

Tremaine Wright: Hello and welcome everyone. I am Tremaine Wright, the chair of the Cannabis Control Board. Recognizing that we have all board members present or participating remotely. I'm pleased to call the order, the sixth meeting of the Cannabis Control Board, and to welcome all of you who are participating via real time live stream. As we have previously stated, it is our hope that in the near future, we will be able to safely have these meetings in person. As always this meeting will be recorded and the recording and transcript will be available to the public on the Office of Cannabis Management website, [cannabis.ny.gov](http://cannabis.ny.gov). Information on Cannabis Control Board meetings is available on a designated section of the OCM website.

Today's agenda will include welcome and brief remarks from myself, review and approval of the meeting, minutes from the Cannabis Control Board meeting on January 25th, consideration of proposed regulations for the Medical Cannabis Program and then we will hear an update from board member McDaniel on the social equity fund, a report from our executive director, Chris Alexander on The Office of Cannabis Management and then the board will proceed into executive session to discuss proposed, pending or current litigation matters. Then we will adjourn. So let's get started with some opening remarks. First, we will continue to recruit our talented professionals to help us grow the Office of Cannabis Management. We have been the adding staff to each of the offices teams, growing the expertise and the capacity of the office. Job listings are being posted on a rolling basis, so please continue to monitor the OCM website for new opportunities.

Staffing up this agency with the right expertise is tantamount to our success. Next, we have rolled out our first outreach effort Cannabis Conversations. Each conversation is an hour long presentation explaining the MRTA and answering community questions. We have already hosted nine sessions and we believe we've been able to have meaningful engagement across the regions of our state despite the challenges that this pandemic brings to the table. We have enjoyed these sessions tremendously. You've given us great ideas and helped us to educate others with similar questions. Please know, this is just the first outreach series of many more to come. We continue to expand the Medical Cannabis Program. And today the OCM will provide an overview of the latest regulatory enhancements made to the Medical Cannabis Program. Now let's switch gears to review and approve... I'm sorry for a review and approval of the meeting minutes from the January 25th Cannabis Control meeting.

However, before we move much further into today's proceedings, I would like to make some brief remarks about the Open Meetings Law, as stated at every board meeting. The Cannabis Control Board is subject to the Open Meetings Law, which is intended to ensure the greatest levels of transparency and public participation in the affairs of the government. Due to the ongoing pandemic, we

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have requested that members of the public join us via video conference, which we will continue to offer to keep the public and members of this body safe. Now I'll read a brief statement on the Open Meetings Law into the record. Pursuant to chapter one of the laws of 2022 enacted on January 14th 2022, board members may continue to fully participate in meetings via video conference from locations that are not open to the public, provided that the public has the ability to view or listen to such proceedings. And the meetings are recorded and later transcribed.

The public was provided with information on how to access this meeting within the public needing notice distributed to members of the press and posted on the OCM website. A recording of this meeting together with the transcript will also be available on the OCM website. Previous recordings, meeting minutes and transcripts are archived on the OCM website as well. Please note, there is a tab on the website entitled board meetings, which provides access to this information. May I please have a motion to approve the January 25th 2022 board meeting minutes?

Ms. Metzker: Make that motion.

Tremaine Wright: May I have a second?

Ruben McDaniel: I'll second.

Tremaine Wright: Thank you. Is there any discussion by any board members? Hearing none I'll call for a vote. All in favor?

Board Members: Aye.

Tremaine Wright: Okay. [inaudible 00:05:42]

The motion is approved, the January 25th, 2022 board meeting minutes carries. Concerning the next order of business, may I please have a motion to consider and approve resolution number 2022-03, resolution directing the office of cannabis management to file certain medical cannabis regulations?

Ruben McDaniel: So moved.

Tremaine Wright: May I have a second?

Ms. Metzker: Second.

Tremaine Wright: Mr. Alexander, could you please provide us with an overview of the key changes can change in the medical program regulations?

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Chris Alexander: Thank you, Madam chair. I'd actually like to invite Nicole Quackenbush to provide this update. By way of introduction Nicole serves as the director of health and safety for the office. She is a pharmacist with over 23 years of diverse professional experience and has previously worked for the New York state department of health, where she served as the inaugural director of New York State's Medical Cannabis Program. Nicole is well poised to walk us through a summary of proposal, and we're thankful to have her on the team. Nicole.

Nicole Quackenb...: Thank you, Chris. And hello everyone. I'm very excited to present the proposed medical cannabis program regulations today as this regulatory package puts forward several significant changes for the program, many of which were included in the MRTA. For starters, with these changes, we are fully transitioning the program from the department of health to the Office of Cannabis Management. As such this regulatory package will create a new part one 13 in the state register and any references in the regulations that previously mentioned the department, now reference either the office or the board were applicable. Many of the changes that have previously been discussed in board meetings, such as increasing the patient supply from 30 to 60 days and expanding the eligible conditions to include new conditions and any condition per clinical discretion are included among other updates. Notably many programmatic efficiencies have also been made.

