



Office of Cannabis Management

KATHY HOCHUL	TREMAINE WRIGHT	JESSICA GARCIA	REUBEN R. MCDANIEL, III	ADAM W. PERRY	JEN METZGER	CHRIS ALEXANDER
Governor	Cannabis Control Board Chair	Board Member	Board Member	Board Member	Board Member	Executive Director

Meeting Minutes

Title:	New York State Cannabis Control Board Meeting
Time & Date:	July 14, 2022
Location:	Virtual via Webcast & Board Members to meet in Buffalo at Roswell Park

Attendance

Board Chair:	Tremaine Wright
Board Members Present:	Jessica Garcia, Adam W. Perry
Board Members Present (virtually):	Reuben R. McDaniel III, Jen Metzger
Board Members Absent:	None
Others Present:	Chris Alexander, Damian Fagon
Others Present (virtually):	Axel Bernabe, Nicole Quackenbush, Rick Zahnleuter

Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from June 23, 2022 Board Meeting
- IV. Consideration of Conditional Adult-Use Retail Dispensary Regulations
- V. Consideration of Conditional Adult-Use Retail Application and Application Window
- VI. Consideration of Adult-Use Conditional Cultivator Applications
- VII. Consideration of Revised Medical Cannabis Regulations
- VIII. Executive Director Report
- IX. Adjourn



Action Items

Resolution No. 2022-20:	Resolution Directing the Office of Cannabis Management to File Certain Proposed Conditional Adult-Use Retail Dispensary Regulations.	Passed, Unanimous Vote
Resolution No. 2022-21:	Resolution Approving a Certain Application Form for a Conditional Adult-Use Retail Dispensary License and Directing that a New Application Period for Conditional Adult-Use Retail Dispensary Licenses Open and Close on Dates to be Established by the Office.	Passed, Unanimous Vote
Resolution No. 2022-22:	Resolution Issuing Certain Conditional Adult-Use Cultivator Licenses.	Passed, Unanimous Vote
Resolution No. 2022-23:	Resolution Directing the Office of Cannabis Management to File Certain Revised Proposed Medical Cannabis Regulations.	Passed, Unanimous Vote

Notes & Comments

<ul style="list-style-type: none"> • Chair Wright commented that 203 Adult-Use Conditional Cultivator Licenses have been approved and that the Adult-Use Conditional Processor Application window opened on June 28, 2022. The application window closes on August 31, 2022. • Chair Wright commented that it was announced a few weeks ago that Social Equity Impact Ventures, LLC, a premier Black-led investment team, managed by Financial Leader Suzanne Shank, former City Comptroller William Thompson, and NBA Hall of Famer Chris Webber, was selected as the fund manager for the \$200 million Social Equity Cannabis Investment Program.
<ul style="list-style-type: none"> • Board Member Reuben McDaniel recused himself from Resolution No. 2022-20 and turned off his screen. • Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided an overview of Resolution No. 2022-20, a Resolution Directing the Office of Cannabis Management to file certain proposed Conditional Adult-Use Retail Dispensary Regulations. CAURD is a key pillar of the New York State Seeding Opportunity Initiative. The program will license New York’s first legal adult-use retail dispensaries, positioning those most impacted by the enforcement of the prohibition of cannabis and with strong business backgrounds at the front of the line to receive a retail-dispensary license. <ul style="list-style-type: none"> - Licenses for the CAURD applicants will be awarded to individuals who meet two baseline eligibility requirements: <ul style="list-style-type: none"> ○ First, they must have a cannabis-related offense that occurred prior to the passage of the Marijuana Regulation and Taxation Act (MRTA) on March



31, 2021, or had a parent, guardian, child, spouse, or dependent with a pre-MRTA cannabis offense in the State of New York.

- Second, they must have experience owning and operating a qualifying business.
- More than 600 distinct comments were received and reviewed by OCM during the comment period. The assessment for public comment will be posted to OCM's website.
- Executive Director Chris Alexander commented that he wanted to highlight the final criteria for eligibility is that someone has experienced a cannabis conviction prior to the MRTA and that they have experience owning and operating a business.
- Chair Wright commented that the term justice involved individual does not appear in the MRTA and asked Axel Bernabe, OCM Senior Policy Director and Chief of Staff, to clarify and define the term justice involved individual.
- Axel Bernabe, OCM Senior Policy Director and Chief of Staff, commented that it must be a marijuana related conviction that occurred before the passage of the bill and that it must be a 221 offense mainly that relates to the possession or sale of marijuana at that time. If you were arrested for a marijuana related offense, but then convicted for a lesser charge, that will be recognized as well as a justice involved qualifying offense.

