



Commonwealth of Massachusetts

CANNABIS CONTROL COMMISSION

101 FEDERAL STREET
BOSTON, MA 02110

STEVEN J. HOFFMAN

CHAIRMAN

CANNABIS CONTROL COMMISSION PUBLIC MEETING MINUTES

October 19, 2017 12:00 p.m.

State House Room 222
24 Beacon St, Boston, MA 02133

COMMISSION MEMBERS IN ATTENDANCE

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

COMMISSIONER MEMBERS ABSENT: None

Chairman Hoffman called the meeting to order at 12.02pm and notes that the meeting is being recorded. The Chairman announces the agenda items: (1) the Commission will discuss, deliberate, and vote on the executive director position for the commission; (2) questions from Cannabis Advisory Board subcommittees; and (3) the next public meeting of the commission.

Chairman Hoffman thanked all the applicants for the Executive Director position, particularly the three finalists that were interviewed in public on Tuesday, noting that volunteering to be interviewed in public is a feat of extraordinary courage, and thanked them all for showing that courage.

Chairman Hoffman reminded the meeting of the process the Commission used. At the public commission meeting on September 26, 2017, the Commission discussed and finalized a job description for the executive director position, which was posted on the Commission website. Interested parties were given until the October 3, 2017 to apply. The Commission received 42 applications.

Chairman Hoffman further explained that also at the meeting on September 26, 2017, he appointed a subcommittee of the commission to do screening interviews and recommend finalists to the entire commission. The subcommittee was chaired by Commissioner McBride and included CHiarman Hoffman. That subcommittee met on the October 6, 2017 to go through the 42 resumes and to agree on which of those that would be brought in for an initial round interview. The subcommittee agreed to bring in eight people for first round interviews. The interviews were conducted by Commissioner McBride and Chairman Hoffman on October 11 and 12, 2017. The subcommittee then decided who to bring in for final round interviews. The subcommittee determined there were three candidates to bring in for final round interviews. Those interviews were conducted on October 17, 2017 in public. The purpose of today's meeting is to deliberate and decide. Chairman

Hoffman concluded that the Commission saw some extraordinarily talented candidates, not just the three finalists, who all, I believe, could do a great job as executive director, but the other five that Commissioner McBride and Chairman Hoffman interviewed but did not invite back in for the final. The Chairman commented that he was pleased with the process, both in terms of hopefully the openness and the transparency, but also the quality of people that the Commission got through this process. The Chairman further stated that the Commission started the same process for the director of communications position and will start next week the same process for the general counsel position. The Chairman thanked Commissioner McBride, who designed and drove the process, for her role in this.

Chairman Hoffman commented that at the Commission meeting on Tuesday, October 17, 2017, the three finalist candidates each provided three references. Commissioners all made reference calls, or at least attempted to make reference calls, for those three candidates over the last couple of days. Chairman Hoffman proposed starting the discussion with a review of those reference calls. He noted that the references were warned that, "Before you agree to speak or say anything, please understand that what you say will be discussed in a public meeting." Chairman Hoffman suggested starting with the three references for Norman Birenbaum, the three references for Ms. Bradley, and then three references for Mr. Collins.

Chairman Hoffman started the discussion by stating the only call he made was to a reference for Norman Birenbaum, and that was Scotty Lindsey. The Chairman did not have his notes and couldn't recall Mr. Lindsey's title, but recalled Mr. Birenbaum's direct supervisor in his role as the head of the Medical Marijuana Agency in Rhode Island. The Chairman spoke with Mr. Lindsey on October 18, 2017. Mr. Lindsey was very, very positive on Mr. Birenbaum, and he thought he would be a great candidate and would do a great job as executive director in our commission. Among the adjectives he used was smart, incredibly knowledgeable, incredibly hard working, and he kept saying the same phrase over and over again, which is he said, "Norm punches above his weight." The Chairman commented that he was not a boxing aficionado, so he was not quite sure what that means, but he thought it was a good thing. Mr. Lindsey said Mr. Birenbaum was a very well respected person in the organization. People liked working for him, felt that he was someone they could learn from, someone that was accessible, someone that was fair, demanding as a boss. The only negative – and the Chairman commented that he pushed pretty hard because he was getting only positives, and you only want to get a balanced reference – the negative that Mr. Lindsey had with respect to Mr. Birenbaum was that he could sometimes be very opinionated, strong minded, and kind of stay on that stance. Even if people tried to persuade him otherwise, he would sometimes be a little bit too firm in his stance. The Chairman commented that he could make a case that's a good thing or a bad thing, but that was really the only negative that Mr. Lindsey had for him.

