

**DH, MMRegulations**

From: Spangler, Jessica <Jessica.Spangler@pasenate.com>
Sent: Monday, March 8, 2021 11:50 AM
To: DH, MMRegulations
Subject: Regulation #10-219: Medical Marijuana
Attachments: Regulation 10-219 Medical Marijuana Public Comments.docx

Please find attached public comments submitted from Senator Fontana on behalf of UFCW Local 1776.

Jess Spangler
Office of Senator Wayne D. Fontana
543 Main Capitol
Harrisburg, PA 17120
717-787-5300
www.senatorfontana.com

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42ND DISTRICT

WAYNE D. FONTANA

SENATE BOX 203042
HARRISBURG, PA 17120-3042
717-787-5300
FAX: 717-772-5484

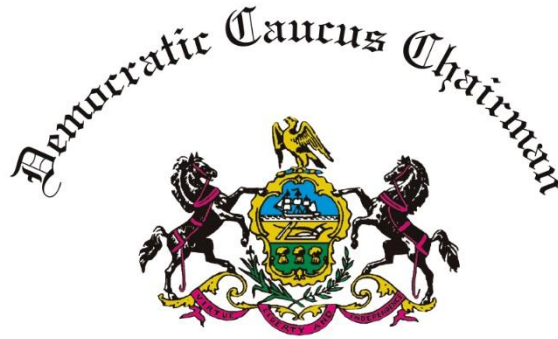
1039 BROOKLINE BOULEVARD • SUITE 2
PITTSBURGH, PA 15226-2106
412-344-2551

KENMAWR PLAZA
524 PINE HOLLOW ROAD
KENNEDY TOWNSHIP, PA 15136-1661
412-331-1208

EMAIL: fontana@pasenate.com

TWITTER: @WayneDFontana

WEB: www.senatorfontana.com



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Senate of Pennsylvania

March 8, 2021

Independent Regulatory Review Commission
333 Market Street
Harrisburg, PA 17101

Members of the Independent Regulation Review Commission and Department of Health,

I am submitting public comment in response to proposed Regulation #10-219: Medical Marijuana. The Medical Marijuana Program provides critical relief for thousands of patients across the Commonwealth, sustainable jobs for growers, processors and distributors and an opportunity to pave the way for a new industry in Pennsylvania. As a member of the General Assembly, it is my responsibility to ensure that the implementation of laws we pass do not have a negative impact on the workforce, public health, and our communities. It is critical that we get the process right in order to protect Pennsylvanians, and the future of the industry. As such, my comments are regarding section § **1141.47. General penalties and sanctions.**

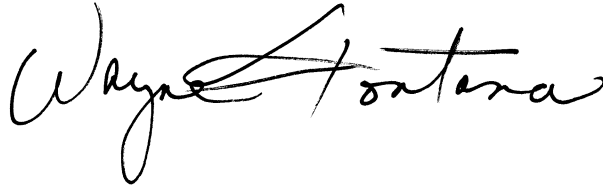
As you are aware, applicants seeking a medical marijuana license submit a comprehensive application detailing their projected plans, financials, diversity plans, impact on the community, and more. Applicants have been able to receive additional points on their application by signing a **neutrality and card check agreement with a labor organization**, agreeing to stay neutral in the attempt to organize the workforce, bringing better wages, benefits and protection to such a new industry. With a limited number of licenses available, it is critical that these employers are being held to such standards when receiving their license.

As such, I am proposing a change to subsection 1141.47 (General penalties and sanctions). I am requesting that the Independent Regulation Review Commission include the following language to ensure that employers comply with the neutrality and card check agreements they submit with their application:

§ 1141.47. General penalties and sanctions. (a)(v) The medical marijuana organization fails to comply with neutrality and card check agreements and/or other labor peace agreements submitted with the initial application.

This simple addition will permit the Department of Health to ensure that employers are not falsifying their plans to stay neutral on applications in order to receive additional points. This simple change will help further protect the workforce of an industry that we are still learning how to best operate. Thank you for taking my comments into consideration.

Sincerely,

A handwritten signature in black ink, reading "Wayne Fontana". The signature is fluid and cursive, with the first name "Wayne" and last name "Fontana" clearly distinguishable.

Senator Wayne D. Fontana
42nd Senatorial District