



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 3, 2017 10:30 a.m.
State Gaming Commission Offices
101 Federal Street, 12th Floor
Boston, MA

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. Draft Mission Statement
2. Director of Communications Job Posting

Chairman Hoffman calls the meeting to order as of 10:30 a.m. He thanks the Gaming Commission, particularly Chairman Crosby and Chief Administrative Officer Reilly, for allowing the use of the space and the Comptroller's Office for the assistance in the logistics in putting the meeting together.

Chairman Hoffman notes that the first meeting of the Cannabis Advisory Board is scheduled immediately after this meeting at One Ashburton, on the 21st floor. He notes the agenda for this meeting will be short, but he will highlight upcoming events. First of all, the statewide listening tours, which started yesterday with presentations from interested parties and organizations. Chairman Hoffman stated that he found them fascinating and the speakers were incredibly well-prepared. He credited Commissioner Title with doing a great job of managing the session. He explained that the Commission will now go around the state and do seven or eight additional local listening tours across the state.

In addition to the listening sessions, Chairman will be working on an organizational chart to be discussed by the Commission at a subsequent meeting, as well as a budget for both the remainder for both the remainder of this fiscal year, which ends June 30th, 2018, as well as working with the comptroller's office for the budget for fiscal year 2019, which starts July 1st. He is working on not only a cost budget, but a revenue forecast. Various people, including the



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Treasurer's Office and the Department of Revenue, have prepared forecasts of both the growth revenue from legalized marijuana sales at a retail level, but also what the tax implications are for the state, for the commission, and for local municipalities that host facilities.

Chairman Hoffman states that the Commission is also working on a technology plan. There are three pieces of technology that are mandated legislatively: the seed-to-sale technology, licensing, and revenue tracking. The Commission will discuss a plan for developing each of those three technologies and we'll discuss that at a subsequent meeting. Chairman Hoffman states that there are some staff additions that he will be able to report on next week.

Chairman Hoffman explains that the final thing he wanted to talk about, briefly, is the website. Although it works, there are plans to fix it to organize information to make it more user-friendly. That effort will be talked about at a subsequent meeting, as well as a plan to migrate from mass.gov to a website for the Commission.

Chairman Hoffman states that the first item on the agenda is the review of minutes from September 26, 2017. Commissioner Doyle asks the Commissioners to review the minutes. Chairman Hoffman asks for a motion to approve the minutes. Commissioner Flanagan moves to approve the minutes. Commissioner Doyle seconds the motion. The Commissioners vote in favor of approving the minutes, 5-0, unanimous vote.

Chairman Hoffman states that the next item on the agenda is the second iteration of the mission statement. Chairman Hoffman reminds the meeting that he prepared a draft, that the Commission reviewed that the last meeting and received input from the other Commissioners, after which he prepared a second iteration. As well as the changes suggested by the other Commissioners, the Chairman made additional changes which he had not yet reviewed with the other Commissioners. The Chairman puts up the proposed mission statement on the screen and notes that it is color-coded.

Chairman Hoffman explained that the word "patient" was not in the mission statement, which had been noted during the stakeholder session by Elizabeth Dost, so he wanted to add that. He also wanted to incorporate the word equity or equitably into the mission statement. He comments that the Commission has two choices: vote to approve or do another iteration.

Commissioner Doyle states that the text that begins with the bullet point "engage," there is the addition of the term "patient" but also "care providers," which she finds confusing because she is not sure if the Commission is talking about healthcare professionals or marijuana caregivers. She suggests either making the word "healthcare providers" and adding "caregivers" as an additional word.



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Commissioner McBride expresses concern that when drafting, if you start including specifics, the text can be read to exclude other specifics, so she suggests adding “including, but limited to” to the text. Chairman Hoffman agrees, as the intent is not to exclude any constituency.

Chairman Hoffman comments that the Commission cannot reiterate the document every week, but could review it maybe quarterly, or semi-annually. He has been wrestling with one part of this, that is right now, medical marijuana is under the aegis of the Department of Public Health, not the Commission. He acknowledges that it will be, sometime before the end of 2018, but expresses concern about incorporating it into the mission statement without noting the issue.

