



# Cannabis Control Board

## Meeting of the New York State Cannabis Control Board

January 26, 2023

# Agenda

- i. Call to Order
- ii. Welcome and Opening Remarks
- iii. Approval of Meeting Minutes from December 21, 2022 Board Meeting
- iv. Consideration of Board Member Disclosure Resolution
- v. Consideration of Conditional Adult-Use Retail Dispensary Licenses
- vi. Consideration of Adult-Use Conditional Processor License
- vii. Consideration of Cannabis Laboratory Testing Permits
- viii. Consideration of Medical Cannabis Regulations
- ix. Consideration of Candidate for General Counsel
- x. Consideration of Office Staff Disclosure Resolution
- xi. Executive Director Report
- xii. Public Comment
- xiii. Adjourn



## Chair Wright Opening Remarks

- On December 29, 2022 the first adult-use cannabis retail dispensary opened in Manhattan. Yesterday, our second CAURD dispensary opened by a justice involved individual.
- The Seeding Opportunity Initiative is how we've been opening the market by relying on family farmers and small business owners and non-profits. We are working hard to continue to build New York State's cannabis market the right way.
- Over the coming weeks we are anticipating several other dispensary openings throughout the state.
- Today, we will be considering 30 CAURD applicants, and 1 Conditional Processor for licensure and 5 laboratory permits.

# Approval of Meeting Minutes: December 21st, Board Meeting

Office of Cannabis Management

Adult Use

Medical Cannabis

Cannabinoid Hemp

Licensing

Local Government

Board Meetings

Pressroom

- Pursuant to the Open Meetings Law, meeting minutes are taken at every Board meeting and made available on the Office of Cannabis Management website ([cannabis.ny.gov](https://cannabis.ny.gov)) under the Board Meetings tab on the homepage.
- The public was provided with information on how to access this meeting in the Public Notice. An unabridged video recording of this meeting, together with an unabridged transcript, will be made available on the OCM website within two weeks of the meeting.

# Consideration of Board Member Disclosure

## Resolution 2023-01

- Dr Gilbert Jenkins is an Assistant Professor of Agricultural Science at Morrisville State College. Her work there deals with sustainable agricultural practices relative to soil health, crop nutrient and pest management. Currently industrial hemp is the central focus of her research, evaluating production practices to make hemp a successful component of crop rotations in New York State.
- Pursuant to Article 2, Section 7(7) of the Cannabis Law, Board Members must disclose and seek approval to participate in other public offices or boards.
- **Resolution No. 2023-01:** Resolution permitting Jennifer Gilbert Jenkins to hold public office and serve as a member of the Cannabis Control Board. This includes:
  - Associate Professor of Agriculture, State University of New York Morrisville
  - Hemp, Fiber & Grain Workgroup Member, New York State Department of Agriculture & Markets
  - Sustainability Workgroup Member, Town of Cazenovia



# Conditional Adult-Use Retail Dispensary (CAURD) Licenses

## Resolution 2023-02

- OCM received over 900 individual and nonprofit applicants for CAURD, New York's first-in-the-nation equity retail licensing program.
- To be eligible for a CAURD license, an applicant had to be justice involved and have previous experience owning a business.
- First CAURD licensee opened its doors in New York City on December 29, 2022. Second on Monday, January 23, 2023. Expecting more open by mid-February.
- Today, OCM is recommending provisional licensees for 28 Qualifying Business applicants and 2 Non-Profit CAURD applicant.
- Provisional licensees are approved to submit final application materials to OCM, upon approval of which, they can receive final licensure and open and operate their retail dispensary.

### **Resolution No. 2023-02: Consideration of Conditional Adult-Use Retail Dispensary Licenses**

# Conditional Adult-Use Retail Dispensary (CAURD) Licenses For Approval

Application #	Entity Name / DBA
OCMCAURD-2022-000026	Social Equity CAURD JV LLC
OCMCAURD-2022-000038	Exscape Inc.
OCMCAURD-2022-000099	Polanco Brothers Corp
OCMCAURD-2022-000129	Steven Steals and Co. LLC
OCMCAURD-2022-000133	Lyfted Essentials, LLC
OCMCAURD-2022-000195	Luke Cloud, Inc.
OCMCAURD-2022-000216	TOP SHELF AFICIONADOS INC
OCMCAURD-2022-000220	THINC PROVISIONS INC
OCMCAURD-2022-000260	Air City Cannabis LLC
OCMCAURD-2022-000279	Pure Blossoms LLC
OCMCAURD-2022-000356	T&C Distribution LLC
OCMCAURD-2022-000358	Half Island Flavors, LLC
OCMCAURD-2022-000374	Diamond Dispensary, LLC
OCMCAURD-2022-000409	Eco Sesh
OCMCAURD-2022-000414	Ten Cees, LLC
OCMCAURD-2022-000417	Indoor Treez Corp.