These include modifying, packaging and labeling requirements to support the opportunity for recycling programs and further prohibit packaging that markets to you, removing restrictions on naming conventions for products, paving the way for products to include names of various cannabis streams, changing video surveillance requirements for registered organization facilities from continuous recordings, 24 hours a day to allow for motion activated recording after business hours and allowing flexibility for pharmacists to provide remote supervision within a dispensing facility. I'd like to thank you for the opportunity to highlight these key changes. And I would be happy to answer any questions if any board members have them.

Tremaine Wright: Thank you, Nicole. Are there any questions, comments, or discussion?

Ms. Metzker: I'd just like to... Well, first of all, welcome Nicole, and thank Nicole for her great... Or re-welcome I should say, for her great work and staff's great work on these regulations. I just want to highlight some of proposed changes that better align the regulations with the MRTA climate, environmental and sustainability goals. One of these is when reviewing whether applications or in the public interest will be considering whether the registered organization minimizes or eliminates adverse environmental impact, could be energy and water usage, carbon emissions, waste pollutants, and single use plastics, which is all referenced in the MRTA. And this is also language that aligns well with the state's climate law and some modifications have been made that Nicole mentioned regarding packaging that are really an important first step in

supporting reuse and recycling in packaging. And in particular the need to reduce single use plastics, which only about eight and a half percent of which are recycled.

So it's a critical pollution, health and environmental justice issue that we address that and find solutions. And I just want to mention one other governing waste. The language has been modified to clarify that parts of the plant that do not get one high, do not have to be rendered unrecoverable and beyond reclamation, which again, better supports composting and reuse of this waste to make other useful industrial products, which is something we really want to support in this program. So these are again, really important steps we've taken and I want to just express my appreciation to staff for this work. Thank you.

Tremaine Wright: Are there any other their comments, questions, discussion? Therefore, I will call for a vote. Ms. Metzker?

Ms. Metzker: Aye.

Tremaine Wright: Ms. Garcia?

Okay, just signal us.

Ms. Garcia: Aye.

Tremaine Wright: Mr. McDaniel?

Ruben McDaniel: Aye.

Tremaine Wright: Mr. Perry?

Mr. Perry: Right.

Tremaine Wright: And I vote in favor as well. The motion to approve resolution number 2022-03 resolution directing the Office of Cannabis Management to file certain medical cannabis regulations carries. At this time. Do you want to say the during...

Agenda.

And now we'll move on our next item. During the January 25th Cannabis Control Board meeting, board member McDaniel presented an overview of the \$200 million public private fund, that'll be used to provide certain eligible applicants from communities impacted by over policing and mass incarceration during the Decades Law and Cannabis prohibition. So at this time I'd like to invite board member Ruben McDaniel to provide an update on the funds, please.

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Ruben McDaniel: Great. Thank you, Madam chair. I appreciate that. As I mentioned, our last meeting, the governor put into place in our state of the state address, a \$200 million fund to assist our social equity applicants getting us into the retail cannabis business, and that relays a landmark decision a lot of other states have had significant social equity programs. This puts our money where our mouth is. So I'm very pleased to be part of this. So I just want to keep you posted on the updates as we're moving along. Clearly we have a lot of work to do, we're working with the legislature now and other stakeholders to get their input into the fund to make sure we're administering it properly. And with policy we're also working on the technical work to make sure that we can implement this program very quickly. One of the key components of this is we'll be using revenue from licensing fees and other components of the capital office of campus management.

What that does, it allows us to work with individual private investors to get these monies available early so that we can implement this program in a timely manner and make sure that our social equity applicants can be part of the program in a very timely manner. In addition, the organization I lead, [Dazdey 00:13:05] will be assisting social equity applicants in their build out, will help identify locations, negotiate leases, look at the Physical build out of facilities and also assist with EFF and E purchases. All this is designed to make sure our social equity applicants are among the first who can get adult use cannabis open in the state of New York. But as importantly, these facilities will be state of the art. They'll be well located and really great rollout for our Cannabis [inaudible 00:13:30], I'm very excited about that. So our next really work with our stakeholders to get their input.

I'll be doing some public outreach to get the best ideas in the business, how this should be structured, work with the legislature to get it passed through the legislator as part of the bill, for the tax bill. And I think we're really thinking about how can we make sure that if we're going to have a goal of 50% of our licenses going to social equity applicants, how can we make that meaningful and successful? And this is just one component we're doing, this is retail dispensaries, but we are working, the office is working, the staff is working very hard on other support services that will help our social equity applicants get into all aspects of the cannabis business. So very excited. We'll continue to keep you updated, work in progress with, a lot of work in progress. And so I appreciate that, Madam chair. Thank you.

