



**Washington State  
Liquor and Cannabis Board**

**Date:** January 15, 2025

**To:** Jim Vollendroff, Board Chair  
Ollie Garrett, Board Member

**From:** Denise Laflamme, Policy and Rules Coordinator

**Copy:** Will Lukela, Agency Director  
Toni Hood, Agency Deputy Director  
Becky Smith, Director of Licensing and Regulations  
Paul Magerl, Interim Chief of Enforcement and Education  
Justin Nordhorn, Policy and External Affairs Director  
Daniel Jacobs, Policy and Rules Manager

**Subject:** **Board approval of proposed rules (CR 102) to amend WAC 314-55-015 related to allowing persons under 21 on non-retail licensed cannabis premises.**

The Director’s Office requests approval to file a rule proposal (CR 102) to amend chapter 314-55 WAC to allow certain minors on the licensed premises of cannabis producers and processors, under limited circumstances, as described in the CR 102 Memorandum attached to this order and presented at the Board meeting on January 15, 2025. If approved for filing, the tentative timeline for this rule proposal is as follows:

|                                |  |
|--------------------------------|--|
| January 15, 2025               | Board is asked to approve filing proposed rules (CR 102).<br>CR 102 filed with the Office of the Code Reviser.<br>LCB webpage updated, and notice circulated by GovDelivery distribution list.<br>Formal comment period begins.  |
| February 5, 2025               | Notice published in the Washington State Register under WSR 25-03.   |
| February 26, 2025              | Public hearing held and formal comment period ends.  |
| No earlier than March 12, 2025 | Board is asked to adopt rules if no substantive changes are made (CR 103).<br>Concise Explanatory Statement provided to individuals who offered written or oral comment at the public hearing or during the formal comment period, consistent with RCW 34.05.325.<br>CR 103 and adopted rules are filed with the Office of the Code Reviser.<br>LCB webpage updated, and notice circulated by GovDelivery distribution list. |

|                |   |
|----------------|---|
| April 12, 2025 | Rules are effective 31 days after filing, unless otherwise specified. See RCW 34.05.380(2). |
|----------------|---|

\_\_\_\_\_ Approve      \_\_\_\_\_ Disapprove      \_\_\_\_\_  
 Jim Vollendroff, Board Chair      Date

\_\_\_\_\_ Approve      \_\_\_\_\_ Disapprove      \_\_\_\_\_  
 Ollie Garrett, Board Member      Date

Attachment: CR 102 Memorandum



## CR 102 Memorandum

### Allowing minors under the age of 21 on non-retail cannabis licensed premises

Date: January 15, 2025  
Presented by: Denise Laflamme, Policy and Rules Coordinator

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#### Background

In August 2022, the Board accepted two rulemaking petitions to amend WAC 314-55-015 to allow certain minors on the premises of licensed cannabis producers and processors under specific conditions. One petition sought to codify an LCB temporary COVID allowance that permitted minors under 16 years of age on the licensed premises of cannabis producers and processors. The conditions for this allowance included that the minor was a child or grandchild of the licensee, was not engaged in any work or act of employment for the licensee's business, and did not possess any products associated with the production, processing, or sales of cannabis. This allowance expired on December 31, 2022. The second petition requested that employees of contractors engaged in construction, electrical, plumbing, HVAC work, etc., who are under 21, be permitted on licensed premises of cannabis producers and processors, provided they are over the age of sixteen and not engaging in any work related to production, processing or sales of cannabis.

Under [WAC 314-55-015\(2\)](#), no one under 21 years of age may enter or remain on cannabis licensed premises except as provided in [RCW 69.50.357](#), which allows qualifying patients under 21 years of age on the premises of retail outlets only, under certain conditions. Statute explicitly prohibits the delivery, sale, or possession of cannabis products to persons under 21 years of age but does not prohibit persons under 21 years of age to enter or remain on the licensed premises of a producer or processor. The Board has broad statutory authority to adopt rules that regulate producer and processor licenses as provided in RCW 69.50.325, RCW 69.50.342, and RCW 69.50.345.

The CR 101 was filed on February 28, 2024 ([WSR 24-06-026](#)) that initiated an informal comment period ending on March 29, 2024. Eleven comments were received during this time: nine in support and two opposed.

#### Stakeholder Engagement

Prior to filing the CR 101, rules staff reached out to the petitioner asking if they remained supportive of initiating this rulemaking. The petitioner responded that yes,

they were still supportive. Subsequently, LCB rules staff received over 50 emails from people in support of rulemaking related to these petitions prior to filing the CR 101.

After filing the CR 101, an LCB project team was convened to discuss and develop draft rules. The project team included representation from the Attorney General's Office, Enforcement & Education division, the Licensing division, and the public health education liaison.

Two virtual stakeholder engagement sessions were held on Monday, September 16, and Thursday, September 19, 2024. A [Powerpoint presentation](#) with background information and conceptual rule elements, including draft conditions, was posted on the LCB rule webpage for discussion at these sessions. An invitation and links to session materials was sent out via a [Gov delivery](#) notice on September 5, 2024. The stakeholder sessions were recorded. Transcripts of these sessions with their attendance lists are included as an attachment.

In order to obtain feedback on draft rule language, a [Gov delivery](#) notice was sent out on November 20, 2024 requesting public feedback on draft rules prior to filing a CR 102. Draft rules were posted on the LCB webpage with a deadline of December 6, 2024, for comments.

### **Proposed Rule Language – WAC 314-55-015 – General information about cannabis licenses.**

Section 2: This language adds references to two new subsections with conditions for allowing certain minors on the licensed premises of cannabis producers and processors and adds a reference to an existing definition of person in [RCW 69.50.101](#) for clarity. The new language states that both groups of minors defined in this section may not possess any products associated with the production, processing, or sales of cannabis, and that violations are subject to the same penalties established for allowing persons under 21 years of age to frequent a licensed retail premises under [WAC 314-55-525](#) (category VI violations).

Section 3: This language states that persons under the age of 16 who are children and grandchildren of licensees may enter or remain on the licenses premises of a cannabis producer provided that:

- The person does not enter or remain in areas where cannabis is present with a list of areas. Language states that violations of this subsection are subject to the same penalties established for failure to maintain required surveillance system under [WAC 314-55-522](#) (category III violations), and
- The person is under the direct supervision of the licensee while on the premises.

The language states that prior to allowing any child or grandchild on the licensed premises, the licensee must notify the enforcement and education division at LCB in writing with information about the children who may be present and when they may be present. Violations of this are subject to the same penalties as established for an operating/floor plan violation under [WAC 314-55-523](#) (category IV violations).

Section 4: This language states that a licensed producer or processor may allow a person under 21 years of age to enter or remain on the licensed premises under the following conditions:

the person:

- is at least 18 years of age.
- is employed by a licensed plumbing contractor, licensed electrical contractor, or a contractor registered with the Washington State Department of Labor and Industries.
- Is on the licensed premises only during the course of their official employment and does not remain on the premises any longer than is necessary to perform duties associated with their employment.
- Is accompanied by a supervisor who is employed by the same contractor who is at least 21 years of age.

Additional language states that employee must wear an identification badges as required under [WAC 314-55-083](#) with new requirements to document in the visitor log if contractor is under 21 years of age and the name of the contractor business.

Section 12: The new language states that nothing in this section conflicts with RCW 9.41.300 as to the entire premises remain classified as off-limits to persons under 21 years of age from the general public.

### **Estimated Costs of Compliance**

Under the Regulatory Fairness Act (RFA) in chapter 19.85 RCW, agencies are required to consider the costs that complying with the proposed rules will impose on businesses, unless the proposed rules are subject to an exemption to this requirement. The CR 102 form describes these exemptions in more detail.

Proposed rules amending WAC 314-55-015 as part of this rulemaking do not qualify for any of the exemptions under the RFA. Therefore, the proposed rules are not exempt from the Regulatory Fairness Act.

LCB estimates there would be no cost associated with implementing this rule except if a business is found to be out of compliance that may result in a monetary penalty. Under [RCW 34.05.110\(4\)\(a\)](#), an agency is not required to waive a fine or penalty to correct a violation if the violation presents a direct danger to the public health. Because violations subject to the same penalties established under WAC 314-55-522, WAC 314-55-523, and WAC 314-55-525 have been identified and added to this draft rule language, we applied an estimated compliance cost of \$1250 for a first violation as a maximum penalty when analyzing whether the rules would have a disproportionate impact on small businesses as defined in RCW 19.85.020(3). Other violations could result in penalties, but they would be less than \$1250, so \$1250 was assumed to be a maximum penalty for a first violation.

Based on an estimated compliance cost of \$1250, the estimated cost of compliance does not exceed the minor cost thresholds for any of the potential NAICS codes applicable to cannabis licensees (see CR 102 form for more detail). Therefore, implementation of this amended rule is not anticipated to result in more than minor costs on businesses as defined in RCW 19.85.020(2).

### Rule Necessity

These rule changes are being considered based on two rulemaking petitions accepted by the LCB in 2022 to make permanent an allowance LCB had in place during COVID for children and grandchildren of cannabis licensees, and to extend a similar allowance to employees of contractors who are under 21 years of age.

### Description of Rule Changes

| WAC 314-55-015 General information about cannabis licenses |  |  |
|--|--|--|
| Section  | Proposed Rule  | Reason   |
| (2)  | Inserts definition of person from RCW 69.50.101 and certain restrictions.  | Uses existing definition of person in statute to clarify applicability.  |
| (2)(a)   | Adds new exceptions for allowing persons under 21 years of age on the licensed premises of a cannabis licensee:  | Exceptions were added to allow new conditions using the same language used in the LCB COVID allowance. Indicates what penalties apply for violations.      |
| (2)(b)   | Person must not possess any products associated with the production, processing, or sales of cannabis. Indicates that violations of this subsection are subject to the same penalties established for allowing persons under 21 years of age to frequent a retail licensed premises under WAC 314-55-525.  |  |
| (3)  | Inserts language to allow children and grandchildren of licensees who are under the age of 16 on the licensed premises of a cannabis producer, provided:   | Defines conditions for children to be permitted on premises.   |
| (3)(a)   | The person does not enter or remain in areas where cannabis is present including, but not limited to, those areas where cannabis is grown, dried, cured, trimmed, processed in any manner, stored, or being prepared for shipment. Indicates that violations of this subsection are subject to the same penalties established for failure to maintain required surveillance system under WAC 314-55-522. | Specifies areas:<br>1. where there may be access to cannabis products, and<br>2. that would be obvious for enforcement and education officers to identify. |
| (3)(b)   | The person is under the direct supervision of the licensee while on the premises.  | Mirrors language in <a href="#">RCW 66.24.145(7)(d)</a> for craft distilleries.  |
| (3)(c)   | The licensee notifies LCB enforcement and education division in writing that child(ren) may be present on the licensed premises including information about when child(ren) will be there and age(s) of child(ren). Indicates that violations of this subsection are subject to the same penalties as established for an operating/floor plan violation under WAC 314-55-523.                            | Provides LCB staff information about whether to expect children on premises during visits. Indicates what penalties apply for violations.                  |

|             |   |  |
|-------------|---|--|
| (4)         | Inserts language for licensed producer or processor to allow a person under 21 years of age to enter or remain on the licensed premises under certain conditions:   | Defines conditions for employees of contractors to be permitted on premises.   |
| (4)(a)      | The person under 21 years of age is:  | Consistent with ages included in WAC 314-11-040 for employees under 21 years of age working on licensed liquor premises. |
| (4)(a)(i)   | At least 18 years of age.   |  |
| (4)(a)(ii)  | Employed by a licensed plumbing contractors under chapter 18.106 RCW, or licensed electrical contractor under chapter 19.28 RCW, or a contractor registered with the Washington state department of labor and industries as required under chapters 18.27 RCW and 296-200A WAC. |  |
| (4)(a)(iii) | Is on the licensed premises only during the course of their official employment and does not remain on the premises any longer than is necessary to perform duties associated with their employment.  | Mirrors language in liquor rule WAC 314-11-040.  |
| (4)(a)(iv)  | Accompanied by a supervisor at all times who is employed by the same licensed or registered contractor and who is at least 21 years of age.   | Supervisor language similar to language suggested by L&I for supervising apprentices and trainees.                       |
| (4)(b)      | Adds reference to requirements under WAC 314-55-083 and requires additional information about employees of contractors be recorded in visitor log:  | Provides LCB staff ability to identify contractors under the age of 21 working on the premises.                          |
| (4)(b)(i)   | Whether employee is under 21 years of age; and  | Provides LCB staff information about contractors working on premises.  |
| (4)(b)(ii)  | The name of the contractor business for whom employee works.  | Provides LCB staff information about contractors working on premises.  |
| (12)        | Inserts language indicating that premises remain off-limits to general public therefore not conflicting with the prohibition in RCW 9.41.300 related to weapons.  | Clarifies that the entire premises remain off-limits to weapons pursuant to RCW 9.41.300                                 |

**Attachment:**

- A. LCB Temporary COVID-19 Allowance.
- B. Petitions and Petition Responses
- C. Public Comments on CR 101
- D. Stakeholder feedback session materials – Conceptual rules (Sept. 2024)
- E. Stakeholder feedback sessions attendance and transcripts
- F. Stakeholder feedback sessions comments
- G. Stakeholder feedback - Draft rules posted Nov. 20, 2024

# PROPOSED RULE MAKING



## CR-102 (June 2024) (Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

**Agency:** Washington State Liquor and Cannabis Board

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Preproposal Statement of Inquiry was filed as WSR** 24-06-026 ; or

**Expedited Rule Making--Proposed notice was filed as WSR** \_\_\_\_\_; or

**Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

**Proposal is exempt under RCW** \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) WAC 314-55-015 General information about cannabis licenses.

The proposed rule language amends WAC 314-55-015 to allow persons under 21 years of age (minors) on the licensed premises of cannabis producers and processors provided certain conditions are met. The proposed rule language allows 2 groups of minors on the licensed premises: 1. Children and grandchildren of licensees who are under 16 years of age, and 2. Employees of licensed or registered contractors who are between the ages of 18 and 20 years. This rulemaking is the result of rulemaking petitions accepted by the Washington State Liquor and Cannabis (LCB) in 2022. One of these petitions sought to make permanent an LCB temporary COVID allowance put in place to accommodate licensees during school and childcare closures. Statute does not prohibit persons under 21 years of age on licensed premises of cannabis producers and processors, as it does under RCW 69.50.357 for licensed cannabis retailers.

### Hearing location(s):

| Date:             | Time:      | Location: (be specific)   | Comment:   |
|-------------------|------------|---|--|
| February 26, 2025 | 10:00 A.M. | All public Board activity will be held in a "hybrid" environment. This means that the public will have options for in-person or virtual attendance. The Board room headquarters building in Olympia (1025 Union Avenue, Olympia, WA 98504) will be open for in-person attendance and the public may also login using a computer or a device, or call-in using a phone, to listen to the meeting through the Microsoft Teams application. The public may provide verbal comments during the specified public comment and rules hearing segments. TVW also regularly airs these meetings. Please note that although the Boardroom will be staffed during a meeting, Board members and agency participants may continue to appear virtually. | For more information about Board meetings, please visit: <a href="https://lcb.wa.gov/Boardmeetings/Board_meetings">https://lcb.wa.gov/Boardmeetings/Board_meetings</a> |

**Date of intended adoption:** March 12, 2025 (Note: This is **NOT** the effective date)

**Submit written comments to:**

**Assistance for persons with disabilities:**



|  |   |
|--|---|
| Name Denise Laflamme                                 | Contact Anita Bingham, ADA Coordinator, Human Resources |
| Address PO Box 48030, Olympia WA 98504-3080          | Phone 360-664-1739                                      |
| Email rules@lcb.wa.gov                               | Fax 360-664-9689  |
| Fax 360-704-5027                                     | TTY 7-1-1 or 1-800-833-6388                             |
| Other  | Email anita.bingham@lcb.wa.gov                          |
| Beginning (date and time) January 15, 2025, 12:00 PM | Other   |
| By (date and time) February 26, 2025, 12:00 PM       | By (date) February 19, 2025                             |

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** This rulemaking is in response to two petitions the Liquor and Cannabis Board (LCB) accepted in August 2022 requesting to amend WAC 314-55-015 to allow persons under 21 years of age on the licensed premises of cannabis producers and processors under certain conditions. One petition requested to make permanent a temporary COVID 19 allowance adopted by the LCB that allowed children and grandchildren of licensees under 16 years of age on the licensed premises. A second petition requested to allow employees under 21 years of age working for contractors who are on the premises conducting trade-related work such as electrical, plumbing, and construction.

Under state statute, minors under 21 years of age are not explicitly prohibited from being on the premises of licensed cannabis producers and processors. RCW 69.50.357 prohibits persons under the age of 21 on licensed cannabis retailers only, except for qualifying patients. WAC 314-55-015 requires that applicants, licensees, and employees working in licensed cannabis establishments be at least 21 years of age, except as provided in RCW 69.50.357. As minors are not explicitly excluded from licensed premises of producers and processors in state statute, the petitions requested that WAC 314-55-015 be amended to allow two groups of persons under 21 years of age on the premises: children and grandchildren of licensees who are under 16 years of age, and employees of contractors conducting trade-related work while on the premises.

Rule changes incorporate conditions that were included as part of the temporary COVID allowance including that children and grandchildren of licensees be under 16 years of age and that they must not possess any products associated with the production, processing, or sales of cannabis.

For children and grandchildren of licensees, additional conditions include that they do not enter or remain in areas where cannabis is present, they are under direct supervision of the licensee while on the premises, and licensee must notify the enforcement and education division of the LCB prior to child(ren) being present including times when child(ren) may be present. Language requiring supervision of children and grandchildren by licensees is similar to language that exists in RCW 66.24.145 related to age restrictions for craft distilleries.

For employees of contractors, conditions include that the person is at least 18 years of age, they are employed by a licensed plumbing contractors under chapter 18.106 RCW, a licensed electrical contractor under chapter 19.28 RCW, or a contractor registered with the Washington state Department of Labor & Industries as required under chapters 18.27 RCW and 296-200A WAC, they are only on premises during the course of their official employment, they must wear an identification badge as required under WAC 314-55-083, and is accompanied by a supervisor at all times who is 1) employed by the same licensed or registered contractor and 2) who is at least 21 years of age. Licensees must record in their visitor log whether a contractor employee is under 21 years of age and the name of the contractor business.