Commissioner McBride commented that she spoke to Christina Egan, who is the executive director of the Greater Portland Council of Governments. Ms. Egan was also a direct supervisor of Mr. Birenbaum when he was at Transportation for Massachusetts. She commented that she appreciated his direct style, but that he was also unassuming. Commissioner McBride stated that Ms. Egan said Mr. Birenbaum was very organized, had very strong interpersonal skills, and was efficient and solution oriented. Commissioner McBride also said that one thing that Ms. Egan said that resonated particularly with her was that he was very good with constrained resources and he was

always able to get more than they thought they would be able to get.

Ms. Egan knew him in the context of being his direct supervisor, but then also in addition to that, in his current role in Rhode Island, she had invited him up to Maine, who is going through a similar process right now, to speak to municipal officials up there. She said that to a person, after his talk, the municipal officials indicated that they were just blown away by the depth of his knowledge and ability to communicate with them. Commission McBride stated that it was overall a very strong reference, and Ms. Egan said that she would most certainly hire him again if given the opportunity.

Commissioner McBride commented that she also contacted and exchanged a few messages with Roger Lau, who is the State Director from Senator Warren's office. He ultimately connected with Commissioner Doyle, as Commissioner McBride was in a meeting earlier this morning when he called. Commissioner Doyle stated that she spoke to Mr. Lau that morning, and the way that came about was that Mr. Birenbaum found out that he was exchanging phone calls but unable to connect with Commissioner McBride and decided to find a solution and had him call everybody to see who he could connect with this morning. Chairman Hoffman commented that it was tenacity and creativity, and that it was a good thing. Commissioner Doyle agreed and added that Mr. Lau stated that had worked with Mr. Birenbaum years ago when they were both involved in Senator Warren's campaign. He commented that out of the many, many campaign workers, Mr. Birenbaum was one of the few that were ultimately brought onto senate staff. He also was involved in actually making the next move for Mr. Birenbaum available, which was as outreach manager for the governor of Rhode Island. His experience with Mr. Birenbaum is that he is assertive and Commissioner Doyle commented that the phone call this morning demonstrates that. Mr. Lau also commented that he will try to get things done when they need to get done, that his management style is that of a good communicator and that he provides good leadership.

Commissioner Doyle said that she asked for a negative comment, but had a hard time getting a negative out of Mr. Lau, but he did say that Mr. Birenbaum could be a taskmaster, but he also said that he is attentive and does listen when people are trying to give him feedback. Mr. Lau did not have personal knowledge of his management experience beyond the roles that he was familiar with, so he couldn't speak to managing large groups as the executive director in this instance would. He did finish with saying that Norman was very good at stakeholder engagement and ensuring that the right people are brought to the table.

Chairman Hoffman commented that the Commissioners were done with Mr. Birenbaum and should go to the next candidate, which is Erin Bradley. Commissioner Title said that she spoke with was Maria Mosetti, who was president of the organization, Children's League. She worked closely with Ms. Bradley for about two years. Ms. Bradley was originally recruited due to her experience with making policy and of course grew into the executive director position. Commissioner Title spoke to Ms. Mosetti at length, and it was a very positive reference. Ms. Mosetti emphasized how Ms. Bradley had made the Children's League the premier go-to child advocacy organization in Massachusetts, when she started with not much in place. Ms. Bradely hired a staff, she wrote the job descriptions, wrote the policies, and basically, in Ms. Mosetti's words, "Created the modern version of the organization." Ms. Mosetti said that when she began, there was a concern that Ms. Bradley wasn't seasoned or experienced enough, but that did not end

up being a problem. She emphasized Ms. Bradley's very strong writing skills, very strong supervising skills, that she supports without micromanaging. From Ms. Mosetti's view, the work was getting done on time, there was quality work, and she never heard a complaint from staff. When Commissioner Title asked her how Ms. Bradley could improve, Ms. Mosetti said that she could get frustrated at how difficult it was to get 80 people on a board to agree on an organizational agenda and balancing all of their needs, but that ultimately she was very good at it. Commissioner Title said Ms. Mosetti concluded that Ms. Bradley was incredibly hard working, gives her all, and has a very good reputation.