Tremaine Wright: Thank you for providing that update. Now I'd like to ask our executive director, Chris Alexander, please provide the doctors report.

Chris Alexander: Thank you, Madam chair. Thank you all for joining us today. As described in previous board meetings, recent media reports have described business operators are selling a product of service, including club memberships, stickers and T-shirts to consumers, and then providing cannabis as a gift in return, as

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stated by the chair and by myself in previous instances, this activity remains illegal under the Marijuana Regulation Taxation Act also known as the Cannabis Law. Through an initial investigation, the OCM has identified over two dozen alleged violators and sent letters to each businesses, educating them on the law and ordering them to cease and assist those operations. Should they fail to stop, they risk the opportunity to get a law license in the legal market that we are currently building as well as facing substantial risk of fines and possible criminal penalties. The letters explained that while cannabis has been legalized for those age 21 and over, selling it requires a license under law.

No adult use licenses have currently been issued in New York State to date. And the products that's selling are not tested, not packaged or labeled with appropriate warnings and consumer information, which puts the public at significant risk. To reiterate and to be crystal clear, once again, the only legal means of procuring safe, tested cannabis products right now is through the Medical Cannabis Program where becoming a patient requires getting certified from medical provider. Under the cannabis law OCM's role is to enforce the rules it develops for the three prongs of the industry it oversees, the Medical Cannabis Program, the Cannabinoid Hemp Program, and the Adult Use Cannabis Program. The office works with governmental partners locally and at the state level and we'll continue to work with those partners to enforce the law.

I wanted to add a bit of color to what the chair mentioned about the cannabis conversations as discussed, we've held nine sessions this far. We're really happy with how they're running. We've covered Western New York, the Finger Lakes in New York city, the Southern Tier, Central New York, Mohawk Valley, North Country, Capital Region, and the Mid-Hudson. As we've traveled across the reasons virtually we've been able to engage with over 5,000 individuals. The chair has been running crazy around the state. We're excited to have had such a robust audience participate in these discussions so far. Echoing what Madam chair has said at the beginning of this meeting, these conversations are just the beginning. There are two items I wanted to additionally mention before I conclude. First, the public comment period on the Medical Cannabis Home Cultivation Regulations has now closed. We received over 160 comments from a wide range of stakeholders, from drug prevention and awareness coalitions, small farmers, industry associations, clinical associations, and more.

And the office is working on finalizing our assessment of those public comments and expects to take some action at the next board meeting. Second, I have some staffing news to share with the board. The candidate we were looking to bring on is our Chief Equity Officer has declined to transition the role that you all appointed him to. We're making the search now for replacement a top priority, and we'll move quickly to present to the board a candidate for the role of Chief Equity Officer. We don't expect this to impact our timeline, and we're moving full steam ahead and already casting a wide recruitment net. And I'm happy to

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take any questions you all have on that or any of that. Back to you, Madam chair. Sure there be none.

Tremaine Wright: Excellent. Thank you for that update. Are there any questions from the board? Hearing none. Okay. So as we to bring this meeting to a close, I want to remind everyone that in advance of the next Cannabis Control Board meeting, the time, location and a live stream link will be shared on the OCM website, cannabis.ny.gov. Additionally, a recording of today's meeting, meeting minutes, and a transcription will be posted as well. That concludes today's public agenda items, concerning the next order of business. May I please hear from the council's office?

Chris Alexander: [inaudible 00:18:46] Thank you, Madam chair. I'm going to request an opportunity for counsel's office to engage with the board in an executive session to discuss pending, proposed or current litigation.

Tremaine Wright: May I please have a motion to consider and approve an executive session to discuss proposed, pending or current litigation?

Nicole Quackenb...: Make that moved.

Mr. Perry: So moved.

Second.

Tremaine Wright: Thank you. If there any discussion, question or comment by any board member? I'll call for a vote. Ms. Metzker?

Ms. Metzker: Aye.

Tremaine Wright: Mrs. Garcia?

Ms. Garcia: Aye.

Tremaine Wright: Mr. McDaniel?

Ruben McDaniel: Aye.

Tremaine Wright: Mr. Perry?

Mr. Perry: Aye.

Tremaine Wright: And I vote of favor as well. And the motion to approve an executive session to discuss proposed, pending or current litigation carries. So my fellow board members will now move into the executive session and for everyone else, the

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live screen video will now have a hold screen until we return for the limited purpose of adjourning this meeting.

The executive session has concluded. May I please have a motion to adjourn this meeting.

Ruben McDaniel: Adjourn.

Tremaine Wright: Second.

Ms. Metzker: Second that.

Tremaine Wright: Hearing. Oh, is there any discussion by any board members? Hearing none I'll call for a vote. All in favor?

Board Members: Aye.

Tremaine Wright: The motion carries and I want to say, thank you everyone for your patience as we went into executive session. We've now concluded today's business and we will adjourn this meeting. Thank you.

Mr. Perry: Thank you.