Application #	Entity Name / DBA
OCMCAURD-2022-000509	The Highest Peak, LLC
OCMCAURD-2022-000563	Advanced Institutional Support Services, LLC
OCMCAURD-2022-000580	North Country Roots, Inc
OCMCAURD-2022-000608	So Vapes & Accessories
OCMCAURD-2022-000682	Michael D Gant
OCMCAURD-2022-000744	Kushmart NY, LLC
OCMCAURD-2022-000785	NYCC1 LLC
OCMCAURD-2022-000787	CI Wonder Enterprises, LLC
OCMCAURD-2022-000809	Natural Wonders Cannabis
OCMCAURD-2022-000827	Good Grades, LLC
OCMCAURD-2022-000865	Jupiter Café
OCMCAURD-2022-000876	Humble County, LLC
OCMCAURD-2022-000879	BazzJAT Retail Inc
OCMCAURD-2022-000888	Budding Industry Group, LLC



# Consideration of Additional Adult-Use Conditional Processor License

## Resolution 2023-03

- Pursuant to legislation signed by Governor Hochul in February 2022 (Chapter 18 of the Laws of 2022), entities who hold a Cannabinoid Hemp Processor license from OCM qualify to apply for an Adult-Use Conditional Processor license. Eligible applicants must have applied for a Cannabinoid Hemp Processor license in New York before January 1, 2022.
- The Adult-Use Conditional Processor license authorizes the license holder to process and distribute their own cannabis products (over 0.3% THC) for a period of two years or until they transition to a non-conditional license.
- Adult-Use Conditional Processors will be a critical part of New York's equity-first supply chain, bringing cannabis products onto the shelves of New York's first adult-use cannabis retail dispensaries.
- OCM has completed the review of and recommends the approval of **1 applicant** for an Adult-Use Conditional Processor license. There are now a total of **40 licensed Conditional Processor**.
- **Resolution No. 2023-03: Resolution Issuing Certain Adult-use Conditional Processor Licenses**



# Conditional Processor Licenses For Approval

#	Application #	Entity Name
1	OCMAUCP-2022-000045	Nutriponics, LLC

# Consideration of Cannabis Laboratory Permit Holders

## Resolution 2023-04

- Pursuant to Section 130 of the Cannabis Law, the Board has the authority to approve and permit one or more independent cannabis testing laboratories in New York State.
- Independent cannabis testing laboratories are a critical part of New York's equity-first supply chain, helping to bring safer cannabis products onto the shelves of New York's first adult-use cannabis retail dispensaries.
- OCM has completed review of and recommends approval of the following 5 applicants for a cannabis testing laboratory permit, with testing operations to commence after the laboratories complete their demonstration of testing capabilities:

Laboratory	Location
Botannis Labs NY Corp	Suffolk County
Certified Testing and Data	Albany County
MCR Labs New York	Oneida County
DRS Testing	Erie County
Green Analytics NY	Rockland County

- This will bring the total to 12 permitted cannabis testing laboratories in New York State. Additional information can be found here regarding the testing capabilities of each laboratory: [Cannabis Laboratories | Office of Cannabis Management \(ny.gov\)](#)
- **Resolution No. 2023-04: Consideration of Cannabis Laboratory Permit Holders**

# Consideration of Medical Cannabis Regulations

## Resolution 2023-05

- In July 2022, the Cannabis Control Board approved revised regulations for the Medical Cannabis Program for public comment.
- A key change included in these revisions was an exemption from filing a registration with the Office for medical cannabis patients, to help streamline access to medical cannabis for patients.
- Public comment closed on September 19, 2022, and no substantial changes were made as a result of that comment period.
- The Board will vote to file the revised regulations for adoption. Regulations will not be effective until they have been formally adopted.
- While regulations will be effective when published in the State Register, required system changes to streamline the registration process for certified medical cannabis patients are in progress and are expected to be completed by late March 2023.
- **Resolution No. 2023-05: Resolution to Approve the Filing of Certain Medical Cannabis Regulations**

# Consideration of Candidate for General Counsel

## Resolution 2023-06

- This resolution will affirm the Executive Director's recommendation for General Counsel: Linda Baldwin
- Linda Baldwin currently serves as General Counsel to the Department of State (DOS). She provides legal counsel to the Secretary of State and the DOS Executive Team and leads the Office of General Counsel to support the Department's program offices and implement its legislative and regulatory agenda. Ms. Baldwin also serves as the DOS Ethics Officer.
- Ms. Baldwin has extensive experience in federal, state, and local government. Before joining DOS, she served as Director of the U.S. Department of Justice's Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking and as Chief Management Analyst in the NYS Office of Court Administration, where she planned and implemented mental health and drug treatment court initiatives.
- Ms. Baldwin's other relevant experience includes commercial and real estate litigation (8 years, private practice), housing and urban planning (5 years, City of New York), and a judicial clerkship with the NJ Supreme Court. She has a law degree from Columbia University, an urban planning degree from New York University, and a BA from Amherst College.
- **Resolution 2023-06: Resolution Approving Candidate for General Counsel**

