



Notice of Permanent Rules

Regarding chapter 314-55 WAC, amendments and new rule sections to establish the Social Equity in Cannabis Program.

This concise explanatory statement concerns the Washington State Liquor and Cannabis Board's (WSLCB) adoption of amendments to chapter 314-55 WAC, and new rule sections to establish the Social Equity in Cannabis Program.

The Administrative Procedure Act (RCW 34.05.325(6)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. The concise explanatory statement must be provided to any person upon request, or from whom the WSLCB received comment.

The WSLCB appreciates and encourages your involvement in the rule making process. If you have questions, please contact Katherine Hoffman, PhD, Policy and Rules Manager, at (360) 664-1622 or e-mail at rules@lcb.wa.gov.

Background and reasons for adopting these rules:

Established in 2020, RCW 69.50.336 created the Social Equity in Cannabis Task Force (Task Force) responsible for, among other things, making recommendations to the Washington State Liquor and Cannabis Board (WSLCB). RCW 69.50.335, also established in 2020, gave the WSLCB authority to create the Social Equity in Cannabis Program, consistent with Task Force recommendations.

The Task Force has met continuously since early 2020, and established sub-groups to discuss and develop recommendations concerning disproportionately impacted communities, technical assistance and mentoring, licensing, and other topics.

While the Task Force worked toward formulating recommendations, WSLCB began to review existing rule to determine where revisions could be made that would lead to socially equitable conditions. The first effort involved revising cannabis license applicant and renewal background checks by reducing barriers to entry in the licensed system. WSLCB also explored where additional revisions could be made within its statutory authority, and began to lay the groundwork to assure to assure that the agency was positioned to respond as quickly as possible under the Administrative Procedures Act when Task Force recommendations became available.

The Task Force issued recommendations on January 6, 2022. The agency carefully reviewed and analyzed each recommendation pertaining to rules that would establish the Social Equity in Cannabis Program. The adopted rules incorporate those recommendations to the extent

possible and in a way that intentionally and specifically centers equity within the regulatory framework and associated administrative process.

These rules are needed to implement the Social Equity in Cannabis program as described in RCW 69.50.335 and .336, and to implement second substitute House Bill (SSHB) 1210, Chapter 16, Laws of 2022, effective June 9, 2022 that changes the word “marijuana” to “cannabis” throughout Washington state law.

Rulemaking history for this adopted rule:

CR 101 – filed October 27, 2021 as WSR #21-22-042

CR 102 – filed August 3, 2022 as WSR #22-16-119

Public hearing held September 14, 2022.

The effective date of these rules is November 12, 2022.

Public comment received on the rule proposal:

1. Email from Phillip Petty, received August 3, 2022:

From: [Phillip Petty](#)
To: [LCB DL Rules](#)
Subject: I Wish to Comment
Date: Wednesday, August 3, 2022 2:16:37 PM

External Email

Sent from my iPhone

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your continued participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

2. Email from Bob Ramstad, received August 3, 2022:

From: [Bob Ramstad](#)
To: [Hoffman, Katherine \(LCB\); Nordhorn, Justin T. \(LCB\)](#)
Subject: meta comment
Date: Wednesday, August 3, 2022 2:34:34 PM

External Email

Hi there, this is meta, but I wanted to bring it up.

I find it really odd that the social equity rulemaking -- which is complicated, somewhat controversial, and has been restarted -- has been conjoined with the change of the word marijuana to cannabis -- which is something required by the legislature and is super limited in scope.

I have concerns that the social equity portion will bog down again, and the marijuana to cannabis language will end up being not implemented or delayed.

I am sure there are reasons as to why these are merged together but from my end it seems like a super bad idea, particularly as there was a very clean publication of the marijuana to cannabis language change that happened before.

I'm just kind of baffled here.

Obviously just one persons opinion.

--

Bob Ramstad, Owner
Paradoxical, Inc. dba OZ.
Marijuana Retailer 415348
UBI 603-356-552 001 0003
3831 Stone Way N
Seattle WA 98103
(206) 251-0630
<http://www.ozseattle.com/>

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your continued participation in future policy and rule development projects.