Commissioner Title states that for that particular bullet point, since we’re just talking about two-way communication, it is fine to include the reference and states that the same speaker noted that there was no medical professional on the Commission, so the Commission will be leaning very heavily on the medical professionals and patients on the advisory board and anyone else who gives the Commission comments.

Commissioner Flanagan states that after listening to the stakeholder session, she has realized that this is not a new industry and suggests removing the word “new” and the Commission will be living with the mission statement in the future, when the industry will not be new. She is concerned about the perception that the Commission is attempting to start from scratch, rather than learning from other states and industry.

Commissioner Title agreed with Commissioner Flanagan and asked about including the Department of Public Health and a proposed timeline, with the understanding that the Commission would commit to reopening it. Commissioner Flanagan clarifies that it’s not a new industry in the sense that it exists in the legal, medical industry, other states, and then also, of course, but than an existing, illicit industry that has been here. The Commission could either take out a “new” industry, or could make it a new “legal” industry. Chairman Hoffman and Commissioner Flanagan discuss whether it should be “legal” or “regulated.” Chairman Hoffman agreed to work on it further in one additional iteration. He thanks the other Commissioners and thinks the Commission is making progress.

Chairman Hoffman states that the next agenda item is discussion of the director of communications position. He also reminds the meeting that the Commission also started searching for a full-time executive director. The first deadline is today for people to submit applications. Chairman Hoffman checked the email box this morning and I think the Commission have at least 15 applications. He notes that it is going to be both a challenging process to reduce the number of applications to the people that we’ll interview on the first round,



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and then subsequently, to the finalists. Chairman Hoffman explains that the Commission is going to embark today on the same process, slightly different timeline, to find a fulltime director of communications, including a discussion and a vote on the job description.

Commissioner McBride explains that, similar to the process that she went through with the executive director, she pulled job postings from several different director of communications postings and tried to marry them in a way that that she thinks represents what the Commission is looking for. Chairman Hoffman comments that the description was circulated to the Commission for review on Sunday, but there has been no discussion about it until today.

Commissioner Title states that she has one big comment and two small comments. The big comment is, under knowledge and skills, looking back at our mission statement, she recommends including an additional point for cultural awareness, including experience developing communication for the communities disproportionately harmed by marijuana prohibition. She also asks that on the last bullet point, under knowledge and skills – instead of knowledge of the commission’s mission standards and goals, to make it “commitment to...”

Commissioner McBride agrees to the suggested edits. Commission Title also recommends under “functions and responsibilities,” adding “social media” to “develop clear concise messaging, communicated through press releases, key messages, and advisories.” Commissioner Doyle states that regarding public education and outreach, there are statutory requirements for public awareness campaigns and that it should be made part of the job, either in the same bullet Commissioner Title mentioned or somewhere else. Commissioner Doyle acknowledges the amount of work that will be involved, coordinating with DPH and possibly other agencies. Commissioner McBride states that she will also add that to “knowledge and skills:” “experience with public awareness campaigns.”

Chairman Hoffman asks for a motion to approve the job description. Commissioner Doyle makes the motion. Commissioner Flanagan seconds. The Commissioners vote in favor of the job description, 5-0, unanimous.

Chairman Hoffman opens discussion on the timeline for the hiring. He states that he would like to appoint a subcommittee to review the applications and to select candidates to be initially interviewed. He asks Commissioner Title to join me on that subcommittee and that she be chairperson, of the subcommittee. Commissioner Title agrees. Chairman Hoffman states that the job descriptions and the qualifications just discussed will be posted on the Commission’s website. The application deadline will be October 19, 2017.

Chairman Hoffman states that there will be a public subcommittee meeting, but it will go



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immediately into executive session and he does not anticipate any other matters that need to be public in that meeting. The meeting will determine which candidates we will invite in for first-round interviews. On November 1st and 2nd and 3rd, we'll have another public subcommittee meeting again, again with the expectation that it will be solely an executive session. The first-round interviews will be conducted in-person or via Skype. Following that, the sub-committee will recommend finalist candidates to be interviewed by the entire commission.