- Executive Director Chris Alexander provided an overview of Resolution No. 2022-21, Resolution Approving a Certain Application Form for a Conditional Adult-Use Retail Dispensary License and Directing that a New Application Period for Conditional Adult-Use Retail Dispensary Licenses Open and Close on Dates to be Established by the Office.
 - The application requires proof of a qualifying marijuana related conviction and the residence of the justice-involved individual at the time of that offense, details and documentation related to the applicant's qualifying business or nonprofit, financial disclosures for the True Parties of Interest in the applicant, and other basic applicant information.
 - Eligible applicants will be able to apply using an online application system posted on the OCM website. OCM must post the opening date on its website at least 14 days before the application period opens.
- Damian Fagon, OCM Chief Equity Officer, commented that CAURD applicants will be pleased to find an application that is fully online, straightforward, and not overly burdensome. In the coming weeks, OCM will work with their partners across the state to ensure applicants have readily available support services to complete their applications.

- Executive Director Chris Alexander provided an overview of Resolution No. 2022-22, Issuing Certain Conditional Adult-Use Cultivator Licenses. The OCM completed the review of and recommended 20 more applicants for an Adult-Use Conditional Cultivator License to the Board, in addition to the 203 already approved.

- Nicole Quackenbush, the Director of Health and Safety for OCM, provided an update on the proposed Medical Cannabis Regulations. The proposed Medical Cannabis Regulations were approved by the Board in February to be filed for a 60-day public comment period. The public



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comment period for these regulations closed on May 9, 2022, and the Office reviewed over 100 comments from various stakeholders. Key revisions to the regulations include:

- Streamlined the patient registration process to allow for auto-registration.
- Revised packaging, labeling, marketing, and advertising requirements to align with the Adult-Use proposed regulations.
- Removed prior written approval requirements for medical cannabis products.
- Revised pharmacist supervision requirements to be in-person.
- A new 45-day public comment period will begin on August 3, 2022.
- Board Member Jen Metzger presented a summary of the Energy and Environmental additions that were made to the proposed Medical Cannabis Regulations including:
 - Requirements for annual benchmarking of energy and water usage.
 - Standards for lighting and dehumidification systems.
 - Packaging standards to include environmental standards and a sustainability program requirement.
 - Standards for the disposal of plant waste.

- Executive Director Chris Alexander provided his Director's report.
 - "Get Ready, Get Set" - CAURD
 - "Get Ready, Get Set" is a learning and listening series to prepare eligible New Yorkers for Conditional Adult Use Retail Dispensary (CAURD) licenses and hear from communities impacted by over policing.
 - "Get Ready, Get Set" focuses on engaging individuals with cannabis convictions, or their family members, and community-based organizations that provide support to eligible individuals.
 - OCM continues to participate and reach out to New Yorkers to raise awareness around the forthcoming opportunity with CAURD and their work. OCM has now taken the show on the road. Events are scheduled for Brooklyn, Buffalo, Schoharie County, Ulster County, Manhattan, Queens and Harlem.
 - Farm Visits
 - OCM and CCB members will travel across the state today and tomorrow, visiting cultivators already growing the adult-use cannabis as part of the Seeding Opportunity Initiative.
 - Plants are in the ground, growing the product that will be sold by the Conditional Adult-Use Retail Dispensary owners later this year.
 - Cannabis Advisory Board
 - The Cannabis Advisory Board (CAB) held its first meeting on June 30th. The MRTA designates the primary purpose of the CAB as overseeing the disbursement of the New York State Community Grants Reinvestment Fund. The CAB also advises on the proposed regulations, and to effectuate that consultation, the OCM will engage with the CAB during the public comment period. However, the sole body charged with the approval of regulations is the Cannabis Control Board.



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- Under the MRTA, the Advisory Board's voting members must have statewide geographic representation that includes individuals with expertise in the following:
 - Public and behavioral health
 - Substance use disorder treatment
 - Effective rehabilitative treatment for adults and juveniles
 - Homelessness and housing
 - Economic development
 - Environmental conservation
 - Job training and placement
 - Criminal justice
 - Drug policy

- The Board adjourned the meeting.