This project preceded the enactment of legislation to change the word “marijuana” to “cannabis” throughout Washington state statute. Since the rule sections that are part of this project were already open and being revised at the time Second Substitute House Bill 1210 was enacted, the agency could not include them in our overarching rule project to change the word “marijuana” to “cannabis” that occurred under [WSR #22-14-111](#) since rule sections can be opened by one CR 101 at a time. As a result, technical changes to existing rule as described in the CR 102 and CR 102 memo for this project included the required word replacement.

The new rule section, WAC 314-55-570 that establishes the Social Equity in Cannabis program uses the word “cannabis” throughout. The agency does not agree that compliance with a statutory mandate to change a word in existing rule will delay new rule adoption or subsequent program implementation.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

3. Email from H.J. Norris, received August 3, 2022:

From: [Mr. Doobees](#)
To: [LCB DL Rules](#)
Subject: Opinions on Fairness & Validity of offering Retail Cannabis Licenses to a SPECIAL INTEREST GROUP, at the expense of the Existing Retail License Holders
Date: Wednesday, August 3, 2022 4:47:59 PM

External Email

LCB Board Action: Proposed rules filed for amendments and new rule sections to establish the Social Equity in Cannabis Program

Opinions on Fairness & Validity of offering Retail Cannabis Licenses to a SPECIAL INTEREST GROUP, at the expense of the Existing Retail License Holders and the ENTIRE population of State Voting Citizens and Constituents

The Retail Cannabis License Holders endured the LCB and Washington Legislature handing out up to and in majority cases 3 Licenses to Grow, Produce, and/or establish a Retail Store to Quasi, previously Unlicensed and non-tax paying to State, as Medical Dispensaries Fronts operating prior to the overwhelming vote approval by Washington State Constituents to have Cannabis Recreational and Medical Cannabis sale legalized in the State.

The State Legislature and LCB sanctioned a "LOTTERY" for ALL original licenses to be distributed based on number licenses tied to demographic population count for each of the geographical areas established by State Legislators and LCB to be awarded initially in 2014

Then in the bowing to SPECIAL INTEREST GROUPS by the State Legislature and LCB, in approximately 2018-2019 time period up to 3 Licenses were GIVEN to those individuals that showed to LCB that they had operated a Quasi Medical Dispensary, and even to those that were Veterans that had NOT operated a Quasi Medical Dispensary

Those that participated in the Original State Lottery and we're

extremely fortunate to be selected from what was to be a BLIND selection process to receive a single license in majority of selection process, did NOT HAVE or EVEN RECEIVE an opportunity to participate in a possibility of being able to secure another license, this INCLUDED THOSE OF COLOR

The State Legislature and LCB just handed out 3 NEW Cannabis Licenses to those that NEVER paid a dime in TAX REVENUE to State of Washington, as well operated for years illegally, collecting revenue un-taxed by State and Federal, and operating in the highest illegal environment selling to who ever had the cash, with NO ACCOUNTING who or what age the customer

80 plus percent of those licenses handed out to those Quasi Un-regulated, Un-licensed, Non-Tax paying individuals were packaged by those individuals and their attorneys and SOLD to 3rd Parties at extremely HIGH PRICES, and those licenses NEVER were implemented by those recipients to start a business - EXTREMELY SAD STATE OF AFFAIRS conducted by State Legislature and LCB - A WILLY-NILLY at best caving to SPECIAL INTEREST GROUPS pressuring State Legislators and LCB to fold and cave to political pressures because some individuals were NOT fortunate enough to WIN a LICENSE via the Original Lottery - Shame on the State Legislators and LCB Management to participate in this blatant display of POOR MANAGEMENT OF RESOURCES

Again NOW the State Legislature and LCB Management are REPEATING their inability to EXHIBIT POSITIVE MANAGEMENT SKILLS in STEWARDSHIP of VITAL RESOURCES in FAIR COMPETITION to ALL Washington State CONSTITUENTS at having an EQUAL OPPORTUNITY to PARTICIPATE

