



# Commonwealth of Massachusetts

## CANNABIS CONTROL COMMISSION

ONE ASHBURTON PLACE, ROOM 313  
BOSTON, MASSACHUSETTS 02108  
TELEPHONE (617) 878-9853

STEVEN J. HOFFMAN  
CHAIRMAN

### CANNABIS CONTROL COMMISSION PUBLIC MEETING MINUTES

October 24, 2017 10:30 AM

Hurley Building  
19 Staniford Street  
Minihan Hall  
Boston, MA 02108

#### COMMISSION MEMBERS IN ATTENDANCE:

Chairman Steven Hoffman  
Commissioner Kay Doyle  
Commissioner Jen Flanagan  
Commissioner Britte McBride  
Commissioner Shaleen Title

COMMISSIONER MEMBERS ABSENT: None

#### DOCUMENTS DISTRIBUTED:

1. Chairman's Presentation

Chairman Hoffman called the meeting to order at 10:30 AM.

Chairman Hoffman explained that the Commission would discuss updates, a General Counsel search, the organizational structure of the Commission and tentative job descriptions for senior positions, as well as tentative job descriptions which were created only to inform the organizational chart, an updated preliminary budget, public comments and questions, as well as the next meeting date.

Chairman Hoffman stated that as the public listening sessions come to a close, there will not be much news from commission for the next two months, because the Commission will be starting the drafting process for regulations.

Chairman Hoffman announced that the Commission had filled the Executive Director position and Shawn Collins has accepted the position. The acceptance would be provisional until background checks have been completed. The Chairman was working with Treasurer's Office on a start date for the Executive Director, to be either the 6<sup>th</sup> or 13<sup>th</sup> of November.

Chairman Hoffman stated that the Commission would extend the deadline for applications for the Director of Communications position for three weeks until November 15, 2017, so that the



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Executive Director has the opportunity to be integrated into the decision. Chairman Hoffman opened the discussion into the job description for General Counsel. The application deadline would be November 15, 2017.

Chairman Hoffman explained that aside from working on drafting of regulations, the Commission anticipates signing a lease for temporary space this week. If the Commission signs the lease this week, it will be able to move in December 1. The space would be temporary, 12 to 15 months, until the Commission finds permanent space. The Commission will provide further information once the lease is signed.

Chairman Hoffman reminds the meeting that the public listening period will close October 31, 2017. The Commission will discuss how to report back on the public listening period to the public. Public hearings will be held on the draft regulations around the state in early 2018.

Chairman Hoffman opens a discussion on the Technology Development Plan, which includes Seed-to-Sale Tracking; Licensing; and Revenue Tracking. Chairman Hoffman stated that he anticipated that the Commission should come in substantially below the Treasurer's Office estimate from earlier this year. He announced that he would be meeting with the Department of Revenue on Thursday. He explained that the Commission needed to modify the revenue forecasting regarding tax rates and to analyze what the ramp would be from launch to a fully stable business environment. Once the Commission has technology and revenue, we will have a fully fleshed-out budget. All pieces of the budget would be finalized today (other than technology and revenue).

Chairman Hoffman stated the Commission will be staying on mass.gov with respect to our website. The Commission would discuss it again when it launches its own website. The Chairman said that he would be having a meeting later today on how to make the website more user-friendly. The Chairman reiterated that the Commissioners are spending much of their time drafting regulations.

Chairman Hoffman explained that the Commission is waiting for transcriptions on meeting minutes that are taking more time than hoped, so there were no minutes to approve for this meeting. He mentioned that the new executive assistant would be serving as the scribe in the future, so the Commission should be more timely in turning around minutes in the future.

Commissioner McBride discussed and reviewed the job description for General Counsel. Commissioner McBride commented that the General Counsel role is a critically important role because of the scope of issues the Commission will be dealing with. The purpose of the job is to provide day-to-day legal advice, representation and support to the commissioners and staff on a broad range of legal issues. Commissioner McBride highlighted that good management skills



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and federal experience would be important for the position. Resumes will be due on November 15, 2017. Commissioner Doyle requested that the term "labor" be inserted with "employment law" as in legal practice, labor law is different than employment law and labor issues would likely be part of the job as there are unions in the Medical Use of Marijuana Program. Chairman Hoffman agreed with Commissioner Doyle.

