

ILLEGAL TOBACCO TASK FORCE

Public Meeting #62 Minutes

Meeting Date: Tuesday, January 28, 2024

Meeting Time: 10:00 am

Meeting Location: Via Zoom, dial (646) 558-8656, Meeting ID# 885 3272 0795, Passcode 486468

Board Attendance: John Hayes (DOR), Gerald Collins (MSP), Jackie Doane (DPH), John Melander (EOPSS), Dan O'Neil (State Treasurer/Lottery), Nicole Nixon (AGO), and Nicholas Ogden (AGO)

Public Attendance: 28 attendees

Call to Order:

- Mr. Hayes called the meeting to order at 10:05 AM. Mr. Hayes informed all participants that this meeting will not be recorded by Zoom and that Cole Doherty-Crestin will take notes to complete the minutes which will be posted to the Task Force website.

Opening Remarks:

- Mr. Hayes thanked everyone for attending and introduced Det. Capt. Gerald Collins (MSP). Det. Capt. Collins is the new Massachusetts State Police designee replacing Lt. Col. Brian Connors, who retired earlier this month. Mr. Hayes took a moment to thank Lt. Col. Connors, not only for his 30 plus years of public service with MSP, but also for his contributions to the Illegal Tobacco Task Force. Det. Capt. Collins took a moment to introduce himself to the Task Force. Task Force board members introduced themselves.
- Mr. Hayes indicated that the purpose of today's meeting is to discuss the general content of the annual report to the legislature.

Approval of Minutes from Meeting #61 on September 24, 2024:

- Cole Doherty-Crestin emailed a copy of the minutes for Meeting #61 to Task Force members prior to this meeting. Mr. Hayes asked members if there were any recommended edits to be made and hearing none, he asked for a motion to approve. Det. Capt. Collins and Dan O'Neil approved the motion. Mr. Hayes stated that with no objection, the minutes were approved and will be posted to the Task Force website.

Discussion RE Annual Report to the Legislature

- Mr. Hayes noted the annual report to the legislature is due on March 1st and stated the goal of today's meeting is to briefly discuss the general content of the annual report. A draft of the annual report will be circulated to board members for review prior to the next meeting.
- Mr. Hayes noted that the next meeting is scheduled for Wednesday, February 12th. During the next meeting board members will present and discuss the draft report. Mr. Hayes noted that members of the public are encouraged to submit any comments or input to the Task Force email address which is posted on the Task Force webpage. Board members will review any submitted public comments during the next meeting and discuss any final changes needed to the report.
- Mr. Hayes stated that a follow-up meeting is scheduled for Tuesday February 25th. The purpose of this meeting is for members to hold a formal vote on the final draft of the

annual report.

- Mr. Hayes provided a snapshot of some of the relevant content of this year's annual report:
 - Tobacco excise tax revenue is lower, except for ENDS which increased.
 - Tobacco seizures are mixed: Cigars, Smoking Tobacco & ENDS increased while Cigarette & Smokeless Tobacco seizures decreased.
 - DOR Civil Inspections increased.
 - LBOH Inspections decreased from last year but still are 90% above FY20.
 - Civil Enforcement actions remain strong AS DO.
 - Criminal Investigations and prosecutions.

Preliminary Review of Legislative Recommendations RE Annual Report

- Mr. Hayes briefly reviewed the legislative recommendations included in the annual report for the past two years and noted that he doesn't expect there to be any further changes to the board's legislative recommendations in this year's annual report.
- Jackie Doane noted the ongoing issue of illegal tobacco disposal, and that Governor Healey's proposed budget revised the definition of smokeless tobacco to include nicotine pouches so that nicotine pouches could be taxed (if the language is adopted by the legislature and included in the budget). Nicotine pouches are currently not taxed, and such products are frequently found during illegal tobacco seizures but are not seized. Mr. Hayes stated that this item will be added to the agenda for discussion during the next meeting.

Member Agency Updates

- DOR – Tobacco Storage Facilities: The DOR facility for eastern Massachusetts opened in December 2024 and the western Massachusetts storage facility will open on February 3, 2025.
 - This provides both CIB and MEB with a dedicated space to store seized tobacco products which are being held for either criminal or civil proceedings – as well as a location to process the evidence.

Closing Remarks

- Mr. Hayes kindly thanked participants for their attendance and asked whether there was a motion to end the meeting. Dan O'Neil and Nicole Nixon approved the motion. Mr. Hayes adjourned the meeting at 1:25 PM.



MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
SECRETARY

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January 17, 2025



GEOFFREY D. NOBLE
COLONEL/SUPERINTENDENT

MARK D. CYR
DEPUTY SUPERINTENDENT

Commissioner Geoffrey E. Snyder
Department of Revenue
100 Cambridge Street
P.O. Box 9550
Boston, MA 02114

Dear Commissioner Snyder,

Pursuant to the authority granted to the Colonel of the Massachusetts State Police under Section 40(a) of Chapter 64C of M.G.L., *Multi-Agency Illegal Tobacco Task Force*, it is my pleasure to designate Detective Captain Gerald P. Collins to serve on the Illegal Tobacco Task Force as my designee. Detective Captain Collins is replacing retired Lieutenant Colonel Brian Connors.

Detective Captain Collins can be contacted at gerald.collins@pol.state.ma.us.

Thank you. If you have any questions, please do not hesitate to contact me.

Respectfully,

Colonel Geoffrey D. Noble
Superintendent
Massachusetts State Police

cc: John H. Hayes, Director of the Criminal Investigations Bureau, DOR
Det. Captain Gerald P. Collins, DIS