On November 14, 2017, there will be a public commission meeting to interview these finalist candidates, so anybody that wants to apply for this job needs to be aware of two things: one is that we will conduct final interviews in public; two is that they need to be available in person on November 14, 2017. Two days later, we will have another public commission meeting to deliberate and decide on a candidate to hire for the job of Director of Communications. Chairman Hoffman adds that the hope is to have somebody start by December 1, 2017.

Chairman Hoffman states that the next agenda item is public records. Commissioner Doyle advises the Commission that she has sent a link to the Public Records Guide, as well as contact information for the Attorney of the Day at the Public Records Office if anyone has questions. She also stated that she is arranging a public records training. Commissioner Title asks who the public records access officer will be. Chairman Hoffman states that the issue will be discussed with the organizational chart.

Chairman Hoffman states that there is no new business that he did not anticipate at the time of posting this agenda.

Chairman Hoffman discusses the next meeting date. There are two. The first is this afternoon, the first meeting of the Cannabis Advisory Board, which is scheduled to start at 1:00 p.m. on the 21st floor of One Ashburton Place. There will also be another meeting of the commission, a public meeting of the commission, a week from today, October 10, 2017, logistics to be determined, as the Commission does not have a meeting place yet.

Chairman Hoffman reminds the meeting that for the next two weeks, the Commission will be doing public listening sessions and that there will have to be a little bit of juggling to try to accommodate that, noting that the Commission has approved remote access. Commissioner McBride notes that she and Commissioner Doyle will be in Martha's Vineyard, so they'll be calling in for that one. Chairman Hoffman acknowledges that the Commission will work on the logistics for that and provide more information in terms of time and place.

Chairman Hoffman calls for the last agenda item, public questions and comments. He asks to limit the public comments and question period to half an hour and any speakers to come to chair



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up front where there is a microphone, and each person is limited to one minute. The Commissioners will try to respond to that question. If they are unable to respond to the question, the Commission will get contact information and get back to the individual when we know the answer. The Chairman asks the individuals to introduce themselves by name, and if they are affiliated with an organization, to please identify that organization.

The first individual identifies himself as Kevin Michaelan, with Cohn Reznick, a CPA firm. He leads the cannabis practice here in Massachusetts. Chairman Hoffman discloses that Cohn Reznick are his accountants. Mr. Michaelan asks if there is any idea on the timing of the regulations with respect to transfer of licenses. Commissioner Doyle responds that the Commission is required to promulgate regulations regarding applications and licensing by March 15, 2018 and discussion of transfers of licenses would likely be part of those regulations.

The second individual identifies himself as Jay Davis from Pegasystems in Cambridge. He asks if the Commission has a timeframe of when they're going to release requirements around the technology platform for licensing enforcement. Chairman Hoffman states there is not a specific time frame, but the Commission is in the process of interviewing candidates to serve as a contractor doing program management for us around the three pieces of technology I mentioned earlier, seed-to-sale, licensing, and revenue. The Commission is about to retain somebody, who will hopefully start next week as a contractor until such time as the Commission has a full-time chief information officer, which will be several months in the future. The Chairman states that his expectation is that we will be in a position within three to four weeks to have specs on the technology for all three of those technologies, and to outline an RFP process. He explained that once the Commission has a set of specs for each of those technologies reviewed and approved, then there will be a discussion of the timing of the RFQ – the RFP process.

The third individual identified himself as Stephen Simpson with the Massachusetts Recreational Consumer Council. He asked if there are any plans to remove marijuana from the list of substances that employers can use to bar employment. Commissioner Flanagan states that it is an issue being looked, because there are a number of employers concerned with medical marijuana, but there has not been a discussion of recreational marijuana, so it will be coming.

No other individuals rise to ask questions or make comments. The Chairman adjourns the meeting at 11.04 a.m.