

CANNABIS CONTROL COMMISSION

March 29, 2024
10:00 AM

Remote via [Microsoft Teams Live*](#)

PUBLIC MEETING MINUTES

Documents:

- [Meeting Packet](#)
- Executive Director Job Description

In Attendance:

- Acting Chair Ava Callender Concepcion
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

Minutes:

1) Call to Order

- The Acting Chair (AC) recognized a quorum and called the meeting to order.
- The AC gave notice that the meeting is being recorded.
- The AC gave an overview of the agenda.

2) Commissioners' Comments & Updates – 00:00:55

- Commissioner Roy spoke about her recent public appearances at the New England Cannabis Convention (NECANN), on Quincy public access, and at a meeting regarding diversion with representatives from Washington State. Commissioner Roy also noted a meeting with Commissioner Stebbins, Chief of Research Dr. Julie Johnson, and an Independent Testing Lab regarding the issue of lab shopping. She commented about the potential inflation of potency of marijuana and marijuana products. Commissioner Stebbins also mentioned his appearance at NECANN where he spoke about social consumption and noted that he was happy to see more banking institutions present at the event. He also mentioned a successful Social Equity Program (SEP) application orientation at the New Bedford public library and recent tours of dispensaries he had taken on the South Shore and in Fitchburg. The AC discussed her fireside chat at NECANN and praised Governor Maura Healey's recent pardons of past cannabis convictions and efforts to right the previous wrongs of convictions under marijuana prohibition.



3) Executive Director Job Description – 00:11:00

- The AC noted herself and Commissioner Stebbins began looking into the Executive Director (ED) search and that the goal for the day was to finalize the job description. The AC stated that she, Commissioner Stebbins and Acting Executive Director Debra Hilton-Creek (AED Hilton-Creek) will meet before the April meeting to identify members of the working group. General Counsel Kristina Gasson (GC Gasson) summarized where the Commission had left off during its last meeting regarding the ED job description and that at this point the Commission would move on to discuss minimum qualifications and requirements.
- The AC began discussing minimum qualifications and asked GC Gasson for context on a comment regarding the requirement for 5-10 years of relevant management experience. GC Gasson noted that there was a statutory requirement for the ED to have management experience and that it was up to the Commission to decide the minimum number of years of relevant management experience. AED Hilton-Creek stated that a minimum of 5 years of relevant management experience was reasonable and that 3-7 years would also work in light of the fact that another qualification was a degree minimum. She emphasized that she did not want to eliminate potential candidates who may not have the degree but may have the number of years of experience. The Commissioners discussed how to best balance the minimum requirements as to the number of years of relevant management experience, higher education and experience in the cannabis industry in order to cast the widest possible net. The Commissioners noted consensus that the minimum qualifications language should include, “A bachelor’s degree in public administration or business administration/management, or a related field, and three (3) to seven (7) years of relevant management experience. Cannabis industry experience or experience in a regulatory, enforcement and/or compliance environment a plus.” The Commissioners also agreed to include the language, “In lieu of a bachelor’s degree, five (5) to 10 (ten) years of relevant management experience may be substituted.”
- The AC read the next bullet point regarding a requirement for applicants to have an understanding of the Massachusetts cannabis industry. Commissioner Stebbins expressed concern about wording and limiting the search to individuals with knowledge of the Massachusetts cannabis industry. Commissioner Roy stated that specific knowledge of Massachusetts’ industry was a must for any applicant. The AC agreed. Commissioner Stebbins agreed that anyone who moved to the interview stage should certainly have knowledge of Massachusetts, but that to cast the largest net, it could be beneficial to include candidates who may not have direct experience with the state’s industry. Commissioner Roy posed that Massachusetts was the first state to have an equity mandate and that candidates must be familiar with that requirement. Commissioner Stebbins said that he would let majority rule. The Commissioners deliberated on the wording of a bullet point describing the required experience in fiscal management, strategic planning and collaboration with executive level staff, and board members to best describe the experience sought.