Commissioner Title stated that she took her second call when she stepped out of a meeting yesterday, and she forgot to note that it would be public, so she was going to anonymize these comments. Commissioner Title explained that the reference was someone that Ms. Bradley worked for. The reference had a great experience working with her and said she was a hard worker. She said her primary area of expertise was policy, asked good questions. Commissioner Title asked the reference for Ms. Bradley's biggest strength and she said working with people. Commissioner Title asked one way that she could improve, and the reference could not think of any.

Commissioner Flanagan stated that she spoke with Vic DiGravio, who is the president and CEO of the Association of Behavioral Health about Ms. Bradley. Overall the conversation was very positive. Mr. DiGravio said that Ms. Bradley's work in the past has always been the wellbeing of kids and vulnerable children and sort of in the public health realm. He described her as strong-willed, passionate, and smart. He also noted that the implementation of Chapter 257 was something that Ms. Bradley had worked on, which was a big deal here in the State of Massachusetts, and that she got up to speed pretty quickly, so she's able to learn very quickly.

Mr. DiGravio noted she did have a small staff, and it appeared that she was a good manager. He didn't know from the inside, just from afar, and that she had had good success at retaining staff. He said that her passion does stand out, and she'll do whatever she can to help move the agenda forward of whatever organization she's working for. When Commissioner Flanagan asked if there was any negatives or concerns, that there was indeed a steep learning curve due to her background being in public health and not in the world of cannabis, but overall the reference was pretty positive.

Chairman Hoffman stated that references for Erin Bradley were completed and that the Commission should discuss reference checks for Shawn Collins.

Commissioner Doyle stated that she did two of them. She spoke to Senator Moore, who Mr. Collins worked for, for an extended period of time, starting when he was still in school at Suffolk University. Senator Moore was so impressed with his work while he was there that he actually mentioned that a legislative aide position was opening up, and that it was a shame that Mr. Collins would still be going to school, because he wouldn't be able to take it. Mr. Collins told the Senator, "No, I'd like to take it," and he completed his undergraduate degree and thereafter his law degree at night while working full time during the day.

Commissioner Doyle commented that his offer to the Commission to begin work quickly is not

apparently out of character because he's used to working extended hours. He worked his way up through the senator's office, and the senator was very impressed with, as young as he was, his maturity and understanding of the job, his ability to grasp policy issues, and that he quickly became a very key member of staff, most notably on healthcare cost containment work done in 2012. He is aware that other people that Mr. Collins interacted with while working for Senator Moore were also well impressed with him.

Commissioner Doyle relayed that Mr. Collins was hired to the treasurer's office from there and took on increasingly responsible roles while there, up to his current job as assistant treasurer amongst other responsibilities. The Senator spoke well of his intelligence, skills, and he kept repeating integrity and willingness to accept greater responsibility and do it very well. He was very supportive. He also mentioned that he can be a taskmaster when supervising staff, but Commissioner Doyle said that from the context it sounded like a positive.

Commissioner Doyle said that she spoke to Sara Kim, General Counsel at the Treasurer's Office, who works with Mr. Collins there. She was very supportive of Mr. Collins, although she admitted to a conflict of interest because she'd rather he didn't leave, but is very supportive of his candidacy for executive director, and that he came in and got to work very quickly. She would work with him frequently to give legal interpretations on a particular issue, and Mr. Collins would assist her on legislative and policy issues and they worked very well together.

Commissioner Doyle commented that Ms. Kim commented that they worked together, which Commissioner Doyle knew personally because she met with them at the Department of Public Health while she was still there, in getting ready for Question 4 as it was progressing to the ballot and then afterwards as they planned on possible implementation. Ms. Kim thought he was very thoughtful, willing, and eager in his approach to that work, and he did a lot of careful analysis, that he was diligent and will put in many hours, and was also experienced in developing budget scenarios, not only for the first year, but projecting out in future years. Ms. Kim also repeated the thought that in terms of management style, he tended to be somewhat of a taskmaster.

Commissioner Flanagan stated that she spoke to Assistant District Attorney Riley from Norfolk County, who worked under Mr. Collins when he worked for Senator Moore. ADA Riley had said that he had served as the constituent director, the communications person, and the legislative aide under Mr. Collins, and that he's enjoyed working for him and that he thought that Mr. Collins would go above and beyond in his roles. He also noted that he went to law school at night as well as worked all day. He was also a part of the school committee, and he found time to do all of it as well as community work.