Commissioner Title asked about the bullet point in providing advice to the Executive Director, and would it include the Human Resources Director or Chief People Officer. Commissioner McBride agreed that the Chief People Office would contribute to policy development. Commissioner Title recommended waiting until later in the process to ask for references. Commissioner Title asked for further explanation on the request for federal practice experience. Commissioner McBride explained that it is important for the applicant to have an understanding of the federal issues the Commission might be dealing with. If federal practice was not within their experience, they should have the ability to work with outside counsel. She explained that someone who has a general background with federal practice will bring a critical skill set to the job. Commissioner Title asked the phrasing could be made "preferred or strongly preferred" experience with federal practice. Commissioner McBride agreed that it would be fine. Commissioner Flanagan commented that someone that has some knowledge of federal is important or the Commission would be required to contract out again. The Commission will not have extra money for contract attorneys, so will make it more feasible if someone is in-house. The Chairman asked for a motion to approve with the changes, which was made by Commissioner Flanagan and seconded by Commissioner Doyle. The Commission voted unanimously in favor, 5-0. Chairman Hoffman thanks Commissioner McBride for her work on it.

Chairman Hoffman reminded the meeting that the Commission is setting a deadline for applications of November 15, 2017 for position of General Counsel and will be post the job description within 24 hours. The Commission will determine a timeline in consultation with our Executive Director and communicate the process prior to the deadline for applications.

Chairman Hoffman opened the discussion on the organizational chart and explained that the only change from the previous version was that the Commission had 8 direct reports to the Executive Director and now the Commission has 10. He further explained that he pulled up two positions that were now at different levels in the organization: the Director of Community Outreach and Director of Government Affairs. Chairman Hoffman reminded the meeting that he had asked the commissioners to write high-level draft of job descriptions, so as to have a headcount for the budget. The Chairman asked the Commissioners to review the job description prepared on the Director of Government Affairs. Commissioner Doyle stated the Director of Government Affairs is a key partner in achieving objectives working in partnership with sister state and



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federal agencies. The position needed to reflect the weight of responsibility and should be moved up to the Director level, rather than reporting to General Counsel.

Commissioner Doyle asked if any Director level positions could report to Chief of Staff, so that the Executive Director would not have as many direct reports. Chairman Hoffman stated that he would explore possible positions to report to Chief of Staff, such as Director of Government Affairs; Director of Community Outreach; Constituent Services Director. He commented that since those positions involved outreach, it might be appropriate for them to report to the Chief of Staff and reduce the number of direct reports to the Executive Director.

Commissioner McBride expressed concern regarding the expenditures with the little money the Commission had and asked if any roles could be combined. The Chairman commented that the constituent services position was draft, not final, and for discussion purposes only. Commissioner Flanagan asked about the educational materials and who was responsible for them. Commissioner Doyle said that she thought it was partnerships with other agencies. Commissioner Title explained that in the job description, she was focused on education coming solely from the Commission. Commissioner Flanagan commented that the governmental affairs person would be talking to municipalities and the constituent services person would be conducting outreach to members of the public. Commissioner McBride suggests the second to last bullet point should be taken out as the responsibility for municipal outreach should remain with government affairs. Commissioner McBride asked how the Commission should characterize community leaders. Commissioner Doyle stated that she was thinking of that as more leaders within a community, like advocacy organization. Commissioner Title agreed. Commissioner Flanagan stated that Community Outreach is not just communities that were disproportionately harmed and that she heard public comments from Western Massachusetts that expressed concern that Western Massachusetts would not be heard by the Commission. She stated that there were communities that were harmed by no industry out west and the Commission should find a way to engage everybody.

Commissioner Title stated that the Commission had a mandate to work with farmers, just as much as the other communities identified in the law. Commissioner Title commented that other states have gone through the process without being effective in this area, and the Commission should be thoughtful about how it goes about addressing these issues. Commissioner Title suggested that the Commission revisit the issue in the future. Chairman Hoffman added that the Commission had a responsibility to 351 communities in the Commonwealth and that community outreach is a very senior position, with 2 direct reports, but constituent services is a less senior position reporting into Community Outreach role. He stated that there could also be a position under Community Outreach focused exclusively on communities disproportionately harmed. He concluded that the Commission would be reaching out to all communities, and stated that a Chief



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of Staff would be added as a direct report to Executive Director. Under the Chief of Staff would be a Director of Community Outreach and Director of Government Affairs. Under Director of Community Outreach, there would be two people, including constituent services.

