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Tremaine Wright: Hello and welcome everyone, I am Tremaine Wright the Chair of the Cannabis Control Board. I'm extremely pleased to call to order the first meeting of the Cannabis Control Board and to welcome all of you who are watching virtually. Hopefully, in the near future, we will be able to have these meetings in person. For our members and guests, this meeting will be recorded and this recording will be available to the public on the Office of Cannabis Management's website; cannabis.ny.gov. Today's agenda will include introductions and opening remarks, a report from the Office of Cannabis Management's Executive Director, Chris Alexander, a discussion on ethics to guide the operations of the Cannabis Control Board, consideration of a candidate for Chief Equity Officer and other essential employment matters, a brief update on outreach and education, an announcement about our next Cannabis Control Board Meeting, and then we will adjourn.

As a public body, the Cannabis Control Board is subject to the Open Meetings Law which is intended to ensure the greatest level of transparency and public participation in the affairs of government. Due to the ongoing pandemic, we have requested that members of the public join us via video conference which we will continue to do to keep the public and members of this body safe.

Now, I will read a brief statement on the Open Meetings Law into the record. Pursuant to Chapter 417 of the Laws of 2021 enacted on September 2, 2021, Board members may fully participate in meetings via video conference from locations that are not open to the public, provided that the public has the ability to listen or view such proceedings, and the meetings are recorded and later transcribed. The new law sunsets on January 15, of 2022. The public was provided with information on how to access the meeting within the Public Notice. A recording of this meeting, together with the transcript will be available on the OCM website.

Before we get much further into the agenda I'd like to give you a brief background on myself and introduce the other members of the Cannabis Control Board, as well as our Office of Cannabis Management's Executive Director. I'm a former member of the New York State Assembly and served as the first Director of DFS's or Department of Financial Services Statewide Office of Financial Inclusion and Equity. I'm an attorney, entrepreneur, small business owner, and activist who is a second-generation Brooklyn for Bedford Stuyvesant Brooklyn and a resident who has spent a considerable amount of time investing into the economic foundation of our community and preserving our rich legacy of the neighborhood. I have dedicated my career to empowering and creating opportunities for my neighbors and my community and I'm thrilled to be serving as the Chair of this body.

Jessica Garcia is Assistant, she's our next board member sitting directly next to me and Jessica Garcia is Assistant to the President of the Retail, Wholesale and Department Store Union.



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UFCW, a national labor union representing workers along the food supply chain as well as workers in nonfood retail and healthcare. She previously served as Deputy Political Director for the RWDSU where she worked to advance the union's legislative and political agendas. She currently serves as Chair of the Board of the New York Committee for Safety and Health and the Advocacy Institute, vice-president of the Rural and Migrant Ministry Board of Directors, and member of the Board of the Costa Rican based organization Vivir El Sueno. Jessica would you like to add any remarks?

Jessica Garcia: Thank you Madam Chair, I just want to say that I am extremely honored, privileged to be part of this Board, be part of this work with you and my esteemed board members. For me its just an exciting opportunity to bring to New Yorkers communities who haven't had the opportunity to really get involved in this industry before and find a pathway for them to do so with ease. And most importantly for us, coming from labor, I have to say that we really see this as an opportunity to create good jobs for New Yorkers and I'm just looking forward to the work.

Tremaine Wright: Thank you. The next member I'll introduce is Reuben R. McDaniel, III. He is President and Chief Executive Officer of DASNY the Dormitory Authority of the State of New York. Mr. McDaniel is responsible for the overall management of DASNY's administration and operations. He joined DASNY in 2019 as an accomplished investment banker with more than 30 years of experience in financial services including public finance, personal wealth management, corporate finance and private equity. During his career in public finance, he participated in more than 75 billion tax-exempt bond issuances throughout the country. Reuben would you like to add any remarks?

Reuben R . McDaniel, III: Thank you Madam Chair and I'm so glad to be here today. You didn't mention I'm a resident of Harlem, USA. But all seriousness this is important work. I'm so excited to be part of the initial industry, the Cannabis industry in New York and really bring both the jobs, as you mentioned Ms. Garcia, as well as the social equity component of this legislation ha been fantastic. I've had the opportunity over the last 120 days or so to interact with some of the folks at this table both Chris and Axel and the staff that is presented to us today is something I'm really impressed with. So I'm really looking forward to this file and working hard on behalf of the citizens of New York. Thank you.