**Reasons supporting proposal:** The reasons supporting these proposed rules, in addition to that described above, are identified in the table below, describing the proposed changes to WAC 314-55-015.

| Section | Current Rule Language  | Proposed New Language   | Rule Necessity   |
|---------|--|---|--|
| (2)     | No one under 21 years of age may enter or remain on a cannabis licensed premises except as provided in RCW <a href="#">69.50.357</a> . | Persons, as defined in RCW 69.50.101, who are under 21 years of age must not:   | Replacing “may” with “must not” to clarify. Replacing “no one” with existing definition of person for consistency. |
|         |  | (a) Enter or remain on the licensed premises of a cannabis licensee except as provided in RCW 69.50.357 or as provided in subsections (3) and (4) of this section.                      | This is added to indicate that two new subsections with exceptions are being added.                                |
|         | N/A  | (b) Possess any products associated with the production, processing, or sales of cannabis.  | Adds language consistent with temporary COVID allowance.   |
|         |  | (b) Violations of this subsection are subject to the same penalties established for allowing persons under 21 years of age to frequent a retail licensed premises under WAC 314-55-525. | This is added to indicate what penalties apply for violations.   |

|     |   |   |  |
|-----|---|---|--|
| (3) | New: Conditions and requirements for allowing children and grandchildren of licensees on licensed premises. | Persons under the age of 16 who are children and grandchildren of licensees may enter or remain on the licensed premises of a cannabis producer, as provided in this subsection.  | This is the same language included in the temporary COVID allowance.   |
|     |   | (a) The person does not enter or remain in areas where cannabis is present including, but not limited to, those areas where cannabis is grown, dried, cured, trimmed, processed in any manner, stored, or being prepared for shipment.  | This is added to define restricted areas for children.   |
|     |   | (a) Violations of this subsection are subject to the same penalties established for failure to maintain required surveillance system under WAC 314-55-522.  | This is added to indicate what penalties apply for violations.   |
|     |   | (b) The person is under the direct supervision of the licensee while on the premises.   | This language is consistent with language in RCW 66.24.145 for children allowed on craft distilleries.                   |
|     |   | (c) Prior to allowing any child or grandchild of the licensee to enter or remain on the licensed premises, the licensee must notify the enforcement and education division of the LCB in writing that children may be on their licensed premises. Written notification to the enforcement and education division must indicate the day(s) of the week, times of the day, and age of the child(ren) that may be present. | This is added to describe new LCB notification requirements to indicate when children may be present.                    |
|     |   | (c) Violations of this subsection are subject to the same penalties established for an operating/floor plan violation under WAC 314-55-523.   | This is added to indicate what penalties apply for violations.   |
| (4) | New: Conditions and requirements for employees of contractors working on licensed premises.                 | A licensed producer or processor may allow a person under 21 years of age to enter or remain on the licensed premises under the conditions outlined in this subsection.   | This is added to indicate applicable age for this subsection.  |
|     |   | (a) The person under 21 years of age is:  | This is added to indicate application of conditions to persons under 21.   |
|     |   | (i) At least 18 years of age.   | Consistent with ages included in WAC 314-11-040 for employees under 21 years of age working on licensed liquor premises. |
|     |   | (ii) Employed by a licensed plumbing contractor under chapter 18.106 RCW, or licensed electrical contractor under chapter 19.28 RCW, or a contractor registered with the Washington state department of labor and industries as required under chapters 18.27 RCW and 296-200A WAC.   | These requirements were added to ensure employees worked for bona fide contractor businesses.                            |
|     |   | (iii) On the licensed premises only during the course of their official employment providing contracted services to the licensee and does not remain on the premises any longer than is necessary to perform duties associated with their employment.   | Consistent with WAC 314-11-040 for employees under 21 years of age working on licensed liquor premises.                  |
|     |   | (iv) Accompanied by a supervisor at all times who is employed by the same licensed or registered contractor and who is at least 21 years of age.  | This was added per supervision recommendations provided by WA Dept. of Labor and Industries.                             |
|     |   | (b) In addition to requirements under WAC 314-55-083, including wearing an identification badge while on the premises, licensees must record the following information about employees of contractors in the visitor log:   | This is being added to clarify the requirement for visitor information.  |

|            |                         |  |  |
|------------|-------------------------|--|--|
|            |                         | (i) If the employee is under 21 years of age; and  | This is being added to aid LCB staff in identifying contractors on premises.             |
|            |                         | (ii) The name of contractor business for whom employee is engaged in work while on the licensed premises.  | This being added to aid LCB staff in identifying contractor businesses on premises.      |
| (5) – (11) | WAC 314-55-015(3) – (9) | have been renumbered as WAC 314-55-015(5) – (11)   |  |
| (12)       | N/A                     | Nothing in this section conflicts with RCW 9.41.300 as the entire premises remain classified as off-limits to persons under 21 years of age from the general public. | Clarifies that the entire premises remain off-limits to weapons pursuant to RCW 9.41.300 |

**Statutory authority for adoption:** RCW 69.50.342 and RCW 69.50.345

**Statute being implemented:** None)

**Is rule necessary because of a:**

- Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Name of proponent:** (person or organization) Washington State Liquor and Cannabis Board

**Type of proponent:**  Private.  Public.  Governmental.

**Name of agency personnel responsible for:**

|                           | Name                          | Office Location                     | Phone        |
|---------------------------|-------------------------------|-------------------------------------|--------------|
| Drafting Coordinator      | Denise Laflamme, Rules        | 1025 Union Avenue, Olympia WA 98504 | 360-819-0452 |
| Implementation Licensing  | Rebecca Smith, Director of    | 1025 Union Avenue, Olympia WA 98504 | 360-664-1753 |
| Enforcement and Education | Paul Magerl, Interim Chief of | 1025 Union Avenue, Olympia WA 98504 | 360-664-1617 |

**Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?**  Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name
- Address
- Phone
- Fax
- TTY
- Email
- Other

**Is a cost-benefit analysis required under [RCW 34.05.328](#)?**

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name
- Address
- Phone
- Fax
- TTY
- Email
- Other

No: Please explain: The proposed amended rules do not qualify as a type of rule requiring a cost-benefit analysis under RCW 34.05.328(5). The LCB is not a listed agency under RCW 34.05.328(5)(a)(i), so the cost-benefit analysis requirements in RCW 34.05.328 are not applicable to the proposed rules unless voluntarily applied or made applicable by the joint administrative rules review committee under RCW 34.05.328(5)(a)(ii).

## Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

### (1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

- |   |  |
|---|--|
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(b)<br>(Internal government operations) | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(e)<br>(Dictated by statute)   |
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(c)<br>(Incorporation by reference)     | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(f)<br>(Set or adjust fees)  |
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(d)<br>(Correct or clarify language)    | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(g)<br>((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_\_.

Explanation of how the above exemption(s) applies to the proposed rule:

### (2) Scope of exemptions: *Check one.*

- The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

### (3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. The proposed rule would impose a cost to small businesses if they became out of compliance under WAC 314-55-522, WAC 314-55-523, or WAC 314-55-525. Otherwise, no other costs to business are expected.

Using NAICS code 111419 for cannabis grown under cover, the US Census North American Industry Classification System (NAICS) describes this code for "This U.S. industry comprises establishments primarily engaged in growing food crops (except mushrooms) under glass or protective cover." The US Census NAICS code description at <https://www.census.gov/naics/?input=cannabis&year=2022&details=111419>, identifies cannabis grown under cover as an example of a business that uses this code.

Using NAICS code 111918 for cannabis grown in an open field, the US Census North American Industry Classification System (NAICS) describes this code for "This U.S. industry comprises establishments primarily engaged in one of the following: (1) growing crops (except oilseeds and/or grains; vegetables and/or melons; fruits and/or tree nuts; greenhouse, nursery, and/or floriculture products; tobacco; cotton; sugarcane; hay; sugar beets; or peanuts); (2) growing a combination of crops (except a combination of oilseed(s) and grain(s); and a combination of fruit(s) and tree nut(s)) with no one crop or family of crops accounting for one-half of the establishment's agricultural production (i.e., value of crops for market); or (3) gathering tea or maple sap." The US Census NAICS code description at <https://www.census.gov/naics/?input=cannabis&year=2022&details=111918> identifies cannabis grown in an open field as an example of a business that uses this code.

Using NAICS code 424590 for cannabis merchant wholesalers, the US Census NAICS describes this code for “This industry comprises establishments primarily engaged in the merchant wholesale distribution of farm products (except grain and field beans, livestock, raw milk, live poultry, and fresh fruits and vegetables).” The US Census NAICS code description at <https://www.census.gov/naics/?input=cannabis&year=2022&details=424590> identifies cannabis merchant wholesalers, as an example of a business that uses this code.

LCB estimates there would be no cost associated with implementing this rule except if a business is found to be out of compliance. Under [RCW 34.05.110\(4\)\(a\)](#), an agency is not required to waive a fine or penalty to correct a violation if the violation presents a direct danger to the public health. Because violations under WAC 314-55-522 pertain to potential threats to public health, we applied an estimated compliance cost of \$1250 for a first violation when analyzing whether the rules would have a disproportionate impact on small businesses as defined in RCW 19.85.020(3).

The data below are provided by reference to the minor-cost threshold calculator provided by the Office of Regulatory Innovation & Assistance available at [https://www.oria.wa.gov/Portals/oria/VersionedDocuments/RFA/Regulatory\\_Fairness\\_Act/Minor-Cost-Threshold-Calculator.xlsx](https://www.oria.wa.gov/Portals/oria/VersionedDocuments/RFA/Regulatory_Fairness_Act/Minor-Cost-Threshold-Calculator.xlsx)

| 2022 Industry NAICS Code | Estimated Cost of Compliance | Industry Description             | NAICS Code Title                                     | Minor Cost Estimate | 1% of Avg Annual Payroll (Threshold)        | 0.3% of Avg Annual Gross Business Income (Threshold) |
|--------------------------|------------------------------|----------------------------------|--|---------------------|---|--|
| 111419                   | \$1250.00                    | Cannabis, grown under cover      | Other Food Crops Grown Under Cover                   | \$3,259.51          | \$3,259.51<br>2021 Dataset pulled from ESD  | \$3,195.50<br>2021 Dataset pulled from DOR           |
| 111998                   | \$1250.00                    | Cannabis, grown in an open field | All Other Miscellaneous Crop Farming                 | \$11,775.64         | \$11,775.64<br>2021 Dataset pulled from ESD | \$2,882.31<br>2021 Dataset pulled from DOR           |
| 424590                   | \$1250.00                    | Cannabis merchant wholesalers    | Other Farm Product Raw Material Merchant Wholesalers | \$8,809.55          | \$3,948.77<br>2021 Dataset pulled from ESD  | \$8,809.55<br>2021 Dataset pulled from DOR           |

As the table demonstrates, the estimated cost of compliance does not exceed the minor cost thresholds for any of the potential NAICS codes applicable to cannabis licensees. Therefore, implementation of this amended rule is not anticipated to result in more than minor costs on businesses as defined in RCW 19.85.020(2).

DOR – Washington State Department of Revenue.  
ESD – Employment Security Department Washington State

DOR data available at <https://apps.dor.wa.gov/ResearchStats/Content/GrossBusinessIncome/Results.aspx?Year=2023Q4,2023Q3,2023Q2,2023Q1,&Code1=450000&Code2=460000&Sumbly=n6&SicNaics=2&Format=HTML>

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name Denise Laflamme, Policy and Rules Coordinator  
Address PO Box 43080, Olympia WA 98504-3080  
Phone 360-819-0452-  
Fax 360-704-5027  
TTY 7-1-1 or 1-800-833-6388  
Email rules@lcb.wa.gov  
Other

|                               |   |
|-------------------------------|---|
| <b>Date:</b> January 15, 2025 | <b>Signature:</b><br><br>Place signature here |
| <b>Name:</b> Jim Vollendroff  |   |
| <b>Title:</b> Board Chair     |   |

**WAC 314-55-015 General information about cannabis licenses.** (1)

To be issued and maintain a license to produce, process, or sell cannabis at retail, a person or entity applying for a cannabis license must meet all of the qualifications described in this chapter.

(2) All applicants, licensees, and employees working in each licensed establishment must be at least 21 years of age. ~~((No one))~~ Persons, as defined in RCW 69.50.101, who are under 21 years of age ((may)) must not:

(a) Enter or remain on ((a-cannabis)) the licensed premises of a cannabis licensee except as provided in RCW 69.50.357 or as provided in subsections (3) and (4) of this section.

(b) Possess any products associated with the production, processing, or sales of cannabis. Violations of this subsection are subject to the same penalties established for allowing persons under 21 years of age to frequent a retail licensed premises under WAC 314-55-525.

(3) Persons under the age of 16 who are children and grandchildren of licensees may enter or remain on the licensed premises of a cannabis producer, as provided in this subsection.

(a) The person does not enter or remain in areas where cannabis is present including, but not limited to, those areas where cannabis is grown, dried, cured, trimmed, processed in any manner, stored, or being prepared for shipment. Violations of this subsection are subject to the same penalties established for failure to maintain required surveillance system under WAC 314-55-522.

(b) The person is under the direct supervision of the licensee while on the premises.

(c) Prior to allowing any child or grandchild of the licensee to enter or remain on the licensed premises, the licensee must notify the enforcement and education division of the LCB in writing that children may be on their licensed premises. Written notification to the enforcement and education division must indicate the day(s) of the week, times of the day, and age of the child(ren) that may be present. Violations of this subsection are subject to the same penalties established for an operating/floor plan violation under WAC 314-55-523.

(4) A licensed producer or processor may allow a person under 21 years of age to enter or remain on the licensed premises under the conditions outlined in this subsection.

(a) The person under 21 years of age is:

(i) At least 18 years of age.

(ii) Employed by a licensed plumbing contractor under chapter 18.106 RCW, or licensed electrical contractor under chapter 19.28 RCW, or a contractor registered with the Washington state department of labor and industries as required under chapters 18.27 RCW and 296-200A WAC.

(iii) On the licensed premises only during the course of their official employment providing contracted services to the licensee and does not remain on the premises any longer than is necessary to perform duties associated with their employment.

(iv) Accompanied by a supervisor at all times who is employed by the same licensed or registered contractor and who is at least 21 years of age.

(b) In addition to requirements under WAC 314-55-083, including wearing an identification badge while on the premises, licensees must

record the following information about employees of contractors in the visitor log:

(i) If the employee is under 21 years of age; and

(ii) The name of contractor business for whom employee is engaged in work while on the licensed premises.

~~((3))~~ (5) Mandatory signs must be conspicuously posted at all cannabis licensed premises consistent with the requirements in WAC 314-55-086.

~~((4))~~ (6) The privileges of a board issued cannabis license may be used only after the board issues official written approval.

~~((5))~~ (7) The board will not approve an application for a cannabis license under any of the following circumstances:

(a) The proposed cannabis location would limit law enforcement access without notice or cause, including a personal residence;

(b) The proposed cannabis business would be located on federal lands;

(c) The proposed cannabis business would be located within the exterior boundaries of the reservation of a federally recognized tribe without the express written consent of the tribe consistent with WAC 314-55-020(4).

(d) The application for a cannabis retail license is located within another business unless that other business is a research license as described in WAC 314-55-073. More than one license may be located in the same building if each licensee has their own area separated by full walls with their own entrance, or if the same business entity holds a producer license and a processor license at the same location under a single license number. Product may not be commingled.

~~((6))~~ (8) The board may impose special conditions to an approval for a cannabis license. Special conditions include, but are not limited to, involvement of any former licensee in the operations of the licensed business, their former employees, or any person not qualifying for a cannabis license.

~~((7))~~ (9) All cannabis licensees must conspicuously post and keep posted its license, or licenses, and any additional correspondence issued by the board describing special conditions.

~~((8))~~ (10) A cannabis licensee must use sanitary practices in the production, processing, storage, and sale of all cannabis products.

~~((9))~~ (11) Cannabis licensees may not allow the consumption of cannabis or cannabis-infused products on or within the licensed premises.

(12) Nothing in this section conflicts with RCW 9.41.300 as the entire premises remain classified as off-limits to persons under 21 years of age from the general public.



## Washington State Liquor and Cannabis Board

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[Home](#) > Minors on Premise

# Minors on Premises

## Minors Present on Premises to Support Families Impacted by School Closures

### Re-Activated Allowance through Dec. 31, 2022

**Applies to:** Cannabis Producers and Processors

Due to the related COVID – 19 impacts, the LCB is temporarily relaxing enforcement of WAC 314-55-015 involving the prohibition of minors being present on premises of licensed cannabis producers/processors in limited circumstances. This temporary allowance is to accommodate families that have been impacted by school closures. Effective immediately the LCB will not enforce the provisions of WAC 314-55-015 for families who have children under the age of 16 on the licensed premises, so long as the following conditions are met:

- The person under 16 years of age is a child or grandchild of the licensee,
- The person under 16 years of age is not engaging in any work or act of employment for the licensed business,
- The person under 16 years of age does not possess any products associated with the production, processing, or sales of cannabis,

This advisement covers only the licensed cannabis facility for producers and processor, and does not include or cover retail locations or transportation vehicles.

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## PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

In accordance with [RCW 34.05.330](#), the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at <http://apps.leg.wa.gov/wac/default.aspx?cite=82-05>.

### CONTACT INFORMATION *(please type or print)*

**Petitioner's Name** Crystal Oliver

**Name of Organization** N/A

**Mailing Address** 6008 Athens Beach Rd NW

**City** Olympia

**State** WA

**Zip Code** 98502

**Telephone** 509-714-7407

**Email** crystaloliverolympia@gmail.com

### INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: Washington State Liquor & Cannabis Board

### 2. AMEND RULE- I am requesting the agency change an existing rule.

#### List rule number (WAC), if known:

WAC 314-55-015

#### I am requesting the following change:

Codification of the "Minors Present on Premises to Support Families Impacted by School Closures" advisement that has been in place since March 2020.