Commission Flanagan said that ADA Riley said Mr. Collins was the hardest worker that he knows and that he has a skillset that would benefit the commission and the mission of the commission and that he's been a good manager and also a representative of his town for the work that he's done. He said the biggest observations that came to mind about Mr. Collins was during the cost containment law that he was very calm, and that he was also the trusted counsel to Senator Moore with comprehensive issues. Mr. Collins was the one that was there with Senator Moore and guiding him. ADA Riley also said that he's very strategic, and he understands policy, which helps him in many of the realms that the executive director would be a part of, but that he also relied on staff,

and he also delegated, and he also held people to what they were supposed to be doing. ADA Riley commented that Mr. Collins was a taskmaster, but he did it in a way that was very collaborative. When Commissioner Flanagan asked if there were any concerns, he said there were no concerns whatsoever about Mr. Collins becoming the next executive director.

Chairman Hoffman thanked the Commissioners for their work in connecting with the references in such a short period of time. He asked the Commissioners to start the discussion of their opinions on all three candidates, discussing their own thoughts about strengths and weaknesses, particularly in the specific context of being the executive director of the Cannabis Control Commission.

Chairman Hoffman suggested that the discussion go in alphabetical order, starting with Commissioner Doyle, then Commissioner Flanagan, Commissioner McBride, and Commissioner Title, and then Chairman Hoffman would go last. Chairman Hoffman asked the Commissioners for their recommendation in terms of which of the three the Commissioners believe should be hired.

Commissioner Doyle thanked Chairman Hoffman and Commissioner McBride for the work that they have done. She stated that she was both appreciative and somewhat dismayed that the Commission had a very hard choice, and that's down to the work done by the Chairman Hoffman and Commissioner McBride during their process.

Commissioner Doyle started with Norman Birnbaum and said she was very impressed with his interview. As the Chairman has noted, it's quite difficult to have a job interview in front of an audience, let alone cameras. Commissioner Doyle thought he was eloquent and unflappable. He was given challenging questions and handled them well. His subject matter expertise is apparent from his answers to those questions and his background, and that he has had experience launching a new endeavor. Commissioner Doyle stated that she thought all of those things, as well as the references discussed earlier, speak to his strengths. Commissioner Doyle said that with regard to weaknesses, he's been out of Massachusetts for a few years. Although he is familiar with it and has worked here before, there is a learning curve. There is an issue, and Commissioner Doyle thought he admitted to it, that he has been out of the state for a few years and so would have to rapidly get up to speed.

Turning to Ms. Bradley, Commissioner Doyle stated that she obviously has extensive supervision and management experience. Commissioner Doyle liked that she had experience reporting to a multi-member board. That has its own unique challenges, so it is nice that she has done that before. Commissioner Doyle said that a strength is the fresh perspective that comes from coming from the private sector. As members of this board know, someone from the private sector brings a different lens to things than someone who has been in government service for a while. With regard to weaknesses, there is a significant learning curve with marijuana. This is a very complex field, and she's new to it, and Commissioner Doyle expressed concern with the incredibly tight deadlines that the Commission has, that learning curve would be an impediment. Commissioner Doyle also noted that there is a learning curve to working in the public sector. Ms. Bradley has worked in the public sector before, but it was some time ago, so getting back in the groove of that again could be an impediment in terms of effectiveness as executive director.

Commissioner Doyle said that Mr. Collins has extensive experience in Massachusetts, and he also

has experience dealing with marijuana as he prepared to deal with Question 4 and possible implementation. Commissioner Doyle was persuaded not only by the comments of the people who provided references for him, but his personal history, and that his work ethic is very strong. Commissioner Doyle liked very much how Senator Moore emphasized his integrity as a public servant and commented that it was important.

Commissioner Doyle stated it is a significant strength to be familiar with the complexities of dealing with marijuana, and the answers that he gave when the Commission was talking to him in the final interview really showed her that he does get some of the more nuanced issues and could hit the ground running, which she found that very compelling. The one weakness that stuck out to Commissioner Doyle in his candidacy is she doesn't know that he has had management experience on this scale. The executive director will have a significant number of direct reports, which is a challenge and something to adjust to. Commissioner Doyle stated that she thought, however, that based on his past work history and everything that she has learned of him, that it looks like it might be a challenge that he is ready for, and that is why, amongst the other things she listed, she recommends that Mr. Collins be extended an offer for executive director.