Tremaine Wright: Thank you very much. And next to Reuben is Jenn Metzger. Dr. Jen Metzger was elected to the New York State Senate in 2018 to represent the 42nd District a largely rural district in the Hudson Valley and Catskills that includes all of Sullivan County and parts of Orange, Ulster, and Delaware Counties. Committed to improving the lives and opportunities of those she presented Senator Metzger's legislative accomplishments and community level initiatives span a wide range of issues including environmental protection, agriculture, education,



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health, and broadband access. She championed reforms to expand voter participation and reduce the influence of money in politics. And in her own campaigns refused corporate and lobbyist contributions. Jen would you like to add any remarks?

Jen Metzger: Thank you Madam Chair. I know my name is a tongue twister. I just want to thank Senate Majority Leader Andrea Stuart Cosens for appointing me to this board. I'm very excited about this opportunity and I just want to thank Assembly member Crystal People Stokes and my friend and former colleague Liz Kruger for their tireless dedication in getting this legislation passed and creating a framework for legalization grounded in social equity, restorative justice and sustainability. This really sets New York's law apart from all the other states that have legalized adult use marijuana and it is what truly excites me about this opportunity to serve on the board. I've done a lot of work on hemp and CBD on the legislative side when I was Senate Agriculture Chair and I'm thrilled to now be working on it on the regulatory side together with the medical and adult use programs. I think it offers huge opportunities to our farmers including small farmers, young farmers, historically underrepresented farmers, and farmers who have been struggling economically. In my work on this board, I'll be advocating strongly for sustainable practices. We face a climate crisis and we have the opportunity to be a real national leader here in New York and ensure that we meet our state's climate goals. I look so forward to working under the leadership of Chairwoman Wright and with my new colleagues on the board and Office of Cannabis Management and I look forward to helping create a thriving industry that achieves our social equity goals. Thank you very much.

Tremaine Wright: Thank you and next to Jen we have Adam Perry. Adam W. Perry is a partner at Hodgson Russ LLP where he focuses on employment litigation and has represented nonprofits, government, and businesses in state and federal courts. Mr. Perry has deep roots in Buffalo; having attended Erie County Community College and the University at Buffalo. He currently serves as a Board member and Chair of the Niagara Frontier Transportation Authority Aviation Committee as well as Chair of the Citizen Planning Council. He graduated from the University of Michigan Law School. Mr. Perry would you like to add any comments?

Adam W. Perry: Thank you very much Madam Chair. I just want to thank Speaker Hastie for giving me this opportunity and also to thank Majority Leader People Stokes for her commitment to this legislation and this process and for having confidence in me. This is a great privilege to serve in this capacity and with almost 25 years of experience as a member of large public authorities and as council to those kinds of entities, I just hope that I can help the process and the work that we have along. Thank you.

Tremaine Wright: Thank you and as we turn the corner we have our Executive Director, Chris Alexander. I'd like to introduce Chris to you a criminal justice reformer, an advocate who is



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serving as our Executive Director of the Office of Cannabis Management. In this role he oversees the operations of the OCM. Chris has previously worked for the New York State Democratic Party as a legislative aide to Congress, Policy Coordinator for the Drug Policy Alliance, Council to the New York State Senate and Government Relations and Policy Manager for a multi-state cannabis company. He is the Architect of the Start SMART New York campaign to end marijuana prohibition and the lead drafter of the Marijuana Regulation and Taxation Act which is now New York's Cannabis Law. I look forward to working with Chris as we launch this new industry and we will hear directly from him in a few minutes. However, before he comes before us I'd like for us to review some of the social equity goals and legislative intent of the law that has brought us here today.

The Marijuana Regulation and Taxation Act provides a consolidated framework to regulate the production and sale of cannabis. This bill created a new adult use cannabis program, expanded the state's existing medical cannabis and cannabinoid hemp programs. The MRTA is an exceptional piece of legislation with goals to create a new industry that is diverse and inclusive and conscious of the harms caused by the war on drugs and cannabis prohibition. The concept of reparative justice, equity, and fairness are the backbone of this legislation and thus foundational to our operations as a board. This body will work collaboratively with the OCM to ensure that the goals of the MRTA are realized. I would now like to take a moment and read an excerpt of the MRTA legislative intent into the record.

The intent of this act is to regulate, control and tax marijuana heretofore known as cannabis, generate significant new revenue, make substantial investments in communities and people most impacted by cannabis criminalization, to address the collateral consequences of such criminalization, prevent access to cannabis by those under the age of 21 years, reduce the illegal drug market and reduce violent crimes, reduce participation of otherwise law-abiding citizens in the illicit market, end the racially disparate impact of existing cannabis laws, create new industries, protect the environment, improve the state's resiliency to climate change, protect the public health, safety and welfare of the people of the state, increase employment and strengthen New York's agriculture sector. This body will be charged with approving regulations, licenses and various other actions taken by the Office of Cannabis Management. We will also act as an appellate body to review administrative decisions made by the OCM.