The Original Lottery Entrance Fee was ONLY \$250 to participate, EVERY Washington State Citizen/Constituent was AFFORDED an EQUAL OPPORTUNITY to PARTICIPATE

Why NOW for a SECOND TIME is the State Legislature and LCB Board Members/Management CAVING into another SPECIAL INTEREST GROUP, that after 8 years NOW STATES they were LEFT

OUT and DISCRIMINATED against in NOT SECURING a Cannabis Retail License

IT CLEARLY APPEARS that ONLY Cannabis Retail Licenses are going to be AWARDED to those CITIZEN/CONSTITUENTS of COLOR and NO OTHER equally Important and Valued CITIZEN/CONSTITUENT of NON-COLOR will have an OPPORTUNITY to PARTICIPATE

EVERY State Legislator and LCB Board Member/Management Individual SHOULD LOOK in the MIRROR and ask that Individual they see in the mirror WHAT THE HELL ARE YOU DOING to the PROCESS of EQUALITY of PARTICIPATION - YOU ARE DESTROYING the Self-Worth, NOT Holding an Individual to having the RESPONSIBILITY to pursue an OPPORTUNITY, or PROVIDING the PURSUIT of an OPPORTUNITY through POSITIVE EFFORT

GIVING away something for NO-SWEAT EQUITY, NO-SKIN IN THE GAME, NO-INTENSITY TO ACHIEVE A GOAL, will ALWAYS IN ALL WAYS result in that INDIVIDUAL FAILING to SUCCESS and PROSPER

GIVING CANNABIS LICENSES AWAY again to those that DO NOT COMMIT TO EFFORT to ACHIEVE, will just as with Quasi Medical Dispensary and Veterans given Cannabis License will be SOLD to 3rd Parties within 90 day of receiving from the LCB

THIS ACTION by the State Legislature and LCB Board/Management is a TRUE ABOMINATION and TRUE lack of QUALITY LEADERSHIP, that in the END RESULT will again become a FAILURE just as occurred with awarding Cannabis Licenses to the Lawless Group of Quasi Medical Dispensary operators and Veterans that received Cannabis Licenses, and chose to CASH OUT rather than EMBRACE THE OPPORTUNITY provided to build a business for success, prosperity and a future that paid dividends consistently, with an added future business value far exceeding the dividends received for a solid retirement security

ALL REMAINING Cannabis Licenses SHOULD BE distributed BASED

UPON a LOTTERY by Geographical Demographic locations to provide a quality of business environment opportunity so that that Licensee can survive and prosper, and in return the State Washington can benefit from having HEALTHY Cannabis businesses that provide steady TAX REVENUE that benefits ALL STATE CITIZENS and CONSTITUENTS

TO MUCH COMMON SENSE and LOGIC, but the words above PRODUCE and PROVIDE a FAR MORE POSITIVE OUTCOME in ALL WAYS ALWAYS

H J

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Sincerely,

H J Norris
Managing Member

Mr Doobees
mrdoobees@gmail.com
Seaview Retail Store: 360-777-3065
USPS Mail: POB 152 - Seaview, WA 98644

WALCCB License #424-190
WAUBI: 603-412-363

Retail Store Location:
1410 - 40th Street
Hwy 101 and Pacific Avenue
Seaview, WA 98644
Across Street from "Visitors Center" - Long Beach
At the Gateway to the Worlds Longest Beach - Long Beach (28 miles)

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your continued participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

4. Email from Mark Doll, received August 3, 2022:

From: [Mark Doll](#)
To: [LCB DL Rules](#)
Subject: Public Comments In Regards to the Following:Fwd: LCB Board Action: Proposed rules filed to establish the Social Equity in Cannabis Program
Date: Wednesday, August 3, 2022 2:14:49 PM

External Email

I am a disabled individual and have attempted to reach out to multiple people involving this program but have not gotten a response from the individuals involved, likely because of my race being Caucasian.