Commissioner Flanagan stated that she also thought Mr. Birenbaum presented very well in his interview. She thought that the fact that he has been out of state but he's also part of this industry leads to his credibility with the knowledge that we'll need as an executive director. Having listened to also the referrals and references, it's clear he's a very hard worker, and he does what he can to get the job done. She was concerned that he has been out of Massachusetts for a while, and she thought that with that tends to bring into question for me the learning curve that he's going to have to come back into Massachusetts, although Rhode Island is a border state. His knowledge overall is really exemplary she thought he did very well in his interview.

Commissioner Flanagan commented that she has worked with Ms. Bradley on many issues in her role as a senator and thought it's true that she's very passionate about an issue. She's very good at bringing people together, so she would be very good with stakeholders. Commisioner Flanagan stated that the biggest concern she had with her is the learning curve. This is a monstrous industry. There's so much information to know. There's so many different dynamics to it that Commissioner Flanagan wondered how going from the advocacy world and Children's League and all that will then translate into an executive director job. Commissioner Flanagan said that Ms. Bradley does have the passion for public service and for government.

Commissioner Flanagan said that with Mr. Collins, she thought that it's clear he knows his stuff. He's been working on this for two years in the anticipation that he was going to have to work on this after Question 4 passed anyway. The legislature sort of changed that for him. Commissioner Flanagan thought he also presented in a way that he could be that calm in the storm that the Commission was about to face, which is important for this Commission. As the Commission gets up and running, there's will be a lot of attention paid to what the Commission is doing, how its' being done, how quickly it's being done, and she thought he has the ability to be calm for that.

Commissioner Flanagan agreed with Commissioner Doyle that management experience is a concern. Certainly there's going to be a number of staff direct reports to him. He hasn't seemed to have that on that scale. But also talking to his references, it seems to be that he's ready for the

next challenge and that he's never backed down from a challenge. Commissioner Flanagan noted that just the work alone he did preparing for this work without ever having officially been given the task is something that the Commission should take into consideration because sometimes people wait until they're given the actual task officially before they start to do something and that he'll be a resource for the Commission. Commissioner Flanagan recommend that Mr. Collins be the next executive director.

Commissioner McBride said she thought each of them are outstanding candidates. With Norman Birnbaum, what Commissioner McBride was impressed with was his depth of knowledge. It's clear that he has done a tremendous amount of work standing up this structure in Rhode Island. He was incredibly well versed in answering the questions that were posed to him with great specifics. Commissioner McBride thought that there was comfort to be taken in the fact that he's an individual who has done this to some degree before. She was not as concerned with the fact that he is out of state because he does have deep roots, it seems, in Massachusetts, so that doesn't give her as much pause. Commissioner McBride thought that the specific example that Miss Egan gave of the presentation that he did to municipal officials when he went and spoke in Maine resonated with her because it hit the nail on the head in terms of one of the responsibilities that the Commission has. Commissioner McBride thought if there were a negative, it would perhaps be that the Commission can look to other states, and can borrow from other states, but ultimately Massachusetts is going to set its own course to some degree, and Commissioner McBride thought that there is a lot to be said for folks that have some contemporaneous knowledge and experience in the state.

Commissioner McBride think that Ms. Bradley had a huge responsibility with the size of her board. That's a very big challenge. And the fact that it seems that she did really, really well and also came across, Commissioner McBride thought, in her interviews as having a really collaborative disposition and demeanor and the ability to bridge some gaps really did resonate with her, because Commissioner McBride thought that there's going to be a lot of that that the Commission is going have get done in the short term as well as in the long term. That made Commissioner McBride feel that Ms. Bradley was a very good candidate in terms of management style.

The weakness for Ms. Bradley is one that Commissioner McBride thought other folks have already identified, which is that this is an incredible learning curve. Having folks who have the additional experience of having done some research or worked with the industry before Commissioner McBride think is extraordinarily helpful to the person who ultimately is going be the executive director.

Commissioner McBride said that Mr. Collins was all business in his approach to this process. That is to be expected with somebody who is going to be at this level. Commissioner McBride was really impressed with the way that he dealt with complex questions. Commissioner McBride was impressed with the way that looked at a lot of different facets of many of the issues that were put before him. He struck Commissioner McBride as someone, and verified by his references, who has a very strong work ethic and integrity. Commissioner McBride thought that the fact that he has contemporaneous experience, having done a lot of the legwork on this over the past few years, speaks to his ability to jump in and know what the landscape looks like for this

industry. The negative for Mr. Collins is the management on this scale, but Commissioner McBride will say that she thought he has a commission that will help him with that. For that reason, Commissioner McBride recommended Mr. Collins as the next executive director.