Now I'd like to provide some detail about the roll out of the Enhancement to the Medical Cannabis Program. I am excited to announce that we are directing the OCM to work with the Department of Health to execute the expansion of the Medical Cannabis Program pursuant to the MRTA. The Department of Health and our OCM team are actively working on several changes which will take effect immediately. These changes and enhancements to the program become effective immediately. Wholeflower is an approved form of medical cannabis product. Any practitioner who has a license to prescribe a controlled substance is able to certify medical



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patients. The amount of approved medical cannabis that maybe dispensed to a certified patient or designated caregiver increases from a 30 day supply to a 60 day supply. The patient and caregiver \$50 registration fee is permanently waived. The approval facilities such as hospitals, residential facilities and schools to become designated caregiver sites will be streamlined. This will make the administration of medical cannabis easier for patients who go to those facilities. We will be providing regular updates on a rollout of these changes to the public, existing certified patient and registered practitioners.

Next I'd also like to take a moment to address the topic of home cultivation for certified patients in the medical program. As some of you may be aware, the MRTA set out a 6 month effective date for the Cannabis Control Board to issue regulations governing home cultivation for certified medical patients. Due to the delay in appointing the full Cannabis Control Board, we have missed the first deadline. Nevertheless, we are very committed to drafting these regulations and issuing them for public comments and expected to be an agenda item on one of the upcoming board meetings.

Expanding patient care – our patient access to medical cannabis and improving patient care is a mandate that this board takes very seriously. At this time, I will call on our Executive Director to provide his report. Mr. Alexander.

Chris Alexander: Thank you Madam Chair. Good afternoon everyone. first I would like to echo the chair's comments on the priority of expanding the medical program and ensuring patients have access to medical cannabis. Moving forward, I intend to use this Executive Director report to provide an update to the Board on the status of the implementation on this and other key projects being undertaken by the OCM. As of September 28, 2021, there are over 151,000 certified patients and nearly 3,400 registered practitioners. One of the key expansion items that the Chair mentioned was the expansion of the types of eligible clinical providers able to certify medical patients to include any practitioner who has a license to prescribe a controlled substance. We will be working diligently to ensure the medical community at large is informed of this change and prepared to begin certifying patients. We are also very optimistic that the allowance of Wholeflower will increase patient participation in the program due to the reduction in cost of the product that this change will have. As we begin to discuss the transition of the program from the Department of Health to the Office of Cannabis Management, we want to underscore that the Office of Cannabis Management will continue to work diligently to ensure a smooth transition for all existing patients and practitioners.

As you know Madam Chair, and esteemed Board members, the MRTA was signed into law on March 31st. We were not able to begin the work of establishing New York's cannabis market until September 22nd when the full Cannabis Control Board was appointed. As such, we have a 6 month delay to make up. Therefore one of my priorities out the gate is to staff up the Office of



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Cannabis Management with qualified and mission driven individuals who have the necessary experience to ensure that we are successful. A package of initial hires for senior positions will go before the Board today and I look forward to getting these candidates straight to work.

Lastly, I want to touch on the Cannabinoid Hemp Program. The Cannabinoid Hemp Program will also be transitioning from the Department of Health to OCM and I would like to provide a quick breakdown of the number of hemp licenses that have been received. Over 2,700 as of today; 384 of these were for distributor licenses, 34 were for manufacturer licenses, 36 processors and the vast majority 2,275 were for retailer licenses. We will continue to work in the coming months to ensure the further expansion of the Cannabinoid Hemp Program. Thank you Madam Chair.

Tremaine Wright: Thank you. And as previously stated, the Cannabis Control Board is subject to the Open Meetings Law however we as Board members but also comply with the Joint Commission on Public Ethics. I will now hand it over to our board member Adam Perry to discuss key details about the Cannabis Control Board's ethical considerations.