# Consideration of Office Staff Member Disclosure

## Resolution 2023-07

- Pursuant to Article 2, Section 7(7) of the Cannabis Law, OCM Staff members must disclose and seek approval to participate in other public offices or boards.
- **Resolution No. 2023-07:** Resolution permitting Katherine Diaz to hold public office and serve as a member of the Office staff. This includes:
  - New York City Community Board Member

# Executive Director Report

## Chief Equity Officer Report + Development of the Social and Economic Equity Plan

- **SEE Plan:** Set to be released in Q1 of 2023, is being developed through extensive outreach and engagement with stakeholders. Comprehensive and adaptable programmatic and operational roadmap for navigating the constantly evolving legal landscape of cannabis.
  - Review of Nationwide Cannabis Social Equity Initiatives
  - Registered Organization (RO) Expansion: Defining “unserved and underserved areas of the state”
  - Communities Disproportionately Impacted (CDI): Methodology and mapping
  - Summary Recommendations: Market access, licensing, incubators, technical training, workforce development
- **Communities Disproportionately Impacted (CDI):** To date, the SEE Team has successfully matched approximately 90% of 1.2 million individual arrest records with a physical location, starting from an initial match rate of approximately 60%.
- **Cannabis Compliance Training & Mentorship (CCTM):** Began on January 24. First cohort comprised of:
  - 66% of CCTM participants would be considered either historically underrepresented in farm ownership and/or SEE applicants per Section 87 of the Cannabis Law.
- **CAURD Demographics (2<sup>nd</sup> Round):** 67% would be considered minority-owned businesses and 14% would be considered women-owned businesses. Additionally, 77% of those license recipients lived within census districts consisting of the lowest median household incomes in the country.

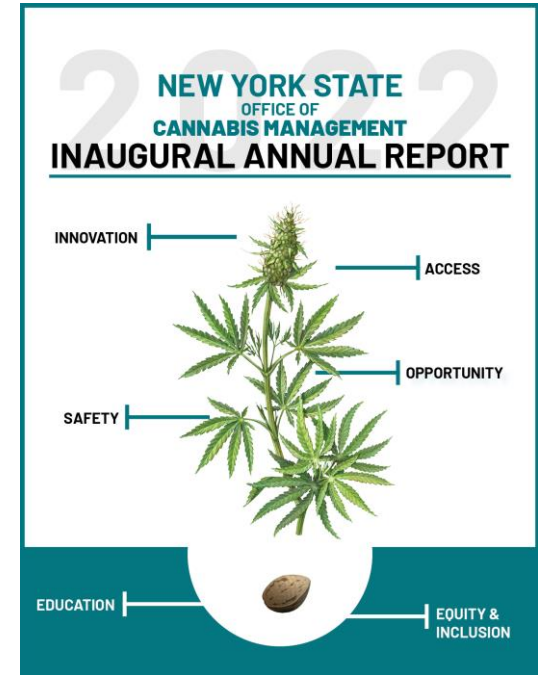
# Executive Director Report

## Regulatory Outreach

- To increase engagement in the regulatory process, OCM is conducting a series of outreach events on the proposed Adult-Use Regulations
- Collaboration between External Affairs & Policy to develop materials and resources to explain the content of the regulations and the public comment process
- Outreach emphasizes increasing understanding of the proposed regulations and facilitating submission of public comment – especially from communities and individuals disproportionately impacted by cannabis prohibition.

# Executive Director Report Annual Report

- Describes progress and accomplishments since September 2021 through the end of 2022 by the Cannabis Control Board and the Office of Cannabis Management regarding implementation of the Cannabis Law
- Submitted to the Governor, Legislature and available on the OCM website:  
<https://cannabis.ny.gov/reports>





# Executive Director Report

## New York Cannabis Story

- There is no progress without accountability.
- In the decades before prohibition, 1.2 million lives were upended for cannabis-related arrests.
- Together, with education and empathy, we are shifting the paradigm and using history as a framework.



# Executive Director Report

## Governor's Traffic Safety Committee – Traffic Safety Campaign

- Building on messaging from the Office's first public education campaign: *Cannabis Conversations*, the Governor's Traffic Safety Committee has launched additional messaging about cannabis and traffic safety
- Airing on many types of paid media, in English and Spanish
- Premiered on December 19, 2022 and will run through February 12, 2023



# Public Comment

- Thank you to those who submitted comments online. Online comments will be captured via the meeting minutes. All online comments must be submitted by 5 p.m. today to be captured in the January 25, 2023 Board meeting minutes. The link is available under the Cannabis Control Board page on [cannabis.ny.gov](https://cannabis.ny.gov).
- You can also reach the Office with any questions, comments, or concerns at [regulations@ocm.ny.gov](mailto:regulations@ocm.ny.gov).
- We will now open the microphones to those who have pre-registered to provide public comment on today's agenda items.
- Remarks must be limited to **2 minutes or less** to allow all participants an equal amount of time to speak.

# Next Full Cannabis Control Board Meeting

- Time, location, and a live stream link will be shared on the Office of Cannabis Management website in advance of the meeting: [www.cannabis.ny.gov](http://www.cannabis.ny.gov)

# Adjourn