Specifically, I am requesting an exemption to the prohibition of minors being present on premises of licensed cannabis producers/processors in limited circumstances provided the person under 16 years of age is a child or grandchild of the licensee, the person under 16 years of age is not engaging in any work or act of employment for the licensed business, the person under 16 years of age does not possess any products associated with the production, processing or sales of cannabis.

#### This change is needed because:

1. RCW does not prohibit persons under twenty-one to enter or remain on the licensed premises of a producer or processor.
2. This prohibition, when enforced, has a significant negative impact on family owned and women owned farms.
3. Family owned and women owned farms have found the agencies current approach of allowing their children and grandchildren on site to be extremely helpful. Licensees report seeing their children more frequently, eating more meals with their families, and being able to support their children as they complete homework.
4. Producers and processors have demonstrated over the last two plus years that this prohibition is not necessary.
5. Increasing equity in the cannabis industry requires change to current rules to increase opportunities for small independent businesses to succeed, this change is small business, women and minority owned business friendly.

#### The effect of this rule change will be:

To allow grandchildren and children of licensees the ability to be present on the premises of licensed cannabis producers and processors provided the children are under 16 years of age and not engaged in any work activities.



Washington State  
**Liquor and Cannabis Board**

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**Topic:** Petition for Adoption, Amendment, or Repeal of a State Administrative Rule – Request an exemption to the prohibition of minors under 16 on the premises of licensed cannabis producers and processors as required by WAC 314-55-015.

**Date:** August 31, 2022

**Presented by:** Robert DeSpain, Policy and Rules Coordinator

## **Background**

On July 6, 2022, Crystal Oliver submitted a petition for adoption, amendment, or repeal of a state administrative rule. The petition requests that the agency amend WAC 314-55-015 to allow for an exemption to the prohibition of minors under 16 years of age on the premises of licensed cannabis producers and processors, provided the person under 16 years of age is a child or grandchild of the licensee, is not engaging in any work or act of employment on the premises, and does not possess any products associated with the production, processing, or sales of cannabis.

In the rule petition, Crystal Oliver states:

**2. AMEND RULE- I am requesting the agency change an existing rule.**

**List rule number (WAC), if known:**

WAC 314-55-015

**I am requesting the following change:**

Codification of the ‘Minors Present on Premises to Support Families Impacted by School Closures’ advisement that has been in place since March 2020.

Specifically, I am requesting an exemption to the prohibition of minors being present on premises of licensed cannabis producers/processors in limited circumstances provided the person under 16 years of age is a child or grandchild of the licensee, the person under 16 years of age is not engaging in any work or act of employment for the licensed business, the person under 16 years of age does not possess any products associated with the production, processing or sales of cannabis.

**This change is needed because:**

1. RCW does not prohibit persons under twenty-one to enter or remain on the licensed premises of a producer or processor.
2. This prohibition, when enforced, has a significant negative impact on family owned and women owned farms.
3. Family owned and women owned farms have found the agencies current approach of allowing their children and grandchildren on site to be extremely helpful. Licensees report seeing their children more frequently, eating more

- meals with their families, and being able to support their children as they complete homework.
4. Producers and processors have demonstrated over the last two plus years that this prohibition is not necessary.
  5. Increasing equity in the cannabis industry requires change to current rules to increase opportunities for small independent businesses to succeed, this change is small business, women and minority owned business friendly.

**The effect of this rule change will be:**

To allow grandchildren and children of licensees the ability to be present on the premises of licensed cannabis producers and processors provided the children are under 16 years of age and not engaged in any work activities.

In the email accompanying the petition, Crystal Oliver writes:

“Firstly, I want to thank the WSLCB for their swift action in adopting the advisement to allow minors on site in March of 2020 to support our women owned and family-owned farms when COVID-19 first began impacting our communities. This allowance which has been in place for more than two years has greatly improved the quality of life for our farmers and their families. Family owned and women owned farms report being able to see their children more frequently, eat meals with their children on site, and support them while they complete homework. It needs to be permanently adopted into rule, see attached rule petition.”

**Issue**

Whether the Board should initiate rulemaking to consider an exemption to the prohibition of minors under 16 years of age on the premises of licensed cannabis producers and processors, as required in WAC 314-55-015.

**Authority**

*Laws*

RCW 69.50.325 establishes three types of cannabis licenses and describes how each will be regulated.

RCW 69.50.325(1) establishes “a cannabis producer’s license **regulated by the board** and subject to annual renewal.” (emphasis added)

RCW 69.50.325(2) establishes “a cannabis processor's license to process, package, and label cannabis concentrates, useable cannabis, and cannabis-infused products for sale at wholesale to cannabis processors and cannabis retailers, **regulated by the board** and subject to annual renewal.” (emphasis added)

RCW 69.50.342 grants the Board authority to 5adopt rules to put Initiative 502 into effect. The Board is authorized, among other things, to “**adopt rules not inconsistent with the spirit of chapter 3, Laws of 2013** as are deemed necessary or advisable.” (emphasis added)

RCW 69.50.345 directs the Board to adopt rules that establish the procedures and criteria necessary to implement agency functions.

RCW 69.50.345(6)(a) advises that the Board shall take into consideration “**Security and safety issues.**” (emphasis added)

RCW 69.50.345(9)(b) directs the Board to **minimize “exposure of people under twenty-one years of age” to cannabis** or anything that would encourage or normalize cannabis use. (emphasis added)

### *Rules*

WAC 314-55-015 contains the general information about cannabis licenses.

WAC 314-55-015(2) states:

“(2) All applicants, licensees, and employees working in each licensed establishment must be at least twenty-one years of age. **No one under twenty-one years of age is allowed to enter or remain on a cannabis licensed premises** except as provided in RCW 69.50.357.” (emphasis added)

WAC 314-55-015(3) states:

“(3) **Minors restricted signs must be posted at all cannabis licensed premises** consistent with the requirements in WAC 314-55-086.” (emphasis added)

WAC 314-55-086(1) states:

“(1) All licensed cannabis processors, producers, and retailers, with the exception of licensed retailers with a medical cannabis endorsement, must conspicuously post a notice provided by the board about persons under 21 years of age at each entry to all licensed premises. The notice must contain all of the following language: “**Persons under 21 years of age not permitted on these premises.**”” (emphasis added)

### **Analysis**

Initiative 502 legalized cannabis for recreational use under certain conditions. I-502 also created three new license types and requirements for each license type. Requirements were also created for the producing, processing, and retail sales of cannabis. Using authority from RCW 69.50.325, RCW 69.50.331, RCW 69.50.342, and RCW 69.50.345,

the Board filed the first permanent rules to implement I-502 on October 21, 2013, as WSR 13-21-104<sup>1</sup>, with an effective date of November 21, 2013.

WAC 314-55-015, titled “General information about marijuana licenses,” was among the first permanent rules adopted to implement I-502. When first adopted WAC 314-55-015 established rules prohibiting minors on the premises of cannabis licensees. When first adopted WAC 314-55-015(2) stated: “All applicants and employees working in each licensed establishment must be at least twenty-one years of age.”<sup>2</sup> WAC 314-55-015(3) stated: “Minors restricted signs must be posted at all marijuana licensed premises.”<sup>3</sup> No exceptions to the prohibition of persons under twenty-one years of age being allowed to enter or remain on cannabis licensed premises were provided in the initial rules.

In order to implement legislation that passed in the 2015 legislative session (SB 5052 and HB 2136, known as the Cannabis Patient Protection Act) and align the medical marijuana market with the existing recreational market, the Board filed a permanent rule change on May 18, 2016, as WSR 16-11-110<sup>4</sup>, with an effective date of June 18, 2016. Based on the legislative change, WAC 314-55-015(2) was amended to allow for an exception to the prohibition of minors on licensed premises:

“(2) All applicants and employees working in each licensed establishment must be at least twenty-one years of age. No one under twenty-one years of age is allowed to enter or remain on a marijuana licensed premises except as provided in RCW 69.50.357.”

The exception contained in RCW 69.50.357 is specific to licensed cannabis retailers, not licensed cannabis producers or processors. The exception is only for qualifying patients under twenty-one years of age with a medical cannabis recognition card.<sup>5</sup>

There are several statutes currently applicable to minors and cannabis<sup>6</sup>, with the focus on the creation of an access barrier. These statutes pertain to prohibition of the delivery, sale, or possession of controlled substances – here, usable cannabis, cannabis concentrates, or cannabis-infused products to persons under twenty-one years of age. The sole exception to the age restriction in these statutes is the same as the exception contained in WAC 314-55-015(2).

### *Covid-19 outbreak*

On March 16, 2020, Governor Inslee issued Proclamation 20-13 in response to the COVID-19 outbreak in Washington State. Proclamation 20-13 placed statewide limits on food and beverage services and areas of congregation, prohibiting the onsite consumption of food or beverages in a public venue, including restaurants, bars, taverns,

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<sup>1</sup> <https://lawfilesexternal.wa.gov/law/wsr/2013/21/13-21-104.htm>, accessed on 8/4/2022.

<sup>2</sup> *ibid*

<sup>3</sup> *ibid*

<sup>4</sup> <https://lawfilesexternal.wa.gov/law/wsr/2016/11/16-11-110.htm>, accessed on 8/4/2022.

<sup>5</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=69.50.357>, accessed on 8/8/2022.

<sup>6</sup> RCW 69.50.4012, RCW 69.50.4015, RCW 69.50.406, RCW 69.50.414

and other venues where liquor is served. The proclamation expired on March 31, and could be extended.

On March 23, 2020, Governor Inslee issued a “Stay Home - Stay Healthy” proclamation, or Proclamation 20-25, that included an extension of Proclamation 20-13. This proclamation prohibited people in Washington from leaving their homes except to conduct or participate in essential activities, conduct or participate in employment in essential business activities, or both. Although business activity related to cannabis production and processing was deemed essential, there was an indirect impact to business conducted under cannabis licenses such as school and daycare closures as a result of the state-wide COVID-19 response.

WSLCB worked with cannabis licensees, industry representatives, and others to explore business options. This included temporary relaxation of certain regulations and practices, including WAC 314-55-015, which prohibits minors being present on the premises of licensed cannabis producers and processors. The allowance temporarily permitted minors under sixteen years of age on licensed cannabis producer and processor premises under the following conditions:

- The person(s) under sixteen years of age is the child or grandchild of the licensee;
- The person(s) under sixteen years of age is not engaging in any work or act of employment for the licensed business; and
- The person(s) under sixteen years of age does not possess any products associated with the production, processing, or sales of cannabis.

#### *Current petition*

In this petition, Crystal Oliver requests that the Board initiate rulemaking to consider making a permanent rule change to WAC 314-55-015, modeled on the temporary allowance during the Covid-19 outbreak that allowed minors under sixteen years of age on the premises of licensed cannabis producers and processors, under specific conditions.

Agency staff identified several key issues to consider when evaluating the risks and benefits of creating an exemption to the prohibition of minors under 16 years of age on the premises of licensed cannabis producers and processors:

- Youth access and safety risks
- Enforcement
- Gender equality

#### *Youth access and safety risks*

Allowing children and grandchildren of cannabis producer/processor licensees on premises, under specific conditions, allows access to a product, cannabis, that is otherwise age restricted for all persons under twenty-one years of age. There are risks associated with, expanding access that could lead to accidental or intentional

consumption of cannabis. There is risk of increased exposure to cannabis creating a normalizing effect. Additional risks include supervision and safety of the minors under sixteen years of age, particularly while the licensee is working and otherwise unable to monitor the minors, and being exposed to industry machinery, equipment, and products that may pose a safety risk to children. For these reasons, if an exemption to the prohibition of minors on cannabis licensed producer/processor premises is considered, agency staff suggests that determining an appropriate age range for this exemption should be considered. These access and safety risks should also be further explored in the context of federal guidance. Additional safeguards need to be explored with stakeholders to ensure youth access and safety risks are discussed.

### *Enforcement*

Compared to a prohibition of all minors under twenty-one years of age being allowed to enter or remain on the premises of licensed cannabis premises, there are risks related to potential enforcement of such a rule revision. The targeted exception group, minors under sixteen years of age, may not carry identification to verify age. One other condition, that the person(s) be children and grandchildren of licensed cannabis producers/processors may also present challenges. Currently there is only one permanent exemption to the prohibition of minors under twenty-one years of age being allowed on cannabis licensed premises, but it is for retail cannabis and requires person(s) maintain a medical cannabis recognition card. Although there is a temporary allowance in place, related to the Covid-19 outbreak, it was not initially constructed as a permanent exemption. For these reasons, if this exception is considered, agency staff suggest that it is important to develop a procedure or process that identifies the person(s) to whom this exemption will apply.

### *Gender equality*

Gender equality in the cannabis industry was a common stakeholder discussion topic prior to the COVID-19 outbreak, and the outbreak served to amplify the concern. The economic downturn caused by the pandemic had substantial implications for gender equality, both during the slowdown and the subsequent recovery. Compared to “regular” recessions, which affect men’s employment more severely than women’s employment, the employment drop related to social distancing measures and other responsive measures had a large impact on sectors with high female employment shares and in women-owned businesses. Sharing childcare with neighbors, friends, and elderly grandparents was not necessarily an option any longer. This had a particularly significant impact on working mothers who are business owners.<sup>7</sup> However, now that schools are open again and child care restrictions have been lifted, such exemptions may no longer be necessary. For this reason, if an exemption to the prohibition of minors on cannabis licensed producer/processor facilities is considered, agency staff suggest that it is important to explore needs with stakeholders related to the appropriate age range of minors on premises as well as ongoing school and child care needs.

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<sup>7</sup> [https://faculty.wcas.northwestern.edu/mdo738/research/COVID19\\_Gender\\_March\\_2020.pdf](https://faculty.wcas.northwestern.edu/mdo738/research/COVID19_Gender_March_2020.pdf), last accessed August 11, 2022.

*Conclusion*



The Board has the statutory authority to amend WAC 314-55-015 regarding the prohibition of persons under twenty-one years of age being allowed to enter or remain on a cannabis licensed premises. Considering the issues related to the prohibition of minors under 16 years of age on the premises of licensed cannabis producers and processors, agency staff find that opening up this subject for further public discussion would be beneficial. Initiating the rulemaking process as requested in the petition would allow the agency to begin collaboratively engaging with stakeholders and any interested members of the public to explore the possibility of creating an exemption to the prohibition of minors under 16 years of age on the premises of licensed cannabis producers and processors.

**Recommendation**

For the reasons described above, Director’s Office staff recommends that consistent with RCW 34.05.330(1)(b), the Board accept Crystal Oliver’s rule petition request, received on July 6, 2022, and initiate rulemaking proceedings in accordance with RCW 34.05.310 and 34.05.320 to consider an exemption to the prohibition of minors under 16 years of age on the premises of licensed cannabis producers and processors, as required in WAC 314-55-015.

**Board Action**

After considering the recommendation of Director’s Office staff, the Board accepts/denies the petition for rulemaking received from Crystal Oliver on July 6, 2022.

|  |   |                          |
|--|---|--------------------------|
| <input checked="" type="checkbox"/> Accept <input type="checkbox"/> Deny | <br>David Postman, Chair        | <u>8.31.2022</u><br>Date |
| <input checked="" type="checkbox"/> Accept <input type="checkbox"/> Deny | <br>Ollie Garrett, Board Member | <u>8.31.2022</u><br>Date |
| <input type="checkbox"/> Accept <input type="checkbox"/> Deny            | <i>Not Present</i><br>Jim Vollendroff, Board Member   | <u>8.31.2022</u><br>Date |



## **Attachments**

1. Rule petition from Crystal Oliver received July 6, 2022.
2. Letter from Crystal Oliver received July 6, 2022, with agency reply sent July 6, 2022.
3. Laws and Rules cited under the “Authority” section above.



## PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

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### CONTACT INFORMATION *(please type or print)*

**Petitioner's Name** Crystal Oliver

**Name of Organization** N/A

**Mailing Address** 6008 Athens Beach Rd NW

**City** Olympia

**State** WA

**Zip Code** 98502

**Telephone** 509-714-7407

**Email** crystaloliverolympia@gmail.com

### INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: Washington State Liquor & Cannabis Board

### 2. AMEND RULE- I am requesting the agency change an existing rule.

#### List rule number (WAC), if known:

WAC 314-55-015

#### I am requesting the following change:

Create an exemption to the prohibition of minors being present on premises of licensed cannabis producers/processors for employees of contractors engaged in construction, electrical, plumbing, HVAC, work etc. provided the person is over the age of 16 and not engaging in any work related directly to the production, processing, or sales of cannabis.

#### This change is needed because:

1. RCW does not prohibit persons under twenty-one to enter or remain on the licensed premises of a producer or processor.
2. Most crews engaged in construction related activities employ one or more young persons to support and learn from more experienced trades persons.
3. The prohibition on all minors presence on premises creates additional, unnecessary hardship for small independent businesses and family owned contractors and construction companies.

#### The effect of this rule change will be:

To allow employees under the age of 21 of contractors engaged in construction, electrical, plumbing, HVAC, work etc. the ability to be present on the premises of licensed cannabis producers and processors provided the person is over the age of 16 and not engaging in any work related directly to the production, processing, or sales of cannabis.



**Topic:** Petition for Adoption, Amendment, or Repeal of a State Administrative Rule – Request an exemption to the prohibition of employees of contractors under 21 on the premises of licensed cannabis producers and processors as required by WAC 314-55-015.

**Date:** August 31, 2022

**Presented by:** Robert DeSpain, Policy and Rules Coordinator

## **Background**

On July 6, 2022, Crystal Oliver submitted a petition for adoption, amendment, or repeal of a state administrative rule. The petition requests that the agency amend WAC 314-55-015 to allow for an exemption to the prohibition of employees or contractors under twenty-one years of age on the premises of licensed cannabis producers and processors, provided the person is at least sixteen years of age, is an employee of a contractor engaged in construction, electrical, plumbing, HVAC, etc., and is not engaging in work directly related to the production, processing, or sales of cannabis.