I completely agree with the social equity aspect of this program, but my opinion is it should include handicapped individuals and disabled individuals also regardless of race or social equity. If there is a lottery involved and the program would include handicapped individuals, I would like to apply for the chance of obtaining a retail license.

Thank you for your time and consideration
Mark Doll
Liberty Lake, WA
509-720-1924

Sent from my iPhone

Begin forwarded message:

From: Washington State Liquor and Cannabis Board
<wslcb@public.govdelivery.com>
Date: August 3, 2022 at 2:04:00 PM PDT
To: dollm51@hotmail.com
Subject: LCB Board Action: Proposed rules filed to establish the Social Equity in Cannabis Program
Reply-To: wslcb@public.govdelivery.com

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your continued participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

5. Email received from Brendan Howley, received August 3, 2022:

From: Brendan Howley <chuckanutbrendan@gmail.com>
Sent: Wednesday, August 3, 2022 4:58 PM
To: LCB DL Rules
Subject: Social Equity!?!

Follow Up Flag: Follow up
Flag Status: Flagged

External Email

Dear bureaucrats:

Eight years into the process, with MSOs now dominating the landscape, and the WSLCB is only NOW talking social equity?

Please...

Well, there is just nothing tastier than leftover crumbs for the commoners, eh?

The ball on Washington State 'social equity' has already been dropped, dear officials.

You have to show up during the first nine innings to score social equity points.

Nice effort...better luck next time.

Brendan Howley
Artizen Cannabis Company

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

6. Email from Christine Bowen, received August 4, 2022:

From: Christine Bowen <drbowel@gmail.com>
Sent: Thursday, August 4, 2022 11:05 PM
To: LCB DL Rules
Subject: Social equity in cannabis comment from Dr. Bowen

External Email

Sorry, this comment is on the fly and I welcome further conversation.

The people who need access to affordable cannabis therapies the most are the same people that will experience the most barriers to access.

- Recreational cannabis laws built on the backs of medical cannabis laws and then quickly excluded the medical patient overnight ☹️
- Many people with chronic medical conditions that would qualify for medical authorizations are living at or well below the federal poverty level and cannot afford recreational cannabis, even with a medical endorsement discount.
- Please consider the societal stigma against BIOOC populations in general let alone where cannabis is concerned.
- Stigma against self medication with cannabis in mental health
- People of color experiencing disproportionate sentences for small drug related crimes to prison system
- More likelihood of being at risk of chronic illness
- More risk of poor health outcomes and complications
- When we transitioned to recreational cannabis, they medical patients we're excluded when access became worse

Sent from my iPhone

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

7. Email from Tami Mendonca, received August 5, 2022:

From: Discovery Garden Cannabis <info@dgcannabis.com>
Sent: Friday, August 5, 2022 5:38 PM
To: LCB DL Rules
Subject: Social Equity in Cannabis

External Email

Social equity is a political ideology and not one that should be considered in awarding the retail licenses. If you want to be truly non discriminatory, then be non discriminatory by allowing all to have a chance at a license and not just those highly protected groups of people. This is discriminatory and unfair to those who may be white and straight and male. Why discriminate against that class of people? Makes no sense. I do not support this investment of our taxpayer money.

Tami Mendonca

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rule.

8. Email from Paula Sardinias, received August 5, 2022:

From: Paula Sardinias <paulasardinias@fmsglobalstrategies.com>
Sent: Friday, August 5, 2022 9:43 AM
To: Postman, David (LCB); Vollendroff, Jim (LCB); Garrett, Ollie A (LCB); Smith, Rebecca (LCB); Hoffman, Katherine (LCB); Garza, Rick J (LCB)
Subject: WSLCB Social Equity Rule (FMSGSG Response)

External Email

Good morning Chair Postman, Board Members, and Directors Garza and Smith,

Unfortunately, my schedule does not always allow me to attend the Board meetings. I have heard from my Director of Community Engagement and, most notably, our community advocates—they are very well pleased with the rule. Thank you for allowing me to work with you on this arduous process. It has taken almost three years for us to get here, and the process was not easy.

