx recordings will be deleted after the minutes are done, and these recordings will not be used for any other purpose. Mrs. Toye thanks everyone for getting together again for a meeting.

Approval of Minutes from Meeting 39:

- Mrs. Toye states that the first order of business is to approve the minutes from meeting 39 which was held on January 25. One small correction made to change P.M. to A.M. on the time of the last minutes being adjourned.
- Mrs. Toye makes a motion to approve the minutes from meeting 39 and indicates that because the meeting is being recorded and not in person, we will need to vote by roll call. Vote was taken by roll call approved unanimously.

Discussion and Approval of Annual Report to the Legislature:

- Mrs. Toye starts off by saying thank you for the review. She has received comments from the State Police that she has integrated from DPH and from the AG's office. She updated to include some additional seizure numbers in the section that talks about the Task Force activities. She was waiting on some updates to numbers from our miscellaneous excise bureau. The numbers have been updated and the words are still the same.
- Ms. Villa apologizes they do not have the language yet and have not been able to clear their approval process yet. Ms. Villa states that the very first bullet point describing our ongoing actions, they felt that because it talked about an ongoing investigation and prosecution, that they needed to run that by their criminal bureau and the people that are actually responsible for trying those cases.
- Mrs. Toye asks if there are any other comments, suggestions or updates other than the open item for the AG's office? Ms. Henley asked about a comment/edit regarding the increase and collection of tobacco excise tax, specifically in the stating that "this resulted in" a spike for tax collection. Mrs. Toye made an edit on the screen for members to see and asked if everyone was ok with this change. The

new language reads: *“This spike in tobacco excise collection may be due to a number of factors. These factors may include an increase in compliance from violators that have been caught and punished by the Task Force or from an increase involuntary compliance by those who have been apprehended by the Task Force but have previously illegally avoided paying the required Massachusetts tobacco excise”*. Everyone responds that they are ok with this change.

- Mrs. Toye indicates that once we have a draft, we vote by agency whether to approve the report. We have by March 1. She says there are two options, we have noticed this meeting and if we think that the approval from the AG’s office is imminent, we can take a break and come back in a little bit. The other thing is that we could schedule on notice, another short meeting for Monday, get online and vote and then she could print it and file it that day.
- Mrs. Toye asks everyone to check their schedule for Monday, March 1, she can still provide 48 hours’ notice for an open public meeting.
- Major Fennessy asks Ms. Villa and Ms. Zalnasky is there any sort of benign language that we could go with, or do they need the approval? Ms. Villa speaks that they would need the approval regardless, because it is being filed with the legislature, so it is up in their executive bureau pending the language recommendation. Major Fennessy states that he understands. Mrs. Toye makes a proposal of Friday, February 26th or Monday, March 1st to everyone to get this done. Everyone responds that either time is fine. Ms. Zalnasky indicates that she is going to be done with her tenure at the AG’s office on Friday.
- Mrs. Toye indicates the next meeting will be Monday, March 1 and she will send a notice around with the only agenda item being voted on will be about this report. Mrs. Toye asks if there is anything else on the annual report that anyone needs to talk about, and also states that if anyone has anything to add or that they notice, they can certainly feel free to email her.

Member Updates:

- Mrs. Toye notes that the only update she has is that she is still working on getting everyone’s signature and she will get those the MOU finalized and the signatures scanned and placed on the website, so that is updated and available to the public.
- Major Fennessy had an update stating that the lease for the storage has been executed so that is good to go.

Scheduling of Next Meeting:

- Mrs. Toye confirmed the next meeting is scheduled for March 1, 2021

Conclusion:

- Mrs. Toye states that if there is not anything else that anyone would like to discuss, then she will entertain a motion to adjourn. Michael Sweeney so moves. Meeting adjourned at 10:54am.