Commissioner Title thanked Chairman Hoffman and Commissioner McBride for their work. Commissioner Title thought all three of them were extremely qualified, could absolutely do this job. Commissioner Title thought all three of them were outstanding in interviews, very well prepared, and it was not an easy process for them too. Fair hiring is extremely important, so she was going to try to be as specific as possible in her comments. She wanted to stress again to the candidates, because she knows they'll hear this, that Commissioner Title sees them as human beings, and Commissioner Titles know how difficult this process must be for them, and she thought they were all outstanding.

Starting with Norman Birnbaum, Commissioner Title thought his top strength was that he was very knowledgeable. Commissioner Title was impressed with his ability to do similar work in a quick timeframe because he mentioned the enabling statute in July and issuing licenses in December, the software online in January. That was impressive. His ties to Massachusetts are strong. He ran a public awareness campaign for transportation here in Massachusetts, which was very relevant. No legal challenges to date Commissioner Title thought was a very striking fact to hear from him.

Commissioner Title said his weaknesses were that the Massachusetts ties are not as strong as the other two candidates, as everyone mentioned. Commissioner Title was also curious about his current role and whether it was more akin to a commissioner or an executive director. Commissioner Title was hoping to get that question answered in her first question about his background and then her following up to specify how his current role would be different from the executive director role, and Commissioner Title didn't feel that that it was answered.

Commissioner Title stated that Ms. Bradley, in terms of building an organization, policy expertise, hiring, internal policy implementation, was all very relevant, very, very strong. Her knowledge on reaching children is of course very relevant to this issue. Commissioner Title thought, like others mentioned, she had a particular skill for building teams, for getting them on the same page and stated that dealing with an 80-member board, that's a skill that not a lot of people have.

For Ms. Bradley's weaknesses, despite her qualifications and her good answers and her good personality, Commissioner Title stated it was pretty clear that she lacks the subject matter expertise to hit the ground running. A couple of things that she mentioned, her answers to home grow, her answer about the children picking a leaf off of a plant and possibly eating it, it just showed that there was a lack of experience with the subject matter which, under the deadline that the Commission was on, there was no time for a learning curve.

The third candidate, Mr. Collins, Commissioner Title thought was very knowledgeable. They all knew the statue cold, but he also had the subject matter expertise and the local expertise that came across. All of them have good experience balancing different players, but Commissioner Title thought that Mr. Collins's experience with the particular groups that the commission will

have to deal with, that Mr. Collins already has a lot of experience with those exact groups.

One of the answers Commissioner Title thought was notable was in the question that Commissioner Title asked about ensuring access. All three of them had excellent answers, but Commissioner Title thought that Mr. Collins's had by far the most depth as he discussed a variety of strategies that showed that he had already been involved in the process, that he knew what some of the barriers were, how the small businesses here would have different needs than others, and the kind of active recruiting that needs to take place.

She also noticed when he referenced Oregon's Start Low and Go Slow campaign; Commissioner Title believe that was the only time that one of the candidates mentioned a specific in terms of educating consumers, which Commissioner Title thought is a very important responsibility. In terms of weaknesses, Commissioner Title wonder if there could be a drawback – if too much knowledge might have some drawbacks. In the social consumption questions, he answered, “Not immediately, obviously,” and Comissioner Title thought that the word “obviously” was something that Commissioner Title didn’t want to hear a candidate say in terms of making decisions this early on.

Commissioner Title commented that she did recruiting before serving on the Commission, so the reason she liked to go so much in detail is to be transparent. Each candidate’s management style showed in their different answers. They all showed qualifications to do the job, in her opinion, and even though they were different, Commissioner Title didn’t really note one better than the other. In terms of home grow, Commissioner Title thought that Mr. Birenbaum’s answer was informed, but it seemed to be less balanced in terms of all of the considerations having to do with enforcement. When she had talked about comparing regulating marijuana to regulating alcohol, the first data point was that you can grow \$300,000.00 worth of marijuana in your basement, but what about the people who need information who can’t grow it at all? So that was a question Commissioner Title had. She thought that Ms. Bradley’s answer was very balanced and very good approach to answering such a difficult question, certainly more informed than a lay person, but didn’t show a lot of expertise. She thought that Mr. Collins’s answer was both balanced and informed in terms of safety and in terms of making sure that people have the access.