- The AC moved to the section titled “Preferred Qualifications” and AED Hilton-Creek described how the human resources world was moving away from using terms like “preferred qualifications” and instead using words like “plus” or “ideal” as using the word “preferred” might discourage people who are qualified from applying. Commissioner Stebbins asked if the decision-making process came down to two candidates, but there was no “Preferred Qualifications” section, could the Commission still defer to those qualifications to determine the best candidate. AED Hilton-Creek stated it would not come to that point as an applicant who did not meet the preferred qualifications would be eliminated earlier in the process. AED Hilton-Creek suggested that the header “Preferred Qualifications” should be removed, and each of the bullet points moved to the “Minimum Qualifications” section, with the phrase “a plus” added to the end of each, which the Commissioners agreed. The Commissioners discussed the bullet point regarding the necessity of candidates having worked in a municipal, state, or federal agency/organization and decided to expand the point to include those who had experience working in collaboration with government agencies. The AC moved to the section titled “ADAA – Working Conditions” and read the bullet points. Commissioner Roy expressed concern that the first bullet was overly prescriptive and that it may exclude people who are wheelchair bound. AED Hilton-Creek explained that the “reasonable accommodations” disclaimer addressed this issue.
- The AC moved to the section titled “Cannabis Control Commission – Mission Statement and Operating Principles” and read the mission statement. Commissioner Roy expressed concern that disabled people were not identified in the mission statement. AED Hilton-Creek stated that this is the Commission’s mission statement and that it could not be changed for the purpose of the job posting. She suggested that, if this was a concern of Commissioner Roy’s, it should be brought up the next time the mission statement is revisited. The AC moved to the section titled “Our Operating Principles” and read the bullet points. AED Hilton-Creek explained that the approvals section would be signed when the description was finalized along with a salary suggested by the Chief Financial and Accounting Officer that falls within the CCC budget.
- AED Hilton-Creek explained that the Commission uses a “Broadbanding” methodology for determining pay band where positions of similar rank fall within a given salary range. The ED position is an exception, as the Commission sets the ED’s salary, however the Commission has the authority to use a similar philosophy. AED Hilton-Creek stated that a market analysis was completed to guide the Commission in its decision which looked at other state agencies with a similar number of employees and that the Commission may decide the appropriate salary range based on the analysis. AED Hilton-Creek stated that based on the previously stated factors, the recommendation for the ED salary was a minimum of \$157,000, a mid-range of \$187,000, and a maximum of \$217,000. The AC asked what the effect of moving the minimum to \$187,000.00 would be. AED Hilton-Creek stated that it would be financially difficult for the Commission and clarified that, if there was a well-qualified candidate, the Commission was free to go above the mid-point. The



Commissioners agreed a salary range of \$157,000.00 - \$187,000.00 for the purpose of the job posting, with a maximum of \$217,000.00 if the candidate far exceeds the minimum requirements. Commissioner Stebbins noted that applicants should be aware that, if chosen, they would be interviewed by the Commission in an open meeting. The AC asked AED Hilton-Creek how that could be included in the posting. AED Hilton-Creek suggested putting it in a supplemental document which described basic information regarding the Commission's location, demographics, and purpose.

- Commissioner Roy moved to approve the job description for the ED position.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the job description for the ED position.
- The AC continued the discussion regarding the job posting and asked when it could be posted online. AED Hilton-Creek stated that the job description and supplemental documents would need to be finalized and that they could be posted within one or two weeks. AED Hilton-Creek noted that a discussion was needed as to how to process applications and how wide the search should be geographically. The AC stated that the search would be nation-wide and that the purpose of the subcommittee discussed earlier was to take care of the processing of applications and to provide updates to Commission in public meetings. The AC asked what needed to be finalized today so that the job can be posted as soon as possible. AED Hilton-Creek reiterated that the next steps were to finalize the documents so they could be posted and that there should be a meeting with the communications team for how to post it nation-wide. AED Hilton-Creek said it would likely be launched during the week of April 11th. Commissioner Roy asked if an external contractor would be used to handle the first round of screenings. AED Hilton-Creek stated that if an external contractor was used, it would need to go through the procurement process which would greatly delay the posting. The AC stated that first it should be an internal discussion as to what resources are available to the Commission and that this would be discussed before the April meeting. Commissioner Stebbins noted that the communications team would be a great help and that the Commission could revisit using a recruiter to cast a wider net if needed. Commissioner Stebbins also asked AED Hilton-Creek how long the job would be posted online. AED Hilton-Creek stated that it should only need to be posted for one month as the Commission does not have problems finding candidates. AED Hilton-Creek noted that the Cannabis Regulators Association would likely amplify the Commission's efforts and that the Commission could also seek help from other state agencies who might be able to serve on the search committee. The AC stated that she, AED Hilton-Creek and Commissioner Stebbins would meet to review what was actually posted and confirm that all of the Commissioners' comments were incorporated.



4) New Business Not Anticipated at the Time of Posting – (2:16:17)

- No new business.

5) Next Meeting Date – (2:16:23)

- The AC noted that the next meeting on be on Wednesday, April 11, 2024.
- Commissioner Stebbins noted that the SEP team had an upcoming program orientation at the Roxbury Innovation Center on Saturday, April 6, 2024.

6) Adjournment – (2:17:21)

- Commissioner Stebbins moved to adjourn.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the motion to adjourn.