In the rule petition, Crystal Oliver states:

### **2. AMEND RULE- I am requesting the agency change an existing rule.**

**List rule number (WAC), if known:**  
WAC 314-55-015

#### **I am requesting the following change:**

Create an exemption to the prohibition of minors being present on premises of licensed cannabis producers/processors for employees of contractors engaged in construction, electrical, plumbing, HVAC, work etc. provided the person is over the age of 16 and not engaging in any work related directly to the production, processing, or sales of cannabis.

#### **This change is needed because:**

1. RCW does not prohibit persons under twenty-one to enter or remain on the licensed premises of a producer or processor.
2. Most crews engaged in construction related activities employ one or more young persons to support and learn from more experienced trades persons.
3. The prohibition on all minors presence on premises creates additional, unnecessary hardship for small independent businesses and family owned contractors and construction companies.

## **The effect of this rule change will be:**

To allow employees under the age of 21 of contractors engaged in construction, electrical, plumbing, HVAC, work etc. the ability to be present on the premises of licensed cannabis producers and processors provided the person is over the age of 16 and not engaging in any work related directly to the production, processing, or sales of cannabis.

Ms. Oliver submitted two rule petitions with similar characteristics. The first petition has been analyzed under separate cover. With respect to the petition analyzed here, Ms. Oliver writes:

“...I have attached another petition that addresses the need for an additional exemption to the minor on site prohibition for employees of contractors engaged in construction, electrical, plumbing, HVAC work, etc. Over the years I have heard complaints from many farmers and construction companies who have been negatively impacted by this. Most crews engaged in construction related activities employ young people to support and learn from more experienced trades persons. Provided the employee is over the age of 16 and not engaging in any work related directly to the production, processing, or sales of cannabis it seems reasonable to allow these workers the ability to earn income and learn from more experienced trades persons.”

## **Issue**

Whether the Board should initiate rulemaking to consider an exemption to the prohibition of employees of independent contractors on the premises of licensed cannabis producers and processors, as required by WAC 314-55-015, provided the person is at least sixteen years of age, is an employee of an independent contractor engaged in construction, electrical, plumbing, HVAC, etc., and is not engaging in work directly related to the production, processing, or sales of cannabis.

## **Authority**

### *Laws*

RCW 69.50.325 establishes three types of cannabis licenses and describes how each will be regulated.

RCW 69.50.325(1) establishes “a cannabis producer’s license **regulated by the board** and subject to annual renewal.” (emphasis added)

RCW 69.50.325(2) establishes “a cannabis processor's license to process, package, and label cannabis concentrates, useable cannabis, and cannabis-infused products for

sale at wholesale to cannabis processors and cannabis retailers, **regulated by the board** and subject to annual renewal.” (emphasis added)

RCW 69.50.342 grants the Board authority to adopt rules to put Initiative 502 into effect. The Board is authorized, among other things, to **“adopt rules not inconsistent with the spirit of chapter 3, Laws of 2013** as are deemed necessary or advisable.” (emphasis added)

RCW 69.50.345 directs the Board to adopt rules that establish the procedures and criteria necessary to implement agency functions.

RCW 69.50.345(6)(a) advises that the Board shall take into consideration **“Security and safety issues.”** (emphasis added)

RCW 69.50.345(9)(b) directs the Board to **minimize “exposure of people under twenty-one years of age” to cannabis** or anything that would encourage or normalize cannabis use. (emphasis added)

### *Rules*

WAC 314-55-015 contains the general information about cannabis licenses.

WAC 314-55-015(2) states:

“(2) All applicants, licensees, and **employees** working in each licensed establishment **must be at least twenty-one years of age. No one under twenty-one years of age is allowed to enter or remain on a cannabis licensed premises** except as provided in RCW 69.50.357.” (emphasis added)

WAC 314-55-015(3) states:

“(3) **Minors restricted signs must be posted at all cannabis licensed premises** consistent with the requirements in WAC 314-55-086.” (emphasis added)

WAC 314-55-086(1) states:

“(1) All licensed cannabis processors, producers, and retailers, with the exception of licensed retailers with a medical cannabis endorsement, must conspicuously post a notice provided by the board about persons under 21 years of age at each entry to all licensed premises. The notice must contain all of the following language: **“Persons under 21 years of age not permitted on these premises.”**” (emphasis added)

WAC 314-55-010(10) states:

“(10) “Employee” means any person performing services on a licensed premises for the benefit of the licensee whether or not such person is compensated by the licensee.”

## Analysis

Initiative 502 legalized cannabis for recreational use under certain conditions. I-502 also created three new license types and requirements for each license type. Requirements were also created for the producing, processing, and retail sales of cannabis. Using authority from RCW 69.50.325, RCW 69.50.331, RCW 69.50.342, and RCW 69.50.345, the Board filed the first permanent rules to implement I-502 on October 21, 2013, as WSR 13-21-104<sup>1</sup>, with an effective date of November 21, 2013.

WAC 314-55-015, titled “General information about marijuana licenses,” was among the first permanent rules adopted to implement I-502. When first adopted WAC 314-55-015 established rules prohibiting minors on the premises of cannabis licensees. When first adopted WAC 314-55-015(2) stated: “All applicants and employees working in each licensed establishment must be at least twenty-one years of age.”<sup>2</sup> WAC 314-55-015(3) stated: “Minors restricted signs must be posted at all marijuana licensed premises.”<sup>3</sup> No exceptions to the prohibition of persons under twenty-one years of age being allowed to enter or remain on cannabis licensed premises were provided in the initial rules.

In order to implement legislation that passed in the 2015 legislative session (SB 5052 and HB 2136, known as the Cannabis Patient Protection Act) and align the medical marijuana market with the existing recreational market, the Board filed a permanent rule change on May 18, 2016, as WSR 16-11-110<sup>4</sup>, with an effective date of June 18, 2016. Based on the legislative change, WAC 314-55-015(2) was amended to allow for an exception to the prohibition of minors on licensed premises:

“(2) All applicants and employees working in each licensed establishment must be at least twenty-one years of age. No one under twenty-one years of age is allowed to enter or remain on a marijuana licensed premises except as provided in RCW 69.50.357.”

The exception contained in RCW 69.50.357 is specific to licensed cannabis retailers, not licensed cannabis producers or processors. The exception is only for qualifying patients under twenty-one years of age with a medical cannabis recognition card.<sup>5</sup>

There are several statutes currently applicable to minors and cannabis<sup>6</sup>, with the focus on the creation of an access barrier. These statutes pertain to prohibition of the delivery, sale, or possession of controlled substances – here, usable cannabis, cannabis concentrates, or cannabis-infused products to persons under twenty-one years of age. The sole exception to the age restriction in these statutes is the same as the exception contained in WAC 314-55-015(2).

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<sup>1</sup> <https://lawfilesexternal.wa.gov/law/wsr/2013/21/13-21-104.htm>, accessed on 8/4/2022.

<sup>2</sup> *ibid*

<sup>3</sup> *ibid*

<sup>4</sup> <https://lawfilesexternal.wa.gov/law/wsr/2016/11/16-11-110.htm>, accessed on 8/4/2022.

<sup>5</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=69.50.357>, accessed on 8/8/2022.

<sup>6</sup> RCW 69.50.4012, RCW 69.50.4015, RCW 69.50.406, RCW 69.50.414

### *Current petition*

In this petition, Crystal Oliver requests that the Board initiate rulemaking to consider an exemption to the prohibition of employees of contractors under 21 years of age on the premises of licensed cannabis producers and processors, as required by WAC 314-55-015, provided the person is at least sixteen years of age, is an employee of a contractor engaged in construction, electrical, plumbing, HVAC, etc., and is not engaging in work directly related to the production, processing, or sales of cannabis.

Agency staff identified several key issues to consider when evaluating the risks and benefits of creating an exemption to the prohibition of minors under 21 years of age on the premises of licensed cannabis producers and processors:

- Youth access and safety risks
- Enforcement
- Meaning of “employee” in 314-55 WAC

### *Youth access and safety risks*

Allowing children and grandchildren of cannabis producer/processor licensees on premises, under specific conditions, allows access to a product, cannabis, that is otherwise age restricted for all persons under twenty-one years of age. There are risks associated with, expanding access that could lead to accidental or intentional consumption of cannabis. There is risk of increased exposure to cannabis creating a normalizing effect. Additional risks include supervision and safety of the minors under sixteen years of age, particularly while the licensee is working and otherwise unable to monitor the minors, and being exposed to industry machinery, equipment, and products that may pose a safety risk to children. For these reasons, if an exemption to the prohibition of minors on cannabis licensed producer/processor premises is considered, agency staff suggests that determining an appropriate age range for this exemption should be considered. These access and safety risks should also be further explored in the context of federal guidance. Additional safeguards need to be explored with stakeholders to ensure youth access and safety risks are discussed.

### *Enforcement*

Compared to a prohibition of all minors under twenty-one years of age being allowed to enter or remain on the premises of licensed cannabis premises, there are risks related to potential enforcement of such a rule revision. One condition of the exception is that persons be employed by contractors and not engaged in work directly related to the production, processing, or sale of cannabis. This exemption may present enforcement challenges without additional procedures in place, such as requiring employees of contractors maintain proper identification, maintenance of a list of all contractors that work on-site, or both, including duration, frequency, and a full list of all employees that are at least sixteen and under twenty-one years of age. Currently there is only one permanent exemption to the prohibition of minors under twenty-one years of age being allowed on cannabis licensed premises, but it is for retail cannabis and requires person(s) maintain a medical cannabis recognition card. For these reasons, if this exception is considered

agency staff find that it will be important to develop procedures, records, and or processes that identify the person(s) to whom this exemption will apply. Additional stakeholder engagement is suggested to further explore this issue.

### *Meaning of “employee” in 314-55 WAC*

If this exemption is considered the definition of “employee”, as defined in Chapter 314-55 WAC may need to be reconsidered. WAC 314-55-010(10) defines “Employee” as “any person performing services on a licensed premises for the benefit of the licensee whether or not such person is compensated by the licensee.” WAC 314-55-015(2) states that all employees working in each licensed establishment must be twenty-one years of age or older. This exemption is sought for employees of an independent contractor.<sup>7</sup> Determining whether a contractor is independent or is acting as an employee of the cannabis producer/processor can be fact-driven, but this exemption would only apply to employees of independent contractors. For this reason, if this exemption is considered, agency staff find that it would be helpful to engage with stakeholders to determine if any additional procedures need to be implemented to ensure that this exemption only applies to employees of independent contractors not engaging in work directly related to the production, processing, or sales of cannabis.

### *Conclusion*

The Board has the statutory authority to amend WAC 314-55-015 regarding the prohibition of persons under twenty-one years of age being allowed to enter or remain on a cannabis licensed premises. Considering the issues related to the prohibition of minors under 21 years of age on the premises of licensed cannabis producers and processors, agency staff find that considering this subject for further public discussion would be beneficial. Initiating the rulemaking process as requested in the petition would allow the agency to begin collaboratively engaging with stakeholders and any interested members of the public to explore the possibility of creating an exemption to the prohibition of minors under 21 years of age on the premises of licensed cannabis producers and processors for employees of independent contractors.

### **Recommendation**

For the reasons described above, Director’s Office staff recommends that consistent with RCW 34.05.330(1)(b), the Board accept Crystal Oliver’s rule petition request, received on July 6, 2022, and initiate rulemaking proceedings in accordance with RCW 34.05.310 and

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<sup>7</sup> “Independent contractor” is defined as “a person hired to do work who controls how the work is done.” Independent contractor, Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/independent%20contractor>, last accessed August 11, 2022; The IRS website provides: “The general rule is that an individual is an independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done.” They also advise that “whether these people are independent contractors or employees depends on the facts in each case.” <https://www.irs.gov/businesses/small-businesses-self-employed/independent-contractor-defined#:~:text=The%20general%20rule%20is%20that,then%20you%20are%20self%20employed>, last accessed August 11, 2022.



34.05.320 to consider an exemption to the prohibition of employees of independent contractors on the premises of licensed cannabis producers and processors, as required by WAC 314-55-015, provided the person is at least sixteen years of age, is an employee of an independent contractor engaged in construction, electrical, plumbing, HVAC, etc., and is not engaging in work directly related to the production, processing, or sales of cannabis.

**Board Action**

After considering the recommendation of Director’s Office staff, the Board accepts/denies the petition for rulemaking received from Crystal Oliver on July 6, 2022.

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| <input checked="" type="checkbox"/> Accept <input type="checkbox"/> Deny | <br>David Postman, Chair        | <u>8.31.2022</u><br>Date |
| <input checked="" type="checkbox"/> Accept <input type="checkbox"/> Deny | <br>Ollie Garrett, Board Member | <u>8.31.2022</u><br>Date |
| <input type="checkbox"/> Accept <input type="checkbox"/> Deny            | <i>Not Present</i><br>Jim Vollendroff, Board Member   | <u>8.31.2022</u><br>Date |

**Attachments**

1. Rule petition from Crystal Oliver received July 6, 2022.
2. Letter from Crystal Oliver received July 6, 2022, with agency reply sent July 6, 2022.
3. Laws and Rules cited under the “Authority” section above.

CR 101 Public Feedback Table – Minors on Non-Retail Cannabis Premises

Public feedback received February 28, 2024 through March 29, 2024 on the Minors on Cannabis Premises Rulemaking project presented as CR 101 on February 28, 2024, filed as WSR 24-06-026. As noted in [Notice to Stakeholders](#), public comment open until March 29.

Public Comment CR 101 Minors on Non-Retail Cannabis Premises

| Name   | Feedback  | Response Time                              | Response  |
|--|---|--|---|
| <p>1.<br/>Email<br/>2/28/24; 4:39 PM<br/>Ian and Tonya Forbes<br/><a href="mailto:imforbes@gmail.com">imforbes@gmail.com</a></p> | <p>Rules Coordinator,<br/>My family owns and operates two I-502 Producer/Processor licenses in Washington. We have a small crew of workers and we spend long days at work. It was extremely important and valuable to be able to bring our young children into our fields during our long work days. We were all able to spend time outside together and create valuable family time that we otherwise would not have been able to accommodate. There were no negative effects we experienced through the relaxing of these rules. In fact, we now feel that an important part of family and normality would be taken away if this access is not codified in law as suggested. This is especially true since we have a child with autism that requires special attention and care that is not always readily available. We vehemently support the changes. We have also experienced contract work delays because we did not permit persons of less than 21 years of age to access our farms. While this was not crippling, it was irritating and showed no respect for the professionalism and qualifications of young tradespersons. We also support this change to the existing rules.<br/>Thank you for your time and consideration. Regards, Ian &amp; Tonya Forbes</p> | <p>Email reply<br/>2/29/24<br/>9:05 AM</p> | <p>Dear Ian and Tonya Forbes:<br/>Thank you so much for providing your comment on the CR 101 (Preproposal Statement of Inquiry) on the Minors on Non-Retail Cannabis Premises Rulemaking Project. Your input is valuable and we look forward to reviewing your feedback. If we have any questions we will follow up by email.<br/>The Washington State Liquor and Cannabis Board (LCB) relies on public feedback, and welcomes the opportunity to hear more from you! Public participation helps LCB develop inclusive, transparent, and accountable policies and rules that serve the public interest. Please visit the <a href="#">LCB's website</a> for more information about the Minors on Non-Retail Cannabis Premises Rulemaking and other current rulemaking activities. To get timely updates from LCB, please <a href="#">sign up</a> to be on our GovDelivery email distribution list (select the Rulemaking</p> |

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|   |   |   | <p>option along with any other topic of interest).<br/>                 The LCB Board holds public meetings on Wednesdays at 10 a.m., twice monthly. Held both virtually and in-person, the meetings provide an opportunity for members of the public to address Board members during the Public Comment agenda item, or during scheduled Public Hearings held during the Board meetings. Board meetings are also broadcast live on the state’s public access TV station <a href="#">TVW</a>. Please visit LCB’s <a href="#">Board meeting schedule and information webpage</a> to learn more about observing or participating in a Board meeting. The next Board meeting will be held on Wednesday March 13.<br/>                 Thank you again for reaching out!<br/> <i>LCB Policy &amp; Rules Coordinators</i></p> |
| <p>2.<br/>                 Email<br/>                 2/29/24; 7:51 AM<br/>                 Alison Sheaffer-Joy<br/>                 Alison Sheafor<br/> <a href="mailto:makofarmllc@gmail.com">makofarmllc@gmail.com</a></p> | <p>Dear LCB,<br/>                 I work at a cannabis grow facility. I'm probably in the minority here, with my view, but I want to share it with you, nonetheless.<br/>                 I see you are considering CR 101, to allow minors onto cannabis producers and processors properties. I am against this, mostly because of the new research showing the detrimental effects of THC on young, developing brains and</p> | <p>Email reply<br/>                 2/29/24;<br/>                 9:11 AM</p> | <p>Dear Alison:<br/>                 &lt;same as above&gt;</p>   |