In terms of the impaired driving and energy efficiency questions, which the executive director has a role in, Commissioner Title thought that Mr. Birenbaum’s answer was strong, informed, very balanced. He knew the subject matter cold. He noted the correlation is not causation. He talked about other states. He talked about contaminants in California, his experience with energy costs for businesses in Rhode Island. It was very clear that he knows the issue well and that he was approaching it in a balanced way. Ms. Bradley’s answer was also strong, showed balance, showed the right approach, but again, lack of subject matter expertise. Mr. Collins also had a very strong answer, and Commissioner Title appreciated that he went beyond pointing out the limitations on current knowledge around impaired driving and working within those limitations to also suggest the opportunities to innovate and how that might change in the future.

Lastly, in terms of the near term priorities, Commissioner Title thought they all had excellent answers. Commissioner Title appreciated that Mr. Birenbaum and Ms. Bradley both

suggested doing more. Mr. Birenbaum suggested transitioning to medical marijuana sooner rather than later. Ms. Bradley mentioned not ignoring parts of the law because they were too complicated. Mr. Collins's answer was somewhat in a different tone, but Commissioner Title thought that might be due to his knowledge of these issues, and he was the only one who said he would meet with each of the commissioners first to take stock, which Commissioner Title thought was interesting.

Based on her analysis of each of the candidates, it was a very difficult decision, but Commissioner Title recommend that Mr. Collins be offered the position of executive director.

Chairman Hoffman stated that he left his notes back at the office, which he didn't get a chance to get to, so his comments would be from memory. He also thought these were three incredibly strong candidates, and he'd expand that by saying that the other five that we brought in for the first round also were very strong candidates. He thought as difficult as this decision is, equally difficult was figuring out how to get from eight to three. It was a great pool of candidates and, as he said earlier, whomever the Commission ended up with is going to be a very effective executive director.

Mr. Birenbaum clearly has deep subject matter expertise, and it's not just theory and knowledge. He built an agency, and that's obviously quite relevant to what the Commission is doing here. It's on a smaller scale, obviously, and there are differences between medical marijuana and recreation use, but the medical marijuana experience obviously is going be very relevant not too far down the road for the Commission. Chairman Hoffman thought his experience was quite relevant. He also thought he knew the subject cold. Chairman Hoffman was very impressed by his answers, in particular the detailed nature of the answers. Chairman Hoffman thought he understands not just the subject matter requirements of the job, but the outreach requirements of the job, the various constituencies that need to be part of it, the legislative part of the process. Chairman Hoffman thought from an experience and skillset that he clearly could do the job and do it very effectively. Chairman Hoffman thought both he and Mr. Collins have limited management experience in terms of just numbers compared to the Commission, but he has more than Mr. Collins, so Chairman Hoffman thought that was a plus, but probably not to the extent here.

His negative with Norm is stylistic, quite honestly. Chairman Hoffman thought that there wasn't a lot of humility, and Chairman Hoffman thought this job requires humility, at least he was feeling very humble these days. It's a very, very hard job. It's a very, very complicated task. And Chairman Hoffman thought it's imperative to understand none of us know all the answers, and Chairman Hoffman didn't get a sense from Norm that he had that humility, and that he knew what he didn't know or that he would go out and find out what he didn't know by asking questions of people. Chairman Hoffman thought he was very self-confident, which he thought is an incredibly important dimension to this task, but the concern with him was that self-confidence to a point where you don't get help when you need help and you don't widely reach out for help and information could be an issue.

Chairman Hoffman was also concerned about his management style, and recognized that it was speculation because the Commission saw him in a non-management setting, but he was concerned that Mr. Birenbaum was the kind of guy that's going do it all, or try to do it all, and Chairman Hoffman was concerned a little bit about his delegation skills. Chairman Hoffman thought he would be extraordinarily effective in the job and clearly brings deep, deep subject

matter expertise to the table.

With respect to Ms. Bradley, Chairman Hoffman thought in a year, she'd be a great executive director for this commission, but Chairman Hoffman doesn't think the Commission has a year to wait for someone to get up to speed. Clearly her glaring weakness, as everybody has pointed out, is just lack of subject matter expertise and experience in this topic. Chairman Hoffman thought she otherwise had some wonderful skills and presented herself incredibly effectively. He noted that all the Commissioners had mentioned dealing with an 80-person board. That's extraordinarily challenging and the Commission would be easier to manage than an 80-person board. Chairman Hoffman stated that's obviously relevant experience, just being an executive director in a visible role, that experience is obviously extraordinarily relevant.