Adam Perry: Thank you Madam Chair. I just wanted to say a few general things about the nature of service and the task that we have ahead of us and just three things. So the first thing is I look at the foundation of service, our primary duty is to our oath and to the people. We were all appointed by a body or an officer but our allegiance is not to them, it's to exercise independent judgment under that oath on behalf of the people. We should never say I will do whatever the appointing authority wants. What we should say is that I will always listen to and even consult with those appointing authorities and other people in public service, and the people to inform how I exercise, each board member will exercise their independent judgment under the statute. And ethics is a complicated matter. Compliance with ethical responsibilities, open government requirements, and reporting obligations is very complicated. It's not a simple task. And even experienced government employees and elected officials are often confronted with complex and even conflicting laws in areas of service. So, its important to have highly experienced professional council with experience specializing in state government ethics to guide us, and the office is working towards having all of these resources available to us. Also, as we go forward, sometimes you'll say it's better to ask for forgiveness afterwards than permission in advance, but we have to flip that on it's head. It's always better, in this kind of service, to ask for permission or guidance first and to have a structure available that I know that the office approved by the Board will have available for us for policies and procedures to guide is in these tasks. And I think that's it Madam Chair.

Tremaine Wright: Thank you. As our member Mr. Perry has already made very clear, the ethical considerations associated with the execution of our responsibilities to this board and to the people of New York State are paramount in our minds and will be guiding our work. And in



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that elk we would like to take a moment to align also so that we know that we are making sure that we are meeting our ethical responsibilities. So, pursuant to Article 2, section 7.7 of the MRTA Board members must disclose and seek approval to participate on other public offices and boards. So in this portion of the meeting we're going to take the step to address and approve participation for our various board members who have an extensive commitment to community service.

First, Reuben R. McDaniel, III currently serves as the President and Chief Executive Officer of the Dormitory Authority of the State of New York, DASNY. Therefore I present to the members resolution 2021-01A permitting Reuben R. McDaniel, III to hold public office and serve as a member of the Cannabis Control Board. Is there any discussion? May I have a motion to accept the resolution before us?

Jen Metzger: I jumped the gun, yes I move to accept that resolution thank you.

Tremaine Wright: Second? All in favor?

All: Aye. Any opposed? Any abstentions?

Reuben R. McDaniel, III: I abstain.

Tremaine Wright: Thank you Resolution 2021-01A passes. Next Dr. Jen Metzger serves as an advisor to the New York State Energy Research and Development Authority, NYSERDA. On responsible citing of renewable energy projects on farmlands. Therefore I present to the body resolution 2021-01B permitting Jen Metzger to hold public office and serve as a member of the Cannabis Control Board. Is there any discussion? Hearing none may I have a motion to accept the resolution before us?

Reuben R. McDaniel, III: I move approval.

Tremaine Wright: Do I have a second. All in favor?

All: Aye. Any opposed? And abstention?

Jen Metzger: Abstain.

Tremaine Wright: Thank you. Next before us is Mr. Adam Perry he serves in the following three positions; Humanities the New York Board Member, Chairman Citizens Planning Council City of Buffalo Capital Budget, and Board of Commissioners Niagara Frontier Transportation Authority. Additionally he serves as a notary public in the State of New York. therefore I



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present resolution 2021-01C permitting Adam W. Perry to hold public office and serve as a member of the Cannabis Control Board. Is there any discussion? May I have a motion to accept the resolution before us?

Jen Metzger: I move that we accept this resolution.

Jessica Garcia: Second.

Tremaine Wright: Thank you. All in favor?

All: Aye. Any opposed. Any abstentions. Thank you. Resolution 2021-01C passes and now we have Miss Jessica Garcia who serves in the following two positions; she serves as an Assistant to the President of the Retail Wholesale and Department Union and as a member of the National Advisory Committee on Occupational Safety and Health. Therefore I present resolution 2021-01D permitting Jessica Garcia to hold public office and serve as a member of the Cannabis Control Board. Is there any discussion? May I have a motion to accept the resolution before us?

Jen Metzger: I move that we accept this resolution.

Adam Perry: Second.

Tremaine Wright: All in favor?

All: Aye. Any opposed? Any abstentions? One abstention. Thank you the resolution passes.

Next we will discuss the appointment of the candidate for the Chief Equity Officer of the Office of Cannabis Management. The Chief Equity Officer's role is to carry out the policy objectives of the Marijuana Regulation and Taxation Act. This includes identifying and engaging with communities that have been affected by the prohibition and criminalization of cannabis and linking them to education, resources, and technical assistance to provide opportunities in the regulated cannabis industry. The Chief Equity Officer will also assist in the development and implementation of the Office's social and economic equity plan and work to define communities disproportionately impacted by cannabis prohibition. I am pleased to introduce Jason Starr as a candidate for Chief Equity Officer of the Office of Cannabis Management. Jason has over a decade of experience as an attorney, educator, organizer and innovator in civil rights and social justice policy. Currently, Jason is the Director of Litigation at the Human Rights Campaign, the nation's largest LGBTQ+ civil rights organization where he is building a strategic hub for collaborative pro bono impact litigation in partnership with private firms and grassroots legal activists. Formerly, Jason served as council for Civil Rights and Federal Affairs in the New