Chairman Hoffman opened a discussion regarding the budget. The same document on the budget was reviewed as had been presented the prior week, with changes highlighted in yellow. The Commissioners discussed the salary associated with the Director of Community Outreach and that the Director of Government Affairs should report to the Chief of Staff. Chairman Hoffman commented that the Chief Technology Officer was a strategic position, given the mission of becoming a world class agency and technology is an important part of us realizing that vision. Chairman Hoffman also stated that as we build additional staff, we will need an additional executive assistant. There would also need to be a second support person for Technology to provide a technology help desk. The Chairman described the change from social media director to social media manager. In response to question from Commissioner Title, the Chairman explained that the Manager of Licensing would be reporting to the Director of Enforcement and Investigations.

Chairman Hoffman disclosed that a month had been added to the Acting Director of Communication's contract, as the Commission had extended the application deadline. The Commission also discussed hiring 6 contract positions within the next 2-3 months, including 2 legal positions, 2 policy analyst positions and 2 data analyst positions. The Commission also discussed hiring a graphic designer to develop the symbol required by the statute.

Commissioner McBride asks for discussion on the salaries. Chairman Hoffman explained that the salaries in the budget were based on the Treasurer's office assumptions solely for the purpose of developing a budget, and that the Commission was not bound to any of the numbers. The Commission will hire people that meet the specifications of the positions and salaries will be adjusted. The total number is what the Commission must live within, presuming the Legislature approves the funding. Chairman Hoffman explains that there are two items that require further information, one of which was investigative services.

Commissioner McBride discussed investigative services. As of the license application deadlines, the Commission may not be in a position to do evaluation of applications in-house and may need to hire a third party vendor to be able to meet the statutory requirements. The Commission also has a legislative mandate to do fingerprinting. The Commissioner may need to work with a third party on that as well, because it involves technical security requirements.

Chairman Hoffman mentioned that there was another item added and that was a Community Outreach budget. Commissioner Title mentioned that the ACLU and Union of Minority



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Neighborhood had put together a budget, including the cost of the person to go around state and set up training and events. She acknowledged that some of that budget may be accounted differently in the budget spreadsheet. Chairman Hoffman stated that the Commission would hire a community outreach person. Commissioner Title commented that the Commission should grant money to existing organizations that are already up and running. Commissioner Doyle commented that the students in the educational internship should be accounted in the budget.

Chairman Hoffman opened discussion on educational internships. Commissioner Doyle stated it would be a mutually beneficial opportunity for students to intern with the Cannabis Control Commission. It will provide them with experience and provide us with the benefit of their brains. Massachusetts has some of the best academic institutions in the world and the Commission could use extra help. The people that have been identified as part of the budget could use some assistance to bring the work to a close by the deadline the Commission has imposed upon it. The Commission is looking for graduate students, law students, and undergraduate students to assist us with the work that needs to be done. They can be helpful on the comments on drafting regulations and implementation. Chairman Hoffman mentioned it is great opportunity to the students involved. Commissioner Flanagan asked if interns needed to physically work in the Commission offices and comments that UMass/Amherst is doing a baseline study with regards to use. She suggests the Commission could tap into the resources at UMass and let students work remotely, adding that the Commission do outreach across the state. Chairman Hoffman agrees that students can be remote.

Chairman Hoffman mentioned the hiring process will be shared and will be the point person in coordinating process and spread responsibilities around the Commissioners. Internships may be paid positions. Commissioner Title commented that the benefit they will get on beginning of the launch of a regulated industry is invaluable. Chairman Hoffman stated that he would begin working on filling the 6 positions as soon as possible. Commissioner Title asked how they would share people without having to have a public meeting to coordinate. Chairman Hoffman said the Executive Director could coordinate. Commissioner Flanagan asked if the concern was the focus of each person. Commissioner McBride said in other jobs, people were often looking at multiple issues for multiple supervisors. Commissioner Title asked if she could move ahead. Chairman Hoffman said she could and he would coordinate hiring the remaining contract positions, so the 6 positions would be filled as soon as possible. Chairman Hoffman asked for help on connections to educational institutions where he did not have connections.

Chairman Hoffman stated that there would be no new business and invited the public to ask questions.



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Mr. James stated that he wanted to discuss Community Outreach and that he believed the Commission had conflated notion of social justice with economic stagnation out west. He did not think they were the same thing. Chairman Hoffman commented that the issues associated with Western Massachusetts were added to the issue of the communities that were disproportionately impacted, but not conflated. The Commission wants to confront and address both issues.

There were no other questions or comments.

Chairman Hoffman announces the next meeting to be at 10:30AM in the Hurley Building, Minihan Hall, Boston.

Meeting adjourned at 11:36AM