The Executive Director would in a position where she is speaking out to not just the press, but all of the constituencies on behalf of the commission, and Chairman Hoffman stated that he was extraordinarily comfortable with how she would represent the Commission and how well the Commission would be reflected by her being a spokesperson for the commission and being publicly visible to all of its constituencies. Her biggest limitation is subject matter expertise and experience.

Chairman Hoffman said the third candidate, Mr. Collins, obviously knew his subject incredibly cold, as everybody else has talked about, and that he's passionate about this. Chairman Hoffman agree with the comment that Commissioner McBride made, which is these are incredibly complicated issues that we've been charged with wrestling to the ground, and Chairman Hoffman liked the way that he approached those issues in a nuanced way. It wasn't black and white; it was looking at it from all angles. Chairman Hoffman thought to get it right on these complicated issues, you have to have that nuance and that ability to understand things from all perspectives. Chairman Hoffman liked the way his mind worked around those complicated issues and thought that was very impressive.

The hard working part of it is, Chairman Hoffman thought, just mission critical. Chairman Hoffman thought Mr. Birenbaum is also a very hard worker, but Chairman Hoffman thought Mr. Collins, just the way he presented it that he was going start immediately and work around the clock – it wasn't bragging or self-advertising. Chairman Hoffman thought it was just that's what he does, and Chairman Hoffman thought that's what we need in this role in the short term.

Chairman Hoffman stated that the knowledge and experience and the relationships that Mr. Collins has in government, in Massachusetts state government, is extraordinarily valuable. Chairman Hoffman knows as he has been going around with the help of Senator Flanagan trying to meet everybody and trying to raise funding, this is an incredibly complex organism to figure a way around. The fact that Mr. Collins does know his way around and has been working in this for his entire career, Chairman Hoffman thought is an incredibly important asset to the commission.

The negative or the concern is the one that everybody else mentioned, which is that he has not managed a large team and the Commission has a much more complex and a much larger organization. Chairman Hoffman agrees with others that based upon the references and based upon his interactions with Mr. Collins, he is totally confident that he would be up to that challenge.

Chairman Hoffman stated that his recommendation is that the Commission extend an offer to Mr. Collins for this position. Chairman Hoffman asked for a motion to approve extending an offer to Mr. Collins for the position of executive director. Commissioner Flanagan made the motion and Commissioner Title seconded it. The Commissioners voted unanimously in favor of the motion.

Chairman Hoffman thanked the Commissioners for their preparation in the final interview and the discussion today and commented that he was heartened by the unanimous vote.

Chairman Hoffman stated that the next agenda item was about the Cannabis Advisory Board subcommittees, who have either had or were about to have their first meetings. Chairman Hoffman had phone conversations with the chairpersons for each subcommittee. He spoke with Jaime Lewis, the Chairman of the Public Health subcommittee, who expressed frustration with the timeline they were given, and that they need help getting up to speed with the legislation. Chairman Hoffman asked the Commission about ideas to help educate the subcommittees. Commissioner Title agreed that it was necessary. Commissioner Doyle suggested that she and Commissioner Title have the deepest, longest knowledge of starting with the question before going forward to the 2017 law and it would make sense for them to work together to give the subcommittees a briefing if they wanted one. Chairman Hoffman suggested flexibility in letting the subcommittees determine how they want to be briefed. Chairman Hoffman asked how much time would be involved in preparing the briefing and Commissioner Doyle responded that they were working on a similar document. Commissioner Doyle said they would only be able to brief the subcommittees on Massachusetts law, not the laws in other states. Commissioner Doyle thought they could present to the subcommittees in two weeks, to give them sufficient time to deliberate prior to the deadline of November 30, 2017. Commissioner Title agreed. Chairman Hoffman asked for any suggestions, but none were offered, so he thanked the Commissioners.

Chairman Hoffman said that the last agenda item was the next meeting, which would be Tuesday, October 24, 2017 at 10:30 a.m. in the Hurley Building, 19 Staniford Street in the Minihan Hall, which is on the sixth floor. He noted that security there is a little bit tighter there than it is in 1 Ashburton Place, and recommended that attendees get there earlier than usual. Commissioner Title wished everyone a happy Diwali, which is the biggest holiday in India. She explained that it's the festival of lights, and it's the end of the year.

Chairman Hoffman adjourned the meeting as of 12:57.