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|  | <p>their emotional stability. Yes, I see that these youngun's will not be allowed to work with the cannabis or handle it, but being around it, as though it's entirely safe, is probably not a good message.</p> <p>I do understand that for some Moms and Dads, it's hard to find affordable child care, and so bringing your children to work, or having them with you after school is so very helpful. But in the current times, when there is such a low unemployment rate and there are still so many job openings, there are other options for parents out there. But I also feel I haven't been given enough information on what your proposal entails. What are the "limited circumstances" and the "specific conditions" you wrote about? It's possible limitations could suffice to make me feel at ease. Maybe the farm is owned by the parents and their child is in a wheel chair and can't be left alone, safely or easily after school? That would be understandable, and those parents could apply for allowances.</p> <p>But please don't let parents just let their kids be exposed to cannabis facilities where they learn to normalize something that could be detrimental to their mental health at a young age.</p> <p>I'm also supportive of the possible new ruling that high THC products have an age limit of 25. I've seen dabbing change the mental health of others, it's a sad thing, and the person dabbing is often in total denial. I don't think high THC products should be banned, because it'll just grow the black market, but protecting the mental health of our youth should be of highest priority.</p> <p>Sincerely,<br/>Alison Sheafor-Joy<br/>Mako Farm LLC<br/>17636 State Route 20<br/>Burlington, WA 98233</p> |  |  |
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| <p>3.<br/>Email 2/29/24; 10:22 AM<br/>Nick Cihlar<br/><a href="mailto:nick@subdued-excitement.com">nick@subdued-excitement.com</a></p> | <p>Hello Rules Makers at LCB,<br/>I am writing in support of amending WAC 314-55-015 to allow persons under 21 years of age on licensed cannabis premises under certain conditions.<br/>In general, I agree with all these points...</p> <ol style="list-style-type: none"><li>1. The current prohibition on minors entering licensed premises is not mandated by RCW and appears to be an unnecessary restriction.</li><li>2. Enforcing this prohibition negatively impacts family-owned and women[1]owned farms, hindering family time and support systems.</li><li>3. Licensees have reported positive outcomes from allowing children and grandchildren on site, such as increased family time and academic support.</li><li>4. There have been no significant issues related to minors' presence on the premises over the past two-plus years.</li><li>5. This rule change promotes equity in the cannabis industry, benefiting small, independent, women, and minority-owned businesses.</li></ol> <p>Just like nearly every other aspect of cannabis regulation, this rule was implemented not to protect against any harms, but as public relations - to help reassure society that the government was taking this seriously. In reality, it is an unnecessary and burdensome prohibition that does absolutely nothing in itself to protect the health and welfare of our children. It should be changed.<br/>Thank you.<br/>-----<br/>Nick Cihlar<br/>Subdued Excitement, Inc.<br/>1419 Whitehorn St.<br/>Ferndale, WA 98248<br/>p. (360) 398-6123</p> | <p>Email reply<br/>2/29/24;<br/>12:02 AM</p> | <p>Dear Nick Cihlar:<br/>&lt;same as above&gt;</p> |
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| <p>4.<br/>Email<br/>2/29/24 at 4:59 PM</p> <p>Terry Kuchenreuter<br/>terrykuchenreuter@gmail.com</p> | <p>Dear LCB Rules Coordinator,</p> <p>I am writing to express my strong support for the proposed rule change regarding the presence of minors on the premises of licensed cannabis producers/processors. Specifically, I urge you to grant an exemption that allows children and grandchildren of licensees under the age of 16 to be present on the premises under certain conditions. Here are the key reasons for this request:</p> <p>The current prohibition on minors entering licensed premises is not mandated by RCW and appears to be an unnecessary restriction.</p> <p>Enforcing this prohibition negatively impacts family-owned and women-owned farms, hindering family time and support systems.</p> <p>Licensees have reported positive outcomes from allowing children and grandchildren on site, such as increased family time and academic support.</p> <p>There have been no significant issues related to minors' presence on the premises over the past two-plus years. This rule change promotes equity in the cannabis industry, benefiting small, independent, women, and minority-owned businesses.</p> <p>I kindly request your consideration of this change, as it would support both family well-being and economic opportunities in the cannabis industry.</p> <p>Thank you for your time and attention to this important matter.</p> <p>Sincerely,<br/>Sent from my iPhone</p> | <p>Email Reply</p> <p>3/1/24;<br/>9:13 AM</p> | <p>Dear Terry Kuchenreuter:</p> <p>&lt;same as above&gt;</p> |

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| <p>5.<br/>Email 3/1/24 4:12 PM<br/>Joe<br/>joe@treedomproductions.com</p> | <p>Hello,<br/>I would like to express my opinion on CR 101. Allowing children to be present at my farm in the areas that do not contain live plants and/or cannabis products has given me the ability to save thousands of dollars on short-term child care. I think having children at producer/process facilities as long as they are not in the <u>presence of cannabis</u> is only strengthening the ability for families to run farms. Without this temporary ruling in place would have potentially put me out of business and further degrade the ability of having "mom and pop" farms succeed in this industry.<br/>Thanks, Joe</p> <p><small>The information contained in this email is intended only for the individual(s) named and is privileged, confidential and protected from disclosure. If you are not the intended recipient, any dissemination, distribution or copying is prohibited. If you have received this email in error, please reply to the sender and delete the original email along with all copies of this communication, including any attachments.</small></p> | <p>Replied via<br/>Email<br/>3/1/24<br/>5:22 PM</p> | <p>Dear Joe:<br/>Thank you so much for providing your comment on the CR 101 (Preproposal Statement of Inquiry) on the Minors on Non-Retail Cannabis Premises Rulemaking Project. Your input is valuable and we look forward to reviewing your feedback. If we have any questions we will follow up by email.<br/>The Washington State Liquor and Cannabis Board (LCB) relies on public feedback, and welcomes the opportunity to hear more from you! Public participation helps LCB develop inclusive, transparent, and accountable policies and rules that serve the public interest. Please visit the <a href="#">LCB's website</a> for more information about the Minors on Non-Retail Cannabis Premises Rulemaking and other current rulemaking activities. To get timely updates from LCB, please <a href="#">sign up</a> to be on our GovDelivery email distribution list (select the Rulemaking option along with any other topic of interest).<br/>The LCB Board holds public meetings on Wednesdays at 10 a.m., twice monthly. Held both</p> |
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|   |  |   | <p>virtually and in-person, the meetings provide an opportunity for members of the public to address Board members during the Public Comment agenda item, or during scheduled Public Hearings held during the Board meetings. Board meetings are also broadcast live on the state’s public access TV station <a href="#">TVW</a>. Please visit LCB’s <a href="#">Board meeting schedule and information webpage</a> to learn more about observing or participating in a Board meeting. The next Board meeting will be held on March 13.</p> <p>Thank you again for reaching out!</p> <p><i>LCB Policy &amp; Rules Coordinators</i></p> |
| <p>6.<br/>Email 3/4/24; 12:13 PM<br/>Max Young<br/>max@royaltreegardens.com</p> | <p>Dear LCB Rules Coordinator, I am writing to express my strong support for the proposed rule change regarding the presence of minors on the premises of licensed cannabis producers/processors. Specifically, I urge you to grant an exemption that allows children and grandchildren of licensees under the age of 16 to be present on the premises under certain conditions. Here are the key reasons for this request: The current prohibition on minors entering licensed premises is not mandated by RCW and appears to be an unnecessary restriction. Enforcing this prohibition negatively impacts family-owned and women-owned farms, hindering family time and support systems. Licensees have reported</p> | <p>Email replay<br/>3/4/24;<br/>2:05 PM</p> | <p>Dear Max Young<br/>&lt;same as above&gt;</p>  |



CR 101 Public Feedback Table – Minors on Non-Retail Cannabis Premises

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|  | <p>positive outcomes from allowing children and grandchildren on site, such as increased family time and academic support. There have been no significant issues related to minors' presence on the premises over the past two-plus years. This rule change promotes equity in the cannabis industry, benefiting small, independent, women, and minority-owned businesses. I kindly request your consideration of this change, as it would support both family well-being and economic opportunities in the cannabis industry. Thank you for your time and attention to this important matter.</p> <p>Sincerely,<br/> <i>Max A. Young :: Owner</i><br/> <i>Royal Tree Gardens</i><br/> p:(425)-239-8022<br/> e: <a href="mailto:max@royaltreegardens.com">max@royaltreegardens.com</a><br/> w: <a href="http://www.royaltreegardens.com">www.royaltreegardens.com</a><br/> a: 2602 S 38th st PMB #31, Tacoma, WA 98409</p>  |  |  |
| <p>7.<br/> Email<br/> 3/5/24; 2:08 AM<br/> Shea Hynes<br/> Shea@luxpotshop.com</p> | <p>Hello,<br/> I am writing with feedback regarding the following:<br/> <i>"The Washington State Liquor and Cannabis Board (LCB) has filed a pre-proposal statement of inquiry (CR 101) to consider amending WAC 314-55-015 regarding allowing people under the age of 21 on the premises of licensed cannabis producers and processors."</i></p> <p>My name is Shea Hynes, and I am a co-founder of Lux Pot Shop. I support this proposed rulemaking. However, I believe retailers should also have the same opportunity to have contractors under 21 in our building to fix issues (painters/plumbers/electricians/etc.) and a licensee's children or grandchildren under 16 years old. Both groups are equally safe in a retail facility as a producer/processor.</p> <p>Specifically regarding young children, as a father and small business owner, it would be beneficial to bring my child into my office, which is in one of our retail stores, in the instance</p> | <p>Replied via<br/> Email<br/> 3/5/24;<br/> 10:50 AM</p> | <p>Dear Shea Hynes:<br/> &lt;same as above&gt;</p> |

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|  | <p>of a childcare emergency, etc. Children are even safer in retail locations than producer processors, as all our products are sealed in child-proof packaging. While at a producer/processor facility, there are open products (even edibles) in various phases.</p> <p>If there are any concerns about the customer-facing aspect of retail - I want to note that producer/processors are also allowed to have members of the general public inside their facilities - and they often do, for example, during tours with customers or media visits. If this is a concern, the rule could be drafted to expressly state that children must stay off the sales floor in the back - out of sight of the general public. Please consider adding retailers to this proposal. Please feel free to reach out with any questions. Thank you for your work on this issue.</p> <p>Regards,<br/>Shea Hynes<br/>GM &amp; Co-Founder, <a href="#">(Lux) Pot Shop</a><br/>206.719.3162</p> |   |  |
| <p>8.<br/>Email 3/28/24; 12:21 PM<br/>Hughes.b7@gmail.com<br/>Bri (Brianna) Gaffin</p> | <p>Dear LCB Rules Coordinator,</p> <p>I am writing to express my strong support for the proposed rule change regarding the presence of minors on the premises of licensed cannabis producers/processors. Specifically, I would like to ask you to grant an exemption that allows children and grandchildren of licensees under the age of 16 to be present on the premises under certain conditions.</p> <p>Here are the critical reasons for this request:<br/>RCW does not mandate the current prohibition on minors entering licensed premises, which appears to be an unnecessary restriction.</p> <p>Enforcing this prohibition negatively impacts family-owned and women-owned farms, hindering family time and support</p>   | <p>Replied via Email<br/>3/28/24;<br/>2:22 PM</p> | <p>Dear Bri:</p> <p>Thank you so much for providing your comment on the CR 101 (Preproposal Statement of Inquiry) on the Minors on Non-Retail Cannabis Premises Rulemaking Project. Your input is valuable and we look forward to reviewing your feedback. If we have any questions we will follow up by email.</p> <p>The Washington State Liquor and Cannabis Board (LCB) relies</p> |

CR 101 Public Feedback Table – Minors on Non-Retail Cannabis Premises

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|  | <p>systems.<br/>Licensees have reported positive outcomes from allowing children and grandchildren on site, such as increased family time and academic support.<br/>There have been no significant issues related to minors' presence on the premises over the past two-plus years.<br/>This rule change promotes equity in the cannabis industry, benefiting small, independent, women, and minority-owned businesses.<br/>I kindly request your consideration of this change, as it would support family well-being and economic opportunities in the cannabis industry.<br/>Thank you for your time and attention to this important matter.<br/>Sincerely,<br/>Bri Gaffin, a breastfeeding mother and cannabis business owner</p> | <p>on public feedback, and welcomes the opportunity to hear more from you! Public participation helps LCB develop inclusive, transparent, and accountable policies and rules that serve the public interest.</p> <p>Please visit the <a href="#">LCB's website</a> for more information about the Minors on Non-Retail Cannabis Premises Rulemaking and other current rulemaking activities. To get timely updates from LCB, please <a href="#">sign up</a> to be on our GovDelivery email distribution list (select the Rulemaking option along with any other topic of interest).</p> <p>The LCB Board holds public meetings on Wednesdays at 10 a.m., usually twice monthly. Held both virtually and in-person, the meetings provide an opportunity for members of the public to address Board members during the Public Comment agenda item, or during scheduled Public Hearings held during the Board meetings. Board meetings are also broadcast live on the state's public access TV station <a href="#">TVW</a>.</p> |
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|   |  |  | <p>Please visit LCB’s <a href="#">Board meeting schedule and information webpage</a> to learn more about observing or participating in a Board meeting. The next Board meeting will be held on April 24.</p> <p>Thank you again for reaching out!<br/><i>LCB Policy &amp; Rules Coordinators</i></p>   |
| <p>9.<br/>Email 3/29/24; 9:55 AM<br/>Chad Morgan<br/>206bassculture@gmail.com</p> | <p>I am writing you today to ask that the Liquor Control Board(LCB) permanently change the rules to allow minors on site at wholesale cannabis production facilities.</p> <p>I have written to the LCB multiple times over the years regarding this issue. We are a small family farm, Rock Island Farm, which is a husband-and-wife team with two employees. While we do well, the single largest hardship we face is the constant struggle to find care for our now-six year old child.</p> <p>Many childcare providers are small operations that are not comfortable with parents that regularly smell like cannabis when picking up their children. We change our clothes and go out of our way to not smell like cannabis, but that's virtually impossible when you spend 8-10 hours a day in a growing facility. Our child is now in 1st grade and the school system seems to have late start/early release/teacher day or holiday every single week. Trying to keep up with the school's schedule is difficult for any working parent but especially for a husband-and-wife team in this industry. While finding childcare is a real challenge, the emotional hardships are even worse. It's painful for me to think about the hardships we endured trying to provide a "normal" life</p> | <p>Replied via email on 4/1/24 at 10:01 AM</p> | <p>Dear Chad:<br/>Thank you so much for providing your comment on the CR 101 (Preproposal Statement of Inquiry) on the Minors on Non-Retail Cannabis Premises Rulemaking Project. Your input is valuable and we look forward to reviewing your feedback. If we have any questions we will follow up by email.</p> <p>The Washington State Liquor and Cannabis Board (LCB) relies on public feedback, and welcomes the opportunity to hear more from you! Public participation helps LCB develop inclusive, transparent, and accountable policies and rules that serve the public interest. Please visit the <a href="#">LCB's website</a> for more information about the</p> |

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|  | <p>for our child when he was a newborn. The rules excluding minor children from a growing operation caused chaos and I feel they caused trauma in my child. We were forced to put a child with special needs into a daycare at a time when he wasn't ready for it. It is a regret I will carry around for the rest of my life.</p> <p>I am also sad to say that these rules have limited our ability to expand our family. How is my wife and business partner supposed to have another child and breastfeed our child with these rules in place? She would have to retire from the business – a financial hardship we couldn't survive. It would take at least two full-time employees to replace the work she does. The idea that we would be immediately forced into placing a newborn in daycare and start feeding formula instead of natural milk is a thought we can't bear. Parents in the cannabis industry should not be forced to make this choice.</p> <p>Separating a mother from a breastfeeding child is an injustice to women and children. It's disheartening that this rule has been in place for so long. If something happened to me, how would a single mother in this business stay afloat with these rules? I've been on apple farms, wheat farms, dairy farms and more. None of them have restrictions regarding children on farms, even with heavy machinery and large pesticide programs. Why is my farm treated differently?</p> <p>Being able to have my child at my workplace would be real progress that treats me as a normal person with a legal job. It would be real progress in normalizing what we do for work. I shudder to think of going backwards - locking children out and keeping them away from their parents, particularly during early developmental years. That is not the direction we should be going as a society.</p> | <p>Minors on Non-Retail Cannabis Premises Rulemaking and other current rulemaking activities. To get timely updates from LCB, please <a href="#">sign up</a> to be on our GovDelivery email distribution list (select the Rulemaking option along with any other topic of interest).</p> <p>The LCB Board holds public meetings on Wednesdays at 10 a.m., usually twice monthly. Held both virtually and in-person, the meetings provide an opportunity for members of the public to address Board members during the Public Comment agenda item, or during scheduled Public Hearings held during the Board meetings. Board meetings are also broadcast live on the state's public access TV station <a href="#">TVW</a>.</p> <p>Please visit LCB's <a href="#">Board meeting schedule and information webpage</a> to learn more about observing or participating in a Board meeting. The next Board meeting will be held on April 24.</p> <p>Thank you again for reaching out!</p> <p>Denise</p> |
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CR 101 Public Feedback Table – Minors on Non-Retail Cannabis Premises

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|   | <p>It's my honest belief that when voters passed Initiative 502 that they wanted this plant and industry to be normalized. They wanted to do away with the idea that cannabis is a harmful monster that destroys lives and families. They wanted to end the stigma around this plant. The idea that you cannot be a good parent while working with cannabis is an outdated idea that started long ago with federal prohibition. Now that we are standing on the edge of federal legalization I feel it is time for the Washington Cannabis Board to shed the idea that being around a plant is dangerous.</p> <p>Our state has been leading the way and making big steps to right the "wrongs" of the past. Washington's social equity program is a great first step. It is time to take the next step and remove this unnecessary burden on children, mothers and families.</p> <p>I sincerely and humbly ask that the board consider the burden on families and change this rule, permanently allowing children to be in the presence of their parents inside growing facilities.</p> <p>Chad Morgan</p> |  |   |
| <p>10.<br/>Email 3/29/24; 9:55 AM<br/><a href="mailto:farmtherock@gmail.com">farmtherock@gmail.com</a><br/>Meghann Frickberg<br/>Owner/Wife/Mother<br/>Rock Island Farm</p> | <p>Dear LCB Rules Coordinator,</p> <p>I would like to express my strong support for the proposed rule change regarding the presence of minors on the premises of licensed cannabis producers/processors. Specifically, I urge you to grant an exemption that allows children and grandchildren of licensees to be present on the premises.</p> <p>Being a small business owned by a husband and wife, with just 2 employees, we encounter unique challenges that make this rule particularly burdensome for us. Whenever our child has early dismissal or late start, a day off from school, summer or winter break, or falls ill, someone has to</p>  | <p>Replied via email on 4/1/24; 10:04 AM</p> | <p>Dear Meghhan:</p> <p>Thank you so much for providing your comment on the CR 101 (Preproposal Statement of Inquiry) on the Minors on Non-Retail Cannabis Premises Rulemaking Project. Your input is valuable and we look forward to reviewing your feedback. If we have any questions we will follow up by email.</p> |