We've strived to provide non-bias, open communication throughout the SE journey. Our goal has always been a program that would create generational wealth and repair the actual harms of IS02 while also being able to withstand legal challenges. As an advocate, I feel that work was done here. It was done bravely, courageously, and through the lens of equity.

All of us (the Agency, Board, and my firm) have had to endure relentless criticisms from the very same community we strive to help. At times, it hardly seemed worth the effort. You all as an Agency are to be commended for staying the course and always doing what was right. It has not gone unnoticed.

Our team looks forward to a continued collaborative relationship as we move forward. We must still resolve issues from the past; to ensure they are not repeated in this and future processes. I'm confident together—we can get this critical work done.

In service to the community,

Paula F. Sardinias, NBPLA (she/her/ella)

President & CEO
Founder of the WA Build-Back Black Alliance
Phone: (206) 823-9344

Email: paulasardinias@fmsglobalstrategies.com
WBBA: <https://www.fmsglobalstrategies.com/wbba>
Website: <https://www.fmsglobalstrategies.com/>

WSLCB response: The WSLCB appreciates this comment, and the demonstration of collaborative participation in the rulemaking process. The WSLCB looks forward to your continued partnership on future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rule.

9. Email from Jeffrey Wyrwitzke, received August 15, 2022:

From: [Jeffrey Wyrwitzke](#)
To: [LCB DL Rules](#)
Subject: E2SHB 2870
Date: Monday, August 15, 2022 5:34:36 PM

External Email

I am totally opposed to this bill in any form creating a point system that would give people convicted of a drug-related crime, and did prison time, preferential treatment when applying for a retail cannabis license. I am especially opposed to this bill because it uses taxpayer money. I do not want to support the marketing/sale of cannabis in any way, shape, or form.

Thank you,

Jeffrey Wyrwitzke
7909 207th Street Ct E
Spanaway, WA 98387
253-686-6477
fyrmedic@comcast.net

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your continued participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

10. Email from Thomas Proietti, received August 15, 2022:

From: [THOMAS PROIETTI](#)
To: [LCB DL Rules](#)
Subject: Point system for cannabis sales?
Date: Monday, August 15, 2022 7:55:08 PM

External Email

I cannot believe that we have legislation that will permit people who have broken laws and did jail time to get preferential treatment and taxpayer money to start a business selling drugs? Is it just me or is this just the dumbest thing I've ever heard of? I do not support anything like this and cannot believe that we're even talking about it.

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

11. Email from Johanna Tuttle, received August 26, 2022:

From: [Johanna Tuttle](#)
To: [LCB DL Rules](#)
Cc: johanna.tuttle@insight.com
Subject: Social Equity/ Purposed rules
Date: Friday, August 26, 2022 1:07:33 PM

External Email

To whom it may concern

In the spirit of social equity in cannabis, I humbly would like to say to the rules committee, that the people who were directly impacted by the war on cannabis are those people with cannabis convictions and not just incarcerations. Therefore, I believe that the people who have a greater number of cannabis convictions should receive the highest points in the scoring rubric. In my opinion, sixty points for each conviction should be assessed.

Furthermore, time lived in a DIA neighborhood, while important, it should not be as significant as it is within the scoring rubric. You either did or did not live in one of these areas and that is all that should matter. In my opinion, forty points max for ever having resided in a DIA area should be assessed.

All that being said, I believe that the rest of the purposed rules and scoring rubric seem to be justified, fair, and within the intended scope of social equity in cannabis.

Thank You
J.H. Tuttle

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

12. Email from Steve Miller, received September 4, 2022:

From: [Steve Miller](#)
To: [LCB DL Rules](#)
Subject: Equity
Date: Sunday, September 4, 2022 9:24:47 AM

External Email

Gaslighting Racist Sexist Misandry as Equity is Abusive Socio-Economic Narcissism.

You have bastardized the word "Equity". Equity is what's left over after the work has been done and the bills paid, owner's equity.

You are practicing theft via gaslighting Racist Sexist Misandry as Equity, Affirmative Action, Diversity, Inclusion etc.

The environment is toxic.

Racist Sexist Misandry shouldn't be practiced, it should be illegal.

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

13. Email from George Flannery, received September 14, 2022:

From: [George Flannery](#)
To: [Davis, Sarah \(LCB\)](#); [Hoffman, Katherine \(LCB\)](#)
Cc: [Bamba, Kaitlin \(LCB\)](#); [LCB DL Rules](#); [Huesca, Tina \(LCB\)](#); [Postman, David \(LCB\)](#); [Garrett, Ollie A \(LCB\)](#); [Vollendroff, Jim \(LCB\)](#); [Dickson, Dustin P \(LCB\)](#); [Smith, Rebecca \(LCB\)](#)
Subject: Comment on DRAFT RULES for Social Equity in Cannabis
Date: Wednesday, September 14, 2022 11:57:27 AM

External Email

Hello Again,

I have additional comment on the draft Social Equity rules. I was going to bring this up at the LCB board meeting today during public comment for the social equity rules. However, I don't think I signed up correctly to comment, so I am making the comment here in writing.

In the draft rules, in Section 2(b)(iii) Qualification 3:, where the rule says "household income in the **prior year**" I believe the rule should be written to be "income in any year in the **prior five years**". I believe this would be more consistent with the approach taken in Qualification 2 where the length of time to live in a DIA was from 1980 to 2010. I believe this change is important because those who suffered serious damage from cannabis laws may have had a "good year" in the year right before these rules were created that puts them over the median household income, but nonetheless suffered years of reduced income as a direct result of cannabis prohibition. I know of one concrete case where this is true. Because the "2 out of 3 qualifications" is not in the underlying statute and is in fact a regulation written based on general authority granted by the statute to the LCB, I believe the LCB has the power to make this change in language pursuant to the statute. It doesn't make sense to be extremely loose on Qualification 2 and extremely tight on Qualification 3.

Thank you,

George Flannery,
george.flannery72@gmail.com

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rule.

Oral Testimony Received During the Public Hearing

1. Peter Manning (in person)

Good afternoon Board Member Ollie Garrett, Board Member Chairman, Board Member Vollendroff. My name is Peter Manning with Black Excellence in Cannabis. We are pleased to move forward with LCB on these, the current presented today. We have some concerns about mobility and we've stated this in the past. We also have some concerns when it pertains to certificate holders. We're not sure exactly how that will apply or how that will work out. As stated before, we look at...there's a very positive side to this, and that is that the LCB under the leadership of David Postman has really taken a turn, has really reached out to the community, we do recognize that and we appreciate that. We have some concerns as stated.

Social equity is new to Washington and it's in its feeble stage. I think that what we have to do is to be careful of what we pile on top of it, and think the more we put on it the less likely it will succeed. A lot of people we know would like to see it fail for obvious reasons financial, and I also think that what we should do as a community, along with the LCB, we should also pay very close attention that the mobility issues are something we should look at and really understand that that's what we should work on the most when it comes to social equity because the people that were most harmed by the war on drugs, currently at it stands under the social equity bill that is being proposed or is going to get passed today or whatnot, is not going to really be equity in a sense, because the neighborhoods that we grew up in, we won't be there to, we won't be allowed to open a store. We won't be in areas that we're familiar not with, and that people I that area that do not look like us or in our neighborhood. So I'm concerned there as well, what type of...how do we correct that, how do we deal with that and that's something that is troubling for me to grasp my mind around. I currently live in a DIA area, I stay in Skyway and Have a Heart is there, and that's right in my neighborhood and it's not Black owned. And the way we're moving with the social equity now, it looks like there won't be a Black owned store in that area because of the zoning issues and whatnot.

But the point I'm trying to make here is that we see the LCB and what they're doing and we believe that you guys are moving in the right direction. We

applaud you guys for that but I just think that we've got to look at things a little closer and analyze it and see how we can make it work for everybody.

Thank you, that's all I have to say.

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

2. Mike Asai (in person)

Good morning Chair Postman and Board Members Ollie Garrett and Vollendroff, and to the public here. My name is Mike Assai with Emerald City Collective. We were the first downtown Seattle collective in 2010/2011. I'm also the vice president of Black Excellence in Cannabis. I won't probably be as long as Peter, I'm usually long winded but not this morning.

I want to back everything that Peter said in regards to the mobility issue. As I've stated on many occasions, as Peter stated, this is a big issue going forward, and we do appreciate the hard work that LCB has put in. I've seen it, I've seen the changes, and I want to personally thank Ollie Garrett. I know she's been very instrumental before you arrived Postman and also Vollendroff, with all due respect, she was very instrumental in getting with Peter Manning and Paula Sardinias, and former Representative Pettigrew, and a lot of others, so I want to thank Ollie for all of her hard work in that. But we've still got some hard work to go, you know it's just going to look bad if we give these licenses out and there's no mobility. We understand that the Board is trying, with the mobility within the county, we believe that we should make it mobile within the state. However we can get it done, let's get it done. Let's work together, let's continue to work together, you know we're here to work together, we're not here to fight. We're going to agree, we're going to disagree, but I think we have a common goal, I see that from Governor Inslee, as he has stated before he's going to make some changes within the LCB so we do appreciate that. Also appreciate Rick Garza as well, I know he was here at a time that things were bad and I believe he's also here to make things right. So I want to thank him for that, but I'm going to hold him accountable, I'm going to hold Mr. Garza to that, as well as the LCB.

With that being said, let's move forward. I've waited a long time just like a lot of other former dispensary owners have waited a long time and also those that are Black and Brown looking to get into the market have waited a long time. So we don't want any more delays, we want to move forward. COVID has delayed a lot of things and here we are two years later, we're just ready to get this thing

going, and continue to work with the LCB on the mobility issue, and also, and as we know forty licenses is not enough for equity or equality, but we'll continue to work for inclusion (unintelligible) and continue to work with the LCB to achieve the goal.

Thank you.

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

3. Shawn Curtis (online)

I wanted to speak to you guys about the social equity, that's about the licenses you guys are doing for felons that have been incarcerated for nonviolent drug offenses, if I'm correct?

I think that that's a very great opportunity for the people that have been incarcerated. I'm also looking into working, I'm working with a few state senators to set up a delivery service for cannabis to help bring in the revenue and help medical patients and that can't get around very well, and also to help minimize the people that are intoxicated on the streets, on the roads.

So I wanted to bring this proposal up and just wanted to get in touch with the Board and see where we could go from there. I would also like to find out about petitioning for one of those licenses for the felons and the social equity licenses and how I would go about that.

WSLCB response: The WSLCB appreciates this comment, and participation in the rulemaking process. The WSLCB looks forward to your participation in future policy and rule development projects, and will provide responses to the commenters questions outside the rule development process.

Was the comment reflected in the adopted rule? This comment was not reflected in the final rules.

Changes from Proposed Rules (CR-102) to the Rules as Adopted:

WAC 314-55-045(2): removed inadvertent reference to true party of interest violation when reference should have been to violation history.

WAC 314-55-079(1)(a): changed word "marijuana" to "cannabis" in first line.

WAC 314-55-079(2): changed "www.lcb.wa.gov" to "lcb.wa.gov."

WAC 314-55-079(2)(b): changed “www.lcb.wa.gov” to “lcb.wa.gov.”

WAC 314-55-110(4)(a): changed word “marijuana” to “cannabis.”

WAC 314-55-570(3)(c)(8): corrected typographical error in scoring rubric under Eligibility Requirement 1a, regarding length of time in a disproportionately impacted area (DIA). 5 years to 10 years in a DIA was changed from 10 points to 20 points; 10+ years was changed from 20 points to 40 points.

Added word “Maximum” between “Total” and “Points” at the end of the scoring rubric.

WAC 314-55-570(6): Added further clarification as new subsection (c) about when the board will withdraw a social equity application, and renumbered section.