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York Governor's Office where he managed legal, policy and budgetary affairs for a broad portfolio of issues including criminal justice, clemency, democracy protection, immigration, and housing. Jason could not be with us today but we will be sure to reserve time for him to address us and the public at our next meeting. Therefore I present resolution 2021-02 approving the appointment of the Chief Equity Officer of the Office of Cannabis Management. Is there any discussion?

Reuben m. McDaniel, III: Madam Chair before we take up this motion I want to give a blanket statement about all of our employment actions today. When Governor Hochul appointed me to be in this position, one of the things she said was we need to move fast. And to move fast we need good staff and I just want to commend Chris and Axel and yourself on the work you've done over the past 7 days on assembling this great team. I've had a chance to work with several of them so I know quite a few of the names. I've also heard from other people names I don't know is how qualified they are and looking at the résumés last night I'm very impressed with the team you put together. I had the opportunity over the past 2 weeks to watch all of you in our office as you came and went and saw the multitude of interviews you've done in a short period of time. So I want to commend you Chris for the work you've done and Madam Chair for leading this effort and with that I look to make a motion to approve Jason Starr as our Chief Equity Officer.

Tremaine Wright: Can I get a second? Therefore all in favor?

All: Aye. Any opposed? Any abstentions? The resolution has been approved and adopted and we have now appointed out first Chief Equity Officer, Mr. Jason Starr.

Section 62-A of the Civil Service Law authorizes the transfer of certain functions and employees from the Department of Health to the Office of Cannabis Management. It was designed to provide uninterrupted support for the regulation and control of the Medical Cannabis and Cannabinoid Hemp Programs and Hemp Extraction Programs that are already in existence in our state. Therefore we are presenting to the body again another resolution before the body please, it's resolution 2021-03 requesting the Executive Director to commence with the transfer of certain functions and employees from the Department of Health to the Office of Cannabis Management. Any discussion? Hearing none, may I have a motion to accept the resolution before us?

Jessica Garcia: I make a motion.

Tremaine Wright: Second?

Jen Metzger: Second.



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Tremaine Wright: All in favor?

All: Aye. Any opposition? Any abstentions? None, so the resolution 2021-03 passes. And we will commence with the transfer of functions and staff from DOH to OCM. Thank you very much.

Board members, before you have a package of 21 potential hires representing senior positions of the Cannabis Control Board. These are the candidates that have been recommended by our Executive Director. I present resolution 2021-04 affirming and approving the staffing recommendations of the Executive Director. Any discussion? May I have a motion to accept the resolution before us?

Adam Perry: I move approval.

Chris Alexander: Second.

Tremaine Wright: All in favor?

All: Aye. Any opposed? Abstentions: Resolution 2021-04 passes. We have staff. While everyone at home cannot see, we did not get this meeting off and running by ourselves, it was a big lift and a lot of these people are in the room with us and I'm going to say thank you and welcome. We could not have got in here without you.

The OCM's website cannabis.ny.gov is now live. The website is home to key overviews, fact sheets and more. On the home page you'll find a form to sign up for updates from the office. You can tailor which kind of update you're interested in receiving based on your interest and we ask you to continue to check back in for updates. Please make sure you go to cannabis.ny.gov and sign up so that we can stay connected.

Once staffing is underway, the office will be launching a robust public education program. That is our first move out the door to make sure that New Yorkers know exactly what's in front of them and how they can participate in this industry. We will be educating the public about key provisions in the law, enhancements to the medical program, important public health and safety messages to prevent drug driving, educating patients about safe storage of their cannabis products, and underscoring the risks and special considerations for youth use and pregnant and breast feeding individual's use. I am very much looking forward to getting out there in a series of outreach and engagement opportunities to speak with the public and key stakeholders. This is a seismic shift in policy and we want to ensure we meet you where you are and provide you with key information.



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Please note that the time, location and live stream link will be shared on cannabis.ny.gov in advance of the next Cannabis Control Board meeting. a recording of today's meeting, meeting minutes, and a transcript will be posted as well.

I thank you all for joining us. I thank you for your service and welcome everyone to the Board and to OCM. This concludes the first meeting of the Cannabis Control Board, we are adjourned.