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|  | <p>stay home to take care of them. One of us staying home leads to a loss of at least 2 employees' worth of work, which significantly impacts our workforce. As a result, our operations experience delays, and our ability to fulfill orders and maintain productivity in the grow room is severely affected. These setbacks can have a detrimental effect on our business, hindering our growth and success.</p> <p>The existing regulations impose unnecessary burdens and hardships on our lives. These rules have hindered our ability to grow our family, as we are aware that our business would face challenges in sustaining itself if I were to have another baby and be unable to attend work. It is unjust to compel mothers to make a choice between breastfeeding and bonding with their child or continuing their professional careers. It is equally unfair to impose decisions on them that contradict their values, such as placing an infant in daycare, particularly when they are the ones in charge of their own businesses.</p> <p>By changing this rule, we would not only greatly improve our business but also enhance our mental well-being and strengthen our family. We urge you to consider the positive impact that this change could have on small businesses like ours.</p> <p>Here are the key reasons for this request:<br/>The current prohibition on minors entering licensed premises is not mandated by RCW and appears to be an unnecessary restriction.<br/>Enforcing this prohibition negatively impacts family-owned and women-owned farms, hindering family time and support systems.<br/>Licensees have reported positive outcomes from allowing</p> | <p>The Washington State Liquor and Cannabis Board (LCB) relies on public feedback, and welcomes the opportunity to hear more from you! Public participation helps LCB develop inclusive, transparent, and accountable policies and rules that serve the public interest.</p> <p>Please visit the <a href="#">LCB's website</a> for more information about the Minors on Non-Retail Cannabis Premises Rulemaking and other current rulemaking activities. To get timely updates from LCB, please <a href="#">sign up</a> to be on our GovDelivery email distribution list (select the Rulemaking option along with any other topic of interest).</p> <p>The LCB Board holds public meetings on Wednesdays at 10 a.m., usually twice monthly. Held both virtually and in-person, the meetings provide an opportunity for members of the public to address Board members during the Public Comment agenda item, or during scheduled Public Hearings held during the Board meetings. Board meetings are</p> |
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|   | <p>children and grandchildren on site, such as increased family time and academic support and less stress overall in the business and at home, leading to a happier and healthier life.</p> <p>There have been no significant issues related to minors' presence on the premises over the past two-plus years. This rule change promotes equity in the cannabis industry, benefiting small, independent, women, and minority-owned businesses.</p> <p>I kindly request your consideration of this change, as it would support both our family well-being and economic opportunities in the cannabis industry.</p> <p>Thank you for your time and attention to this important matter.</p> <p>Sincerely,<br/>                 Meghann Frickberg<br/>                 Owner/Wife/Mother<br/>                 Rock Island Farm</p> |  | <p>also broadcast live on the state's public access TV station <a href="#">TVW</a>.</p> <p>Please visit LCB's <a href="#">Board meeting schedule and information webpage</a> to learn more about observing or participating in a Board meeting. The next Board meeting will be held on April 24.</p> <p>Thank you again for reaching out!</p> <p>Denise</p>  |
| <p>11. Jill Gravatt email: to <a href="mailto:rules@lcb.wa.gov">rules@lcb.wa.gov</a> inbox from: <a href="mailto:jjgravatt1983@gmail.com">jjgravatt1983@gmail.com</a> June 5, 2024 at 9:30 am</p> | <p>Subject: Allowing persons under 21 on cannabis property</p> <p>I have a cannabis producing business down the road from me at 17 Gravatt Ln McCleary WA 98557 and there is a small child living on the property who is under the age of 8. I feel that this is not a good environment to be raising a child in. Also this child was attending school but as of recent they don't appear to be attending any longer. I have been in close contact with this child and sadly he smelled like cannabis!! They live in old construction job shacks with bars on all the windows! Again not a safe environment for anyone let alone a child.</p> <p>This rule is a bad idea and the cannabis properties need to be inspected more often for violations.</p> <p>Jill Gravatt</p>   | <p>Replied via email on June 5, 2024 at 12:13 PM</p> | <p>Dear Jill,</p> <p>Thank you for your comments on our current Minors on Non-Retail Cannabis Premises rulemaking. We will include your comments in our rulemaking file.</p> <p>Please visit the LCB's website for more information about the Minors on Non-Retail Cannabis Premises Rulemaking, other current rulemaking activities, and how to be involved at: <a href="https://lcb.wa.gov/laws/laws-and-rules">https://lcb.wa.gov/laws/laws-and-rules</a></p> |



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|  |  | <p>The LCB Board holds public meetings on Wednesdays at 10 a.m., twice monthly. Held both virtually and in-person, the meetings provide an opportunity for members of the public to address Board members during the Public Comment agenda item, or during scheduled Public Hearings held during the Board meetings. Board meetings are also broadcast live on the state’s public access TV station TVW. You can find the LCB’s Board meeting schedule and information webpage to learn more about observing or participating in a Board meeting at: <a href="https://lcb.wa.gov/board/board-information">https://lcb.wa.gov/board/board-information</a> . The next Board meeting will be held on Tuesday June 18 (due to the holiday on June 19).</p> <p>Thank you.<br/>Denise<br/>Denise Laflamme MS, MPH   she/her<br/>Rules Coordinator<br/>Washington State Liquor and Cannabis Board (LCB)<br/><a href="mailto:Denise.Laflamme@lcb.wa.gov">Denise.Laflamme@lcb.wa.gov</a><br/>Mobile: 360-819-0452</p> |
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### Invitation: Feedback Sessions - Minors on Non-Retail Cannabis Premises Rulemaking (Sept. 16 and 19)

Washington State Liquor and Cannabis Board sent this bulletin at 09/06/2024 11:02 AM PDT

Having trouble viewing this email? [View it as a Web page.](#)



Sept. 5, 2024

#### Invitation: Public Feedback Sessions on Minors on Non-Retail Cannabis Premises Rulemaking (Sept. 16 and 19)

As part of Liquor and Cannabis Board's (LCB) ongoing rulemaking related to petitions accepted in 2022 to allow minors on non-retail cannabis premises based on an [expired COVID allowance](#), the agency is hosting two online stakeholder sessions to discuss conceptual rule frameworks to be used as the basis for rule changes as part of the rulemaking process.

The two sessions are the same and cover the conceptual rule framework for two scenarios:

- Minors who are children or grandchildren of licensees
- Minors who are employees of contractors working on a cannabis premises

These topics will be discussed separately during the first and second hour each session as shown below.

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| <p><b>Monday, Sept. 16 10 a.m. - 12 p.m.</b></p> <p><b>10 to 11 a.m.:</b> Minors who are children or grandchildren of licensees</p> <p><b>11 a.m. to 12 p.m.:</b> Minors who are employees of contractors working on a cannabis premises</p> <p><b>Join on your computer, mobile app or room device</b></p> <p><a href="#">Click here to join the meeting</a></p> <ul style="list-style-type: none"> <li>• Meeting ID: 260 313 097 237</li> <li>• Passcode: dMqjmV</li> </ul> <p><a href="#">Download Teams</a>   <a href="#">Join on the web</a></p> <p><b>Or call in (audio only)</b></p> <ul style="list-style-type: none"> <li>• <a href="#">(833) 322-1218, 103542364#</a> U.S. (Toll-free)</li> <li>• Phone Conference ID: 103 542 364#</li> </ul> <p><a href="#">Find a local number</a>   <a href="#">Reset PIN</a></p> <p><a href="#">Learn More</a>   <a href="#">Meeting options</a></p> | <p><b>Thursday, Sept. 19 2 p.m. – 4 p.m.</b></p> <p><b>2 to 3 p.m.:</b> Minors who are children or grandchildren of licensees</p> <p><b>3 to 4 p.m.:</b> Minors who are employees of contractors working on a cannabis premises</p> <p><b>Join on your computer, mobile app or room device</b></p> <p><a href="#">Click here to join the meeting</a></p> <ul style="list-style-type: none"> <li>• Meeting ID: 259 643 990 534</li> <li>• Passcode: NQG73D</li> </ul> <p><a href="#">Download Teams</a>   <a href="#">Join on the web</a></p> <p><b>Or call in (audio only)</b></p> <ul style="list-style-type: none"> <li>• <a href="#">(833) 322-1218, 218850041#</a> U.S. (Toll-free)</li> <li>• Phone Conference ID: 218 850 041#</li> </ul> <p><a href="#">Find a local number</a>   <a href="#">Reset PIN</a></p> <p><a href="#">Learn More</a>   <a href="#">Meeting options</a></p> |
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During the meeting please keep the following in mind:

- Both sessions will be recorded and are subject to public disclosure. The purpose of the recordings is to make sure we collect all feedback.

Invitation: Feedback Sessions - Minors on Non-Retail Cannabis Premises Rulemaking (Sept. 16 and 19)

- While the Teams chat feature will be ON, any written questions or comments submitted in chat will be saved in the rulemaking file and are subject to public disclosure.
- Questions and comments in the session Team chats will not be responded to in real time but will be addressed at the end of the session.
- Participants will be muted and will only be unmuted when the session's leader turns on their microphone.
- To ask questions during the sessions, participants must use the raise hand function and they will then be unmuted to ask their question.
- If you would like to submit questions before, during or after the session(s), feel free to email the rules team at [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov).

More information about the Minors on Non-Retail Cannabis Premises rulemaking including materials for these sessions is on the [Rules webpage](#).

Please feel free to connect with the Rules & Policy Team with any questions or to provide written feedback at [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov).

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### Cannabis Rulemaking Stakeholder Sessions

#### Minors on Non-Retail Cannabis Premises. (WAC 314-55-015)

Monday, Sept. 16 from 10 a.m. - 12 p.m. and Thursday Sept. 19 from 2 p.m. - 4 p.m.

(The two sessions will present identical information)

*Virtual Attendance Only*

**Workshop Objective:** Review, discuss, and gather feedback from interested parties on:

- ✓ Proposed conceptual draft conditions for authorizing certain minors on non-retail premises for two scenarios:
  1. Children and grandchildren of licensees under 16 years of age.
  2. Employees of contractors between 18 and 20 years of age.
- ✓ This rulemaking is related to petitions accepted in 2022 based on a [COVID allowance](#).

**Relevant statutory limitations:** RCW 69.50.357 prohibits minors in retail outlets with exception of qualifying patients.

| Time                         | Topic  |
|------------------------------|--|
| 10 a.m. - 11 a.m.; Sept. 16  | <b>Children and Grandchildren of licensees</b>   |
| 2 p.m. – 3 p.m.; Sept. 19    |  |
| 10 – 10:15 a.m.; Sept. 16    | Welcome & Background <ul style="list-style-type: none"> <li>• Workshop objective</li> <li>• Housekeeping</li> <li>• Current rulemaking timeline</li> <li>• Overview of COVID allowance and petition</li> <li>• Related statutes and rules</li> </ul> |
| 2 – 2:15 p.m.; Sept. 19      |  |
| 10:15 – 10:55 a.m.; Sept. 16 | Review & discuss draft conditions for consideration in rulemaking  |
| 2:15 – 2:55 p.m.; Sept. 19   |  |
| 10:55 – 11:00 a.m.; Sept. 16 | Questions and next steps   |
| 2:55 – 3:00 p.m.; Sept. 19   |  |
| 11 am – noon; Sept. 16       | <b>Employees of Contractors</b>  |
| 3:00 – 4:00 p.m.; Sept. 19   |  |
| 11 – 11:15 a.m.; Sept. 16    | Welcome & Background <ul style="list-style-type: none"> <li>• Workshop objective</li> <li>• Housekeeping</li> <li>• Current rulemaking timeline</li> <li>• Overview of COVID allowance and petition</li> <li>• Related statutes and rules</li> </ul> |
| 3 – 3:15 p.m.; Sept. 19      |  |
| 11:15-11:55 a.m.; Sept. 16   | Review & discuss draft conditions for consideration in rulemaking  |
| 3:15 – 3:55 p.m.; Sept. 19   |  |
| 11:55 a.m. – noon; Sept. 16  | Questions and next steps   |
| 3:55 – 4:00 p.m.; Sept. 19   |  |

Information about the proposed conditions for discussion is included in the PowerPoint Presentation on the [LCB Rules Outreach and Public Engagement webpage](#).



# Washington State Liquor and Cannabis Board

## Conceptual Rule Framework Discussion Minors on non-retail premises

Stakeholder Input Sessions

Monday, Sept. 16, 10 a.m. – Noon

Thursday, Sept. 19, 2 p.m. – 4 p.m.

Presenter: Denise Laflamme, Policy & Rules Coordinator

Denise.Laflamme@lcb.wa.gov

[rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)



# Washington State Liquor and Cannabis Board

## Agenda

- 1. First hour - Topic area: Children and grandchildren of licensees**
  - Welcome and background *(15 min.)*
  - Review & discuss conceptual draft conditions to consider in rulemaking *(40 min.)*
    - Conditions from Covid allowance
    - Other conditions
  - Wrap up and next steps *(5 min.)*
- 2. Second hour - Topic area: Employees of contractors**
  - Welcome and background *(15 min.)*
  - Review conceptual draft conditions to consider in rulemaking *(40 min.)*
    - Conditions from Covid allowance
    - Definitions of trade employees from WA Labor & Industries (L&I)
    - Other conditions
  - Wrap up and next steps *(5 min.)*



# Washington State Liquor and Cannabis Board

## Objective

To gather insights and feedback on **draft proposed conditions** for permitting minors on premises.

For feedback or questions, contact [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)





# Washington State Liquor and Cannabis Board

## Purpose

- To involve stakeholders in the development of rules that help determine when and how minors can be present on non-retail cannabis premises, to ensure final regulations reflect public input, public safety, and industry needs.



# Washington State Liquor and Cannabis Board

## Session Notes

Please keep the following in mind during this session:

- We are recording today's session. The recording is subject to public disclosure.
- While the Teams chat feature will be ON, any written questions submitted in chat will be saved in the rulemaking file and are **subject to public disclosure**.
- Questions and comments in the session's Team chat may not be responded to in real time but will be **addressed at the end of the session**.
- Participants will be muted and will only be unmuted when the session's leader enables their microphone.
- To ask questions during the sessions, participants must **use the raise hand** function and they will then be unmuted to ask their question.
- If you would like to submit questions before, during or after the engagement session, feel free to email the rules team at [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov).



# Washington State Liquor and Cannabis Board

## Rulemaking Project Timeline Minors on Non-Retail Premises

| Date                         |                           | Stage   |
|------------------------------|---------------------------|---|
| February 28, 2024            |                           | CR 101 Filed – Rulemaking officially begins, filed as <a href="#">WSR 24-06-026</a> |
| September 16 & 19, 2024      | <b><u>WE ARE HERE</u></b> | Stakeholder Engagements   |
| October 9, 2024              | <b>Tentative</b>          | CR 102 Filed – Draft Rules Proposed   |
| October 9 – December 4, 2024 | <b>Tentative</b>          | Public Feedback Period on Draft Rules   |
| December 4, 2024             | <b>Tentative</b>          | Public Hearing  |
| December 18, 2024            | <b>Tentative</b>          | CR 103 Filed – Final Rules filed  |
| <b>January 18, 2025</b>      | <b>Tentative</b>          | Rules effective   |



# Washington State Liquor and Cannabis Board

## Background

- Board accepted two rulemaking petitions in 2022 requesting to:
  - [Adopt COVID allowance for children & grandchildren of licensees](#)
  - [Allow employees of contractors who are under 21](#)
- CR-101 initiating rulemaking filed Feb. 28, 2024
  - [WSR 24-06-026](#)
- Informal comment period ended March 29, 2024
- Comments received:
  - ~60 prior to CR-101 filing
    - all but 2 in support
    - 53 included “Minors on Farms” as subject
  - 11 during informal comment period (all but 2 in support)



# Washington State Liquor and Cannabis Board

## **Minors on Premises COVID Allowance (through Dec. 31, 2022)**

Applied to: Cannabis Producers and Processors

Due to the related COVID – 19 impacts, the LCB is temporarily relaxing enforcement of WAC 314-55-015 involving the prohibition of minors being present on premises of licensed cannabis producers/processors in limited circumstances. This temporary allowance is to accommodate families that have been impacted by school closures. Effective immediately the LCB will not enforce the provisions of WAC 314-55-015 for families who have children under the age of 16 on the licensed premises, so long as the following conditions are met:



# Washington State Liquor and Cannabis Board

## **Minors on Premises COVID Allowance (through Dec. 31, 2022)**

### **Conditions:**

- The person under 16 years of age is a child or grandchild of the licensee,
- The person under 16 years of age is not engaging in any work or act of employment for the licensed business,
- The person under 16 years of age does not possess any products associated with the production, processing, or sales of cannabis,

This advisement covers only the licensed cannabis facility for producers and processors, and does not include or cover retail locations or transportation vehicles.



# Washington State Liquor and Cannabis Board

## Statutes and Rules



# Washington State Liquor and Cannabis Board

## WAC 314-55-015

### **General information about cannabis licenses.**

(2) All applicants, licensees, and employees working in each licensed establishment must be at least 21 years of age. No one under 21 years of age may enter or remain on a cannabis licensed premises except as provided in RCW [69.50.357](#).





# Washington State Liquor and Cannabis Board

## [RCW 69.50.357](#) **Retail outlets—Rules.**

(2) Licensed cannabis retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement, but may not purchase products for their personal medical use.



# Washington State Liquor and Cannabis Board

## [WAC 314-55-086](#)

### Mandatory signage

- (1) All licensed cannabis processors, producers, and retailers, with the exception of licensed retailers with a medical cannabis endorsement, must conspicuously post a notice provided by the board about persons under 21 years of age at each entry to all licensed premises. The notice must contain all of the following language: "Persons under 21 years of age not permitted on these premises."



# Washington State Liquor and Cannabis Board

## WAC 314-55-521

### Category II

#### Violations That Create a Direct or Immediate Threat to Public Health, Safety, or Both

| Violation Type  | 1st Violation                               | 2nd Violation in a Two-year Window           | 3rd Violation in a Two-year Window | 4th Violation in a Two-year Window |
|---|---|--|------------------------------------|------------------------------------|
| <b>Furnishing to persons under twenty-one years of age, except as allowed in</b><br><b>RCW <a href="#">60.50.357</a>.</b><br><b>RCW <a href="#">69.50.354</a></b><br><b>WAC <a href="#">314-55-079</a>(1)</b> | 5-day suspension or \$1,250 monetary option | 10-day suspension or \$7,500 monetary option | 30-day suspension                  | License cancellation               |



Washington State  
Liquor and Cannabis Board

# Children & Grandchildren of Licensees

First Hour of Session



# Washington State Liquor and Cannabis Board

## Children and Grandchildren of Licensees Conditions for Discussion

- Topics for discussion:
  1. Use all or part of COVID Allowance
  2. Types of operations
  3. Restricting certain areas
  4. Requirements for supervision
  5. Other?



# Washington State Liquor and Cannabis Board

## Children and Grandchildren of Licensees Conditions for Discussion

1. COVID Allowance – Should we keep all or parts?

The person under 16 years of age:

1. Is a child or grandchild of the licensee,
2. Is not engaging in any work or act of employment for the licensed business,
3. Does not possess any products associated with the production, processing, or sales of cannabis.



## Children and Grandchildren of Licensees Conditions for Discussion

2. Should minors be permitted on all types of producer and processor operations?
  - Any licensed premises regardless of operation type or activities?
  - Only on specific types of licenses (e.g. small-scale producers, family-owned operations, etc.)?
  - Other?



## Children and Grandchildren of Licensees Conditions for Discussion

3. Should certain areas be restricted? e.g., areas with:
  - Live plants
  - Harvested/Post-harvest cannabis
  - Unpackaged products
  - Lighting equipment (grow rooms)
  - Chemicals, including pesticides or solvents, that are used or stored
  - Other?





# Washington State Liquor and Cannabis Board

## Children and Grandchildren of Licensees Conditions for Discussion

4. Should supervision be required?
  - Liquor regulations include parent supervision language- for craft distilleries – use as a template?



# Children and Grandchildren of Licensees

Use supervision language from craft distillery (RCW 66.24.145)?

- Craft distillery- on-premises and off-premises consumption – tasting room age restrictions
  - (7)(a) No person under twenty-one years of age may be on the premises of a craft distillery tasting room, including an off-site tasting room licensed under RCW 66.24.146, unless they are accompanied by their parent or guardian.
  - (d) Notwithstanding the limitations in (c) of this subsection, persons under twenty-one years of age who are children of owners, operators, or managers of a craft distillery or an off-site tasting room licensed under RCW 66.24.146, may be in any area of a licensed craft distillery, tasting room, or an off-site tasting room licensed under RCW 66.24.146, provided they must be under the direct supervision of their parent or guardian while on the premises.



## Children and Grandchildren of Licensees

- Input we heard today will help us develop draft rule language
  - Another round of stakeholder input may be helpful
- Tentatively File CR 102 October 9
- Questions and comments to [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)



# Washington State Liquor and Cannabis Board

## Employees of Contractors

Second Hour of Session



# Washington State Liquor and Cannabis Board

## Agenda

### **Second hour - Topic area: Employees of contractors**

- Welcome and background (*15 min.*)
- Review conceptual draft conditions to consider in rulemaking (*40 min.*)
  - Conditions from Covid allowance
  - Definitions of trade employees from WA Labor & Industries (L&I)
  - Other conditions
- Wrap up and next steps (*5 min.*)



# Washington State Liquor and Cannabis Board

## Objective

To gather insights and feedback on **draft proposed conditions** for permitting minors on premises.

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# Washington State Liquor and Cannabis Board

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- To involve stakeholders in the development of rules that help determine when and how minors can be present on non-retail cannabis premises, to ensure final regulations reflect public input, public safety, and industry needs.



# Washington State Liquor and Cannabis Board

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# Washington State Liquor and Cannabis Board

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# Washington State Liquor and Cannabis Board

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Applied to: Cannabis Producers and Processors

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# Washington State Liquor and Cannabis Board

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# Washington State Liquor and Cannabis Board

## WAC 314-55-015

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(2) All applicants, licensees, and employees working in each licensed establishment must be at least 21 years of age. No one under 21 years of age may enter or remain on a cannabis licensed premises except as provided in RCW [69.50.357](#).



# Washington State Liquor and Cannabis Board

## RCW 69.50.357

### **Retail outlets—Rules.**

(2) Licensed cannabis retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement, but may not purchase products for their personal medical use.



# Washington State Liquor and Cannabis Board

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# Washington State Liquor and Cannabis Board

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## Employees of Contractors Conditions for Discussion

1. Should we use COVID allowance language?
2. Use L&I definitions for employees:
  - Types of trades
  - Keep between 18-20 years old?
3. Use liquor laws as template?
  - Supervision
  - Onsite only to conduct work



## Employees of Contractors Conditions for Discussion

- Use COVID Allowance language?
  - Not engaging in any work or act of employment for the licensed business,
  - Does not possess any products associated with the production, processing, or sales of cannabis.



## Employees of Contractors Conditions for Discussion

- Specify that employees are 18-20 years old?
  - Additional L&I requirements if under 18
- L&I has provided definitions for “contractors”
  - Differs by trade
  - L&I provided following language:

Qualified contractor means a licensed **plumbing contractor** under Chapter 18.106, a licensed **electrical contractor** under Chapter 19.28 RCW, or a **registered contractor** under Chapter 18.27 RCW. Qualified contractors utilizing certified plumbing trainees under Chapter 18.106, certified electrical trainees, or registered apprentices under chapter 49.04 RCW to perform work on cannabis-related sites where the trainee or apprentice is under 21 years of age, the trainee must be **supervised** on the same job site at all times at a ratio consistent with the trainee or apprentice standards.



# Washington State Liquor and Cannabis Board

## Employees of Contractors

### Conditions for Discussion – Liquor rules language

- [WAC 314-11-040](#) Permissible duties of an employee under 21 years of age on a licensed premises.

A person must be 21 years of age or older to be employed in the sale, handling, or service of liquor, except as provided in this chapter.

- (1) Per RCW [66.44.340](#) and RCW [66.44.350](#), persons between 18 and 21 years of age may perform the following duties:

- (c) In an establishment that sells liquor for on-premises consumption:

Enter areas designated as off-limits to persons under 21 years of age to perform duties such as picking up liquor for service in other parts of the establishment; cleaning up, setting up, and arranging tables; delivering messages; serving food; and seating patrons; provided the employee does not remain in the area any longer than is necessary to perform the duties.



# Employees of Contractors

## Conditions for Discussion – Liquor rules language

- [WAC 314-11-040](#) Permissible duties of an employee under 21 years of age on a licensed premises.
  - (2) Per RCW 66.44.316 and 66.44.318, the following persons that are 18, 19, or 20 years of age may remain on licensed premises or portions of premises that are restricted from persons under 21 years of age, but only during the course of his or her employment:
    - (a) Persons performing janitorial services during the hours when there is no sale, service, or consumption of liquor on the premises;
    - (b) Employees of amusement device companies for the purpose of installing, maintaining, repairing, or removing any amusement device;



## Employees of Contractors

- Input we heard today will help us develop draft rule language
  - Another round of stakeholder input may be helpful
- Tentatively File CR 102 on October 9
- Questions and comments to [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)



# Washington State Liquor and Cannabis Board

# Thank You!

For any questions or feedback, please contact Policy &  
Rules at [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)

## 1. Summary

|                         |   |
|-------------------------|---|
| Meeting title           | Conceptual Rule Framework: Minors on Cannabis Premises rulemaking |
| Attended participants   | 22  |
| Start time              | 9/16/24, 9:50:18 AM   |
| End time                | 9/16/24, 11:42:21 AM  |
| Meeting duration        | 1h 52m 3s   |
| Average attendance time | 1h 13m 40s  |

## 2. Participants

| Name   | First Join           | Last Leave           | In-Meeting Duration | Email                        | Participant ID (UPN)         | Role      |
|--|----------------------|----------------------|---------------------|------------------------------|------------------------------|-----------|
| Laflamme, Denise M (LCB)                           | 9/16/24, 9:50:20 AM  | 9/16/24, 11:33:15 AM | 1h 42m 54s          | denise.laflamme@lcb.wa.gov   | denise.laflamme@lcb.wa.gov   | Organizer |
| Hamilton-Steele, Tierney A (LCB)                   | 9/16/24, 9:50:56 AM  | 9/16/24, 11:33:34 AM | 1h 42m 37s          | tierney.hamilton@lcb.wa.gov  | tierney.hamilton@lcb.wa.gov  | Organizer |
| Murphy, Matthew W (LCB)                            | 9/16/24, 9:56:14 AM  | 9/16/24, 10:49:45 AM | 53m 30s             | matthew.murphy@lcb.wa.gov    | matthew.murphy@lcb.wa.gov    | Attendee  |
| Penny Allen (Guest) (Unverified)                   | 9/16/24, 9:56:38 AM  | 9/16/24, 10:36:28 AM | 39m 50s             |                              |                              | Attendee  |
| Magerl, Paul A (LCB)                               | 9/16/24, 9:57:59 AM  | 9/16/24, 10:49:26 AM | 51m 27s             | paul.magerl@lcb.wa.gov       | paul.magerl@lcb.wa.gov       | Attendee  |
| Monroy, Desiree (LCB)                              | 9/16/24, 9:58:19 AM  | 9/16/24, 11:33:16 AM | 1h 34m 57s          | desiree.monroy@lcb.wa.gov    | desiree.monroy@lcb.wa.gov    | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/16/24, 9:58:21 AM  | 9/16/24, 11:33:14 AM | 1h 34m 53s          | daniel.jacobs@lcb.wa.gov     | daniel.jacobs@lcb.wa.gov     | Attendee  |
| McGee, Kyler (DCYF)                                | 9/16/24, 9:58:24 AM  | 9/16/24, 10:49:29 AM | 51m 4s              | kyler.mcgee@dcyf.wa.gov      | kyler.mcgee@dcyf.wa.gov      | Presenter |
| Hallows, Kelly (LCB)                               | 9/16/24, 9:59:02 AM  | 9/16/24, 11:33:07 AM | 1h 34m 4s           | kelly.hallows@lcb.wa.gov     | kelly.hallows@lcb.wa.gov     | Attendee  |
| Tinnerstet, Kandra J (LCB)                         | 9/16/24, 9:59:33 AM  | 9/16/24, 11:33:14 AM | 1h 25m 40s          | kandra.tinnerstet@lcb.wa.gov | kandra.tinnerstet@lcb.wa.gov | Attendee  |
| Thompson, Linda A (LCB)                            | 9/16/24, 9:59:37 AM  | 9/16/24, 11:33:09 AM | 1h 33m 31s          | linda.thompson@lcb.wa.gov    | linda.thompson@lcb.wa.gov    | Attendee  |
| Kristen / The Cannabis Alliance (Unverified)       | 9/16/24, 10:00:19 AM | 9/16/24, 11:33:14 AM | 1h 32m 55s          |                              |                              | Attendee  |
| Abigail Wells                                      | 9/16/24, 10:00:20 AM | 9/16/24, 11:33:13 AM | 1h 32m 52s          | abigail.wells@esd112.org     | abigail.wells@esd112.org     | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/16/24, 10:00:37 AM | 9/16/24, 10:49:55 AM | 49m 17s             |                              |                              | Attendee  |
| Johnson, Tholo J (DOH)                             | 9/16/24, 10:00:53 AM | 9/16/24, 11:33:09 AM | 1h 32m 16s          | tholo.johnson@doh.wa.gov     | Tholo.Johnson@doh.wa.gov     | Attendee  |
| Ray's AI Notetaker (Otter.ai) (Unverified)         | 9/16/24, 10:01:03 AM | 9/16/24, 10:44:20 AM | 43m 16s             |                              |                              | Attendee  |
| Micah Sherman (Unverified)                         | 9/16/24, 10:01:14 AM | 9/16/24, 11:36:12 AM | 1h 34m 58s          |                              |                              | Attendee  |
| Gregory Foster (@CannObserv) (Unverified)          | 9/16/24, 10:13:27 AM | 9/16/24, 11:36:19 AM | 1h 22m 51s          |                              |                              | Attendee  |
| Jen Myrick   | 9/16/24, 10:14:14 AM | 9/16/24, 11:34:27 AM | 1h 2m 16s           | jenm@greenlinkholdings.com   | jenm@greenlinkholdings.com   | Attendee  |
| Wong, Johnny (DOH)                                 | 9/16/24, 10:20:46 AM | 9/16/24, 11:42:21 AM | 1h 21m 35s          | Johnny.Wong@doh.wa.gov       | Johnny.Wong@doh.wa.gov       | Attendee  |
| Unicum, Andre (LNI)                                | 9/16/24, 10:58:13 AM | 9/16/24, 11:33:11 AM | 34m 57s             | UNIA235@LNI.WA.GOV           | UNIA235@lmi.wa.gov           | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/16/24, 11:04:25 AM | 9/16/24, 11:33:24 AM | 28m 59s             |                              |                              | Attendee  |

## 3. In-Meeting Activities

| Name   | Join Time            | Leave Time           | Duration   | Email                        | Role      |
|--|----------------------|----------------------|------------|------------------------------|-----------|
| Laflamme, Denise M (LCB)                           | 9/16/24, 9:50:20 AM  | 9/16/24, 11:33:15 AM | 1h 42m 54s | denise.laflamme@lcb.wa.gov   | Organizer |
| Hamilton-Steele, Tierney A (LCB)                   | 9/16/24, 9:50:56 AM  | 9/16/24, 11:33:34 AM | 1h 42m 37s | tierney.hamilton@lcb.wa.gov  | Organizer |
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| Tinnerstet, Kandra J (LCB)                         | 9/16/24, 11:29:02 AM | 9/16/24, 11:33:14 AM | 4m 12s     | kandra.tinnerstet@lcb.wa.gov | Attendee  |
| Thompson, Linda A (LCB)                            | 9/16/24, 9:59:37 AM  | 9/16/24, 11:33:09 AM | 1h 33m 31s | linda.thompson@lcb.wa.gov    | Attendee  |
| Kristen / The Cannabis Alliance (Unverified)       | 9/16/24, 10:00:19 AM | 9/16/24, 11:33:14 AM | 1h 32m 55s |                              | Attendee  |
| Abigail Wells                                      | 9/16/24, 10:00:20 AM | 9/16/24, 11:33:13 AM | 1h 32m 52s | abigail.wells@esd112.org     | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/16/24, 10:00:37 AM | 9/16/24, 10:49:55 AM | 49m 17s    |                              | Attendee  |
| Johnson, Tholo J (DOH)                             | 9/16/24, 10:00:53 AM | 9/16/24, 11:33:09 AM | 1h 32m 16s | tholo.johnson@doh.wa.gov     | Attendee  |
| Ray's AI Notetaker (Otter.ai) (Unverified)         | 9/16/24, 10:01:03 AM | 9/16/24, 10:44:20 AM | 43m 16s    |                              | Attendee  |
| Micah Sherman (Unverified)                         | 9/16/24, 10:01:14 AM | 9/16/24, 11:36:12 AM | 1h 34m 58s |                              | Attendee  |
| Gregory Foster (@CannObserv) (Unverified)          | 9/16/24, 10:13:27 AM | 9/16/24, 11:36:19 AM | 1h 22m 51s |                              | Attendee  |
| Jen Myrick   | 9/16/24, 10:14:14 AM | 9/16/24, 10:49:50 AM | 35m 35s    | jenm@greenlinkholdings.com   | Attendee  |
| Jen Myrick   | 9/16/24, 11:07:45 AM | 9/16/24, 11:34:27 AM | 26m 41s    | jenm@greenlinkholdings.com   | Attendee  |
| Wong, Johnny (DOH)                                 | 9/16/24, 10:20:46 AM | 9/16/24, 11:42:21 AM | 1h 21m 35s | Johnny.Wong@doh.wa.gov       | Attendee  |
| Unicum, Andre (LNI)                                | 9/16/24, 10:58:13 AM | 9/16/24, 11:33:11 AM | 34m 57s    | UNIA235@LNI.WA.GOV           | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/16/24, 11:04:25 AM | 9/16/24, 11:33:24 AM | 28m 59s    |                              | Attendee  |



# Conceptual Rule Framework\_ Minors on Cannabis Premises rulemaking-20240916\_100150-Meeting Recording

September 16, 2024, 5:01PM

47m 50s



**Laflamme, Denise M (LCB)** 0:03

My name is Denise Laflamme.

● **Hamilton-Steele, Tierney A (LCB)** started transcription



**Laflamme, Denise M (LCB)** 0:04

I'm a rules coordinator here with the LCB, and I'm going to be presenting this morning our discussion around conceptual rules for allowing minors on non retail premises.

I'm gonna share my screen with you. My PowerPoint slides.

And my the PowerPoint slides are also up on our website under the the outreach section under the rules.

Heading and I'm gonna go ahead and share.

And let's do this.

OK, perfect.

And I have one more thing I wanna do here.

I can see.

So are you able to see the?

What am I sharing?

I'm not sharing that oops. Sorry. Oops.

Sharing the right thing.

Let's try that again.

OK.

Here we go.



**Hamilton-Steele, Tierney A (LCB)** 1:39

That's perfect.



**Laflamme, Denise M (LCB)** 1:39

Sorry I was.

I was trying to see the slides and the teams at the same time and I was getting them a little bit backwards so.

Anyway, so good morning again.

My name is Denise and my name is at the bottom of this slide and you'll see my e-mail. And then of course, questions and comments come to our Rules inbox and you'll see that e-mail at the bottom.

Today we're talking about conceptual rule framework for minors.

Minors on non retail premises and I just wanted to point out that this is just a conceptual discussion.

We don't have any draft rules language to share today.

This is more about what aspects should be included in rules so.

Oh.

I am not going to the next one.

Oh, here we are, OK.

So the agenda for today, we're breaking up this two hour session into two one hour chunks.

The first hour we're going to talk about specifically children and grandchildren of licensees.

That was one of the petitions that we the LCB board, accepted.

And for the 1st 15 minutes.

It's a little welcoming background some.

Discussion of how the meeting's gonna go and.

Aspects around the meeting and then the rest of the time. Mostly we're just gonna be talking about discussing the different conditions for consideration and then wrap up and next steps five last five minutes and then the second hour we're gonna be talking about the 2nd petition that was.

Accepted around this.

Topic.

Employees of contractors who are under 21 again kind of same set up for 15 minutes back. Welcome and background about the meeting and.

Review of the conceptual draft conditions related to employees and then wrap up and next steps.

So the objective today is to gather insights and feedback on draft proposed conditions for permitting minors on premises.

And again, here's our rules e-mail.

For questions and comments after today's meeting.

The purpose?

I just wanted to go over is just to involve stakeholders in the development of rules that help determine when and how minors can be present on non retail cannabis premises.

To ensure our final regulations reflect public input, public safety and industry needs.

So just, you know, housekeeping for today's session, we are recording today's session and we are also, you know documenting comments that are put in the chat and both of these are subject to public disclosure. So just letting you know that that's the case questions and comments in today.

Team chat during the meeting. I'll try.

To be to track comments and questions in chat.

I may not be the best at doing that on the fly, so we're gonna try to come back and look at those at the end of.

Our the session to try to address them.

Participants are muted and we'll be unmuted when this when.

Tierney.

Who is helping me today?

Enables the microphone and then to ask questions during the session. Please use the raise hand function.

And then we will unmute you.

So you can ask your question or or provide your comment and if you'd like to submit questions, here's our Rules Inbox again.

So just kind of where we're at in the schedule.

The CR101 initiating rule making was filed.

The end of February and.

That's the wither number for that filing.

Today, here we are September 16th.

Right now we are tentatively scheduled to file ACR 102 October 9th.

And the schedule after that shows when the public feedback period is and for and the public hearings.

Would be in December CR103 at the end of December and would become effective

January 18th.

And again, these are tentative as we're working through the process.

So just for the background related to these this subject matter, the board accepted two rule making petitions in 2022 requesting the board to adopt the COVID allowance that was in place.

Allow children and grandchildren of licensees on cannabis producers and processors.

And then there was a second related petition accepted at the same time, allowing employees of contractors who are under 21.

And this was to allow anyone who might be working with a contractor construction electrical.

He was on site who happened to be, you know, under 21.

CR.

Initiated rule making.

Here's the Whistler link again.

Again, this presentation is on our website, so these are all links that you can.

You know, use to get to these documents. The informal comment period ended the end of March and just kind of an overview prior to the CR101 filing, we did receive over 60 comments.

All but two of these were in support of a lot. Specifically, really.

Looking at allowing minors, children and grandchildren of licensees.

53 of these comments included the the in the subject line minors on farms specifically, and then since the CR101 was filed, we have received 11 comments during the informal comment period.

All but two were in support of.

This allowance, so just kind of to overview to review.

Because the COVID allowance that was in place through December 31st, 2022.

It applied to cannabis producers and processors.

And it relaxed the enforcement of WAC 31455015.

Let me just take a moment here.

And.

It's gonna see if I can make sure I'm seeing anything in chat here, which I cannot. OK.

Sorry about that.

And so.

I'm just gonna talk a little bit about the 31455015 and it was effective immediately and it was for families who had children under the age of 16 on licensed premises. As

long as the following conditions were met.

And here we are.

Just wanna make sure I can see the chat, sorry.

And the conditions were the person was under 16 years of age as a child or grandchild of the licensee, the person under 16 was not engaged in any work or or active employment with the business and the light and the the person under 16 did not possess any.

Products associated with the production, processing or sales of cannabis.

And this allowance covered only licensed cannabis producers and processors and did not apply to retail locations or transportation vehicles.

And so I just thought I'd review and the applicable statutes and rules that come into play for this topic.

So wack 31455015 this is where we would amend some language to incorporate this allowance.

This applies to all applicants, licensees, employees, working in each license establishment must be 21 years of age.

No one under 21 years of age may enter remain on cannabis licensed premises, except as provided in 695357 and that is referencing to do HS patient.

Allowances. So this is where we would be inserting some language around conditions that would allow.

Persons under 21.

I just wanted to bring this up. The RCW 695357 with some of the comments that we have received from people. We've had a couple people comment that they also like to have.

Children and grandchildren of licensees at retail outlets, but retail outlets are not allowed under this RCW to have anyone under the age of 21 unless.

They hold a medical cannabis license.

Cannabis endorsement?

So they're we're restricted around retail, allowing minors on retail outlets except for patient allowances.

I bring this up.

This is WAC 31455086. We've had a question about signage and there may be some signage implications related to allowing minors.

On certain premises.

And I also just wanted to insert this.

Three fourteen 55521. This is the type of category two violation that would come into play.

OK. Do we have somebody else?

Waiting to join.

Let's see if I can continue.

So let's just launch into the first hour for our topic area specific specific to children children of licensees.

Unless anybody has any questions at this point before we get into some of the conditions for discussion.

Let's see. Can you unmute her?

Your knee for me.

That would be great, yeah.



**Hamilton-Steele, Tierney A (LCB)** 13:19

Good to go.



**Laflamme, Denise M (LCB)** 13:24

OK.

Thank you, unmuted Caitlin.



**Caitlein Ryan - The Cannabis Alliance** 13:30

There we go. Good morning.

So I wanted a little bit of clarity. I think there are quite a few licensees.

That a were under the impression earlier that this wasn't just licensees, but also applied to employees.

And regardless of what has happened in the past, I think a lot of folks would like to see this being allowance.

It's made available for people that work there and not just the licensees themselves.



**Laflamme, Denise M (LCB)** 13:58

OK.

Yeah. Thank you for that question.

A lot of the comments that we've received did not really call out employees and the COVID the petition that we accepted, it can look back at it, but it was specific to children and grandchildren.

It's essentially the same one as the COVID allowance, so the COVID allowance was specific to children and grandchildren, so that is what we sort of have on our on our list right now.

But clearly, if people wanna make comments around that, they certainly are welcome to.

But the petition was specific to children and grandchildren.

 **Caitlein Ryan - The Cannabis Alliance** 14:47

OK, great. And I'm assuming you'd prefer those written comments requesting that adjustment, OK.

 **Laflamme, Denise M (LCB)** 14:52

Yes, please.

Well, you know that would be, yeah.

Or you can put it in the chat too, because we're keeping track of that so.

You know, either way would be great.

 **Caitlein Ryan - The Cannabis Alliance** 15:03

K.

Thank you.

 **Laflamme, Denise M (LCB)** 15:04

Yeah. Thank you.

Anyone else have comments?

OK. We can continue on. Thank you.

So topics for discussion today.

Looking at some different conditions, you know in our internal discussions, we're looking at having some type of guardrails around allowing children and grandchildren on licensed premises, just some different.

How can we define that?

How can we, you know, assure.

Safety of kids.

So we have some different conditions that we'd like to talk about today.

As.

Use as guardrails in discussion around what we could use in the rules.

So. So the first one is. So there's four different ones and then we can also add add other ones as people want to discuss. But just as an overview, use all or part of the COVID allowance.

And I shared that language with you and the link.

So you can look at it types of operations to include.

Include both.

Producers and processors.

So there's some discussion around including both of them and just being aware of the different.

Configurations and hazards at these operations restricting certain areas.

This has been brought up with some recommendations from internal discussions, but also some people have submitted comments.

Asking around.

Restricting certain areas where there's certain products requirements for supervisions we have some nice language in liquor rules that could be used as a template and then and then other.

Other.

Topics people would like to discuss. So for the first one, if we look at the language from the COVID allowance, the person under 16 years of age as a child.

Her grandchild of licensee not engaged in work.

And then does not possess products, so that is the 1st.

Consideration for conditions.

And here I'm just looking here on the oops.

And then the second consideration that we could look at for possible conditions to include should be minors be permitted on all types of producers and processors.

Any licensed premises, regardless of operation type or activities or possibly only on specific types of licensees. For example, small scale producers, family owned operations, etcetera, and this was.

Related to a lot of comments that we received where it's that like the subject.

Heading was.

You know, kids on farm, so looking at specific maybe outdoor grow areas looking at that as possible condition.

First, restricting certain types of of operations.

Other considerations should be should we consider certain areas to be restricted?

Again, this was also internal discussion, but also comments that we've received.



Restrict areas where there are live plans where there are harvested post harvest cannabis, unpackaged products, lighting, equipment restrictions, possibly due to the heavy electrical equipment that's present.

Restricting areas where there's chemicals, including pesticides or solvents that are used or stored.

And then other areas to possibly restrict depending on.

What's in those areas and what's used in those areas?

And should supervision be required?

The liquor regulations include parent supervision, language for craft distilleries specifically, and that could be used.

Template. And here's that language.

It's from RCW 6060 six 24145 and this is.

For seven a no person under 21 May be on the premises of a craft distillery, including off site tasting room, unless they are accompanied by their parent. And I highlighted that area highlighted the language in yellow that looks like it would be.

A good template notwithstanding, limitations of this subsection, persons under 21 years of age who are children of owners.

Maybe being maybe in an area different areas provided they must be under the direct supervision of their parent while on the premises.

So that might be some good language, so I'd like to open it up for discussion of any of these conditions.

In what you think might apply, what would be?

You know, kind of appropriate and reasonable to look at.

I'm gonna stop sharing here for a second.

Yeah. Let's see.

I'm gonna look at the chat here too.

See. Oh, at some point, someone asked whether there were any complaints received or issues addressed through the COVID allowance period.

We did not receive any.

There were not any enforcement actions around.

When the COVID allowance was in place, this is a good question.

So and I don't there was one.

Complaint that was looked at, but there wasn't any need for follow up from that.

So and, but we're not sure also if.

Anyway, so there there weren't any complaints.

Or enforcement actions during the COVID allowance when it was in place during that time period and that was a question from Greg Foster.

You know, I'm just looking up the chat here.

From Micah. Thank Micah. I've also heard from producer licensees who would like to extend this allowance to children employees.

Yes. Thank you for.

At least two that I spoke to had the understanding that the COVID allowance.

The the oh that it extended to children as staff. Well.

I don't believe that it did.

I can look back at the language for that, but it was.

The COVID allowance.

Specific to.

Children.

Let's just go back here. Oops.

We go back to the COVID allowance.

3.

Oh, it's comedy families, the effective.

Long as the children met, so for the COVID allowance we can see here that the first condition was the person under 16 years of age as a child or grandchild.

Have the licensee.

So that was that was included in the in the COVID allowance.

Just wanted to.

Reiterate that.

Let me look up here if there was something over here.

I did also want to comment to just sort of as an aside, I.

Did survey or send out a request on the camera?

Website or the camera work group where there's, you know, 3 leaders from across the country from different states to find out if other states allow children or grandchildren of licensees or if there's any other.

States that have a similar type of allowance and no one responded that they did. The only under 21 allowances that other states responded to my question about were around patients.

And medical cannabis.

Let's see.

It didn't.

I'm just saying people thought that because it does an alcohol. Oh, OK.

Thanks, Micah.

And then we have another question here, if you wouldn't mind.

I'm muting. I think it's Caitlin.

 **Caitlein Ryan - The Cannabis Alliance** 25:15

Yeah. Hi.

 **Laflamme, Denise M (LCB)** 25:15

If you wouldn't mind. OK. Thanks.

 **Caitlein Ryan - The Cannabis Alliance** 25:18

Yeah, just sort of curious in terms of the restrictions in areas. What?

Is the main concern.

Is it just sort of safety around manufacturing? Is it?

What's the problem?

We're trying to solve.

 **Laflamme, Denise M (LCB)** 25:32

Yeah, I it see some of it is safety.

Is, you know, a lot of electrical and chemicals related to pesticides.

So there's that safety.

There's the safety question, but then we've also heard some input from, like the public health perspective in terms of access to.

You know, easy access to to products.

So it's I think it's safe.

Access.

 **Caitlein Ryan - The Cannabis Alliance** 26:06

OK.

I think I would sort of put it out there as a parent of four kids myself and a licensee, right?

AI would recommend anybody hire my kids to talk about access and prevention. And you know, I think they're probably some of the most well educated kids about safety around cannabis.

And then also I would imagine, although I understand the need to codify this, but you know as a parent, I care deeply about my kids safety. And if I had them with me would ensure they weren't gonna be around any of the solvents. Or, you know, machine or anything like that in a way that I'm not sure that would need to be. Into the rule that I'll defer. Thank you.



**Laflamme, Denise M (LCB)** 26:56

Yeah, I think, yeah.  
Oh, thank you for that.  
Yes, thanks.  
Thanks for that.  
See the.  
So I don't.  
Daniel, do you wanna speak to what you put in the chat?  
I'm sorry, I didn't. I don't quite understand.  
What you put in the chat related to the analog.



**Jacobs, Daniel (LCB)** 27:25

Daniel Jacobs, policy rules coordinator here at the liquor with the Liquor Cannabis Board.  
I was just putting in because you had mentioned earlier on in the session and again, this also is more applicable to the second hour because of the discussion of contractors. But I did just want to sort of put in there for folks who are wondering about the differe.  
I was just mentioning that well for one.  
Alcohol has specific statutory exceptions for.  
Miners just writ large.  
But again, that's why I added that it was a rough analog, cuz again, this doesn't talk about family, it just talks about folks.  
Under 21 on a alcohol licensee premises and what that is allowed, that was that was my only point.  
I was just adding that in there because I saw that some that I think there was a commenter who said that some folks thought that it was because there were, you

know, Mr. Sherman's comment about. I'm just saying people thought that because it does an alcohol and.

So I was like, well, here's just for to add to the picture.

Here's the statutory language about alcohol allowances for it.



**Laflamme, Denise M (LCB)** 28:37

Thanks Daniel.

Yes, that it does come up a little bit more in the second part of the session because that's more related to underage workers, some of them. But thank you for putting that in the chat for sure.

I think we had another question.



**Hamilton-Steele, Tierney A (LCB)** 28:56

You should be able to unmute.



**MS Micah Sherman** 28:58

Thanks. Yeah. So one of the slides you had up had language from.

I think your rules around alcohol and it, said licensee manager.

It had like 3 words and that I think is the language that people.

No. Saw in some context and assume it applied and so I was more just trying to communicate that like since that exists in that alcohol language that I think it might be worth considering doing the same so that there's no confusion because I definitely know people that run.

Businesses that aren't the licensee per southeast.

That still need to go to work, and when they have childcare issues come up. It would be nice for them to have the same.

Protections that we're looking at extending into the licensees because the operators and the managers, that licensee is higher.

You know our our are super important to the economy as well. So just as much as the people that own the business.

People that operate them are are critical as well, so I think that's what this is about. Is like, you know, I think most of the time, just from what I've talked to people that are are taking advantage of this, it's, you know, they have a moment where there.

A A gap in their childcare and you know, I don't think many people are using this as a regular basis sort of thing.

It's just allowing them to have some flexibility and so I think extending that to the. The employees in that same language that you showed for the alcohol side and you had highlighted just the licensee part, but I think those. If we just looked at including those other words as well, it would be good. So that was what I was highlighting.



**Laflamme, Denise M (LCB)** 30:55

Thank you.

And we and like I said, we did receive some other comments to.

To expand it outside of just the license that children and grandchildren of licensees.

So.

Thank you for that.

We have any other?

Any other comments that people had around the different condition?

They like to see or they think is the most important to consider.

Maybe supervision is the most.

Important and some of the other or and do people have any input on the different areas or different functions or activities or product in different areas that should be called out in terms of any draft?

Rulings.

And if you think of anything after today.

You're welcome to send us.

A.

Send us comments to our Rules inbox.

Let me.

Hard time with my diagnosis.

Morning for some reason.

No, you don't want that.

Let me get out of here.

And if we don't want to continue on.

For the rest of this session, we can just.

People can.

Provide comments.

Gonna put it in the chat here.

What are?

E-mail is.

And I see a comment here from Greg Foster that doesn't appear to be any public health or prevention folks on the call.

And can you share some of their concerns you've heard?

Well, just related to Caitlin's question, I think there were some concerns about.

You just access to.

To products, I think that was.

The concern?

From from them I was hoping to.

Have them.

Attend the session or Thursday session to hear more from from folks.

And I will, you know, encourage them to also send us comments.

I see somebody else has their hand up right now. Tierney, would you mind unmuting them?



**Hamilton-Steele, Tierney A (LCB)** 34:23

Go ahead, Abigail.



**Abigail Wells** 34:26

My name is Abigail Wells, and I'm actually from the prevention background.

I'm a community prevention project coordinator for ESD 112 in Vancouver, WA and.

We can do that.

Tab is exactly what you just mentioned and that is the easy access to products and making sure that we find ways to negate that.

Access and just really being careful when it comes to minors. You know, it's it's quite easy for them to be able to.

Get a hold of products and and then share with their.

Peers and things like that.

So yeah, that's just the main concern from from a lot of people in the prevention field.

Thank you.



**Laflamme, Denise M (LCB)** 35:27

Thank you Abigail, for verifying that providing that information, we have someone else who has their hand up. Would you mind?



**Hamilton-Steele, Tierney A (LCB)** 35:38

Tyler, go ahead.



**Laflamme, Denise M (LCB)** 35:38

Meeting.



**McGee, Kyler (DCYF)** 35:43

Hey, good morning.

Thank you for letting me be here.

I'm, my name's Kyler McGee.

I am the foster care policy program manager for DCYF.

Over on the the child welfare, the foster care side of things.

But one thing we wanna keep in mind is when.

This will be the long one to to get my thought out.

Sorry. Give me a second.

When and if a child needs to be removed from their home due to.

Child abuse or neglect.

Our first goal is to place that child with a family member, whether that be an aunt, an uncle, a grandparent.

And we are doing that because the the impact that placing a child with a family member.

Is the the the trauma that the child will experience throughout their time in foster care is drastically lower than if they're replaced in foster care with a stranger.

So if the court has determined that grandma or grandpa.

Is the safest home for that child to be in, and Grandma and Grandpa are a licensee of cannabis.

We the liquor and Cannabis Board or LCB?

Needs to somehow coordinate with dcif to ensure that.

That child can remain in the home or at the location of the licensee and that.

The child is.

Yeah, the, the, the, the everything that we've discussed today about.

Leaving it safe.

And also.

Getting to a point where we can issue that foster care license to Grandma and



Grandpa because of the state. If we've determined that that child belong is going to be safest in that home dcyf, the state should be paying them to care for that child, and I'm afraid.

That if we can't figure out a way to.

To make this happen, to allow this to happen that the child's either gonna be moved into a stranger's foster care home or a grandma and grandpa or whoever the relative is that's caring for that child will not will continue to care for that child, but not.

Be able to have a license and receive reimbursement for the care of that child. So.

I was kind of long winded to get my thoughts out, but any questions with that?

Did