



Office of Cannabis Management

KATHY HOCHUL

Governor

TREMAINE WRIGHT

Cannabis Control Board Chair

JESSICA GARCIA

Board Member

REUBEN MCDANIEL, III

Board Member

ADAM W. PERRY

Board Member

JENNIFER GILBERT JENKINS

Board Member

CHRIS ALEXANDER

Executive Director

Meeting Minutes

Title:	New York State Cannabis Control Board Meeting
Time & Date:	May 30, 2023 at 10:00am
Location:	Dormitory Authority of the State of New York, 28 Liberty St., 55 th Floor, New York, NY 10005, SUNY Morrisville, 80 Eaton St., Spader Hall, Room 107, Morrisville, NY 13408, 181 Ellicott St., Buffalo, NY 14203 and Virtual via Webcast

Attendance

Board Chair:	Tremaine Wright
Board Members Present:	Reuben R. McDaniel III
Board Members Present (virtually from a location open to the public):	Adam W. Perry, Jennifer Gilbert Jenkins
Board Members Present (virtually from a private location due to extraordinary circumstances):	Jessica Garcia
Board Members Absent:	N/A
Others Present:	Chris Alexander, Linda Baldwin

Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from May 11, 2023 Board Meeting
- IV. Consideration of the Amended Limited Partnership Agreement for the Social Equity Fund
- V. Consideration of Emergency Violations, Hearings, and Enforcement Regulations
- VI. Consideration of Settlement Agreement with Variscite NY One, Inc. and the Office of Cannabis Management
- VII. Adjourn



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Action Items

Resolution No. 2023-20:	Resolution to Approve Amendments to the Limited Partnership Agreement Between the Dormitory Authority of the State of New York and Social Equity Impact Ventures GP I, LLC.	Passed, Unanimous Vote - Board Member McDaniel recused himself prior to the vote.
Resolution No. 2023-21:	Resolution Directing the Office of Cannabis Management to File for Adoption Certain Amendments to the Emergency Violations, Hearings, and Enforcement Regulations.	Passed, Unanimous Vote
Resolution No. 2023-22:	Resolution to Approve a Settlement Agreement Between Variscite NY One, Inc. and the Office of Cannabis Management.	Passed, Unanimous Vote

Notes & Comments

<ul style="list-style-type: none"> Upon a motion from Board Member Reuben McDaniel, and a second from Board Member Adam Perry, the Minutes of the May 11, 2023 Cannabis Control Board (CCB) Meeting were approved unanimously.
<ul style="list-style-type: none"> Linda Baldwin, General Counsel for the Office of Cannabis Management (OCM), and Board Member Reuben McDaniel provided an overview of Resolution No. 2023-20, a Resolution to Approve Amendments to the Limited Partnership Agreement (LPA) between the Dormitory Authority of the State of New York (DASNY) and Social Equity Impact Ventures GP I, LLC. The original LPA was approved by the CCB on September 20, 2022. The LPA has been amended to provide, inter alia, additional sources of capital in the Private Fund available to it for investment and address certain credit and commercial requirements to accommodate a private source of debt financing for the Private Fund. The DASNY Board, the Division of Budget and the Public Policy Committee have all reviewed and approved the proposed amendments. Upon a motion from Board Member Jessica Garcia, and a second from Board Member Adam Perry, Resolution No. 2023-20, a Resolution to Approve Amendments to the LPA between the DASNY and Social Equity Impact Ventures GP I, LLC, was approved unanimously. There was one abstention from Board Member Reuben McDaniel prior to the vote.
<ul style="list-style-type: none"> Linda Baldwin, General Counsel for OCM, provided an overview of Resolution No. 2023-21, a Resolution Directing the Office of Cannabis Management to File for Adoption Certain Amendments to the Emergency Violations, Hearings, and Enforcement Regulations. These emergency regulations are in response to the legislation that was passed in the budget which gave OCM additional authority to enforce against illicit cannabis sales. Chair Wright asked what the consumer should be looking for following the adoption of these regs so that they know what the enforcement looks like and what are some of the visual signals that they should be looking for as they progress.



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- Executive Director Chris Alexander commented that enforcement activity is a similar designation as what they have now for unlicensed shops and that OCM enforcement teams have been out with the Sheriff's office, and local law enforcement across the state. He further commented that the focus is on closing doors and continuing to alert the public of health consequences of consuming untested, unsafe products and that folks will see public notices that shops have been engaged in illicit activity, illicit cannabis has been seized and that they are closing down these businesses.
 - Chair Wright asked if there are warning stickers that sit in these buildings.
 - Executive Director Chris Alexander commented yes.
 - Board Member Adam Perry commented that in the western part of the state, government and elected officials have been warning about adulterated product which has fentanyl and other chemicals and that when people buy from illicit stores, they have no idea what they are buying, there is no state process, no state testing, no anything that they can rely on, and it should be a concern and a public health issue, especially as stores open throughout the state, and people have an alternative as their advertising has pointed out.
 - Executive Director Chris Alexander commented that he wanted to clarify for the record that they have not seen any reports of fentanyl in cannabis products, whether illicit or legal.
 - Board Member Jennifer Gilbert Jenkins asked how local law enforcement agencies are being brought up to speed on the new enforcement ability.
 - Executive Director Chris Alexander commented that they have been building relationships with law enforcement, sheriff associations, district attorney associations, etc., across the state so that they have a constant flow of communication and that they are also producing memos, fact sheets, and resources for law enforcement entities and have invited some for training.
 - Upon a motion from Board Member Jennifer Gilbert Jenkins, and a second from Board Member Jessica Garcia, Resolution No. 2023-21, a Resolution Directing the Office of Cannabis Management to File for Adoption Certain Amendments to the Emergency Violations, Hearings, and Enforcement Regulations, was approved unanimously.
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- Linda Baldwin, General Counsel for OCM, provided an overview of Resolution No. 2023-22, a Resolution to Approve a Settlement Agreement Between Variscite NY One, Inc. and the Office of Cannabis Management. In order to move forward with the Conditional Adult-Use Retail Dispensary (CAURD) program, OCM has agreed to settle Variscite's lawsuit against the Office. In the settlement agreement, OCM agreed to issue one adult use cannabis dispensary license to Variscite when those licenses become available. As soon as the parties' settlement is finalized, the lawsuit will be dismissed and the injunction, which has been preventing CAURD licenses from being issued in the Finger Lakes region, will be terminated.
 - Upon a motion from Board Member Reuben McDaniel, and a second from Board Member Jennifer Gilbert Jenkins, Resolution No. 2023-22, a Resolution to Approve a Settlement Agreement Between Variscite NY One, Inc. and the Office of Cannabis Management, was approved unanimously.
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- The CCB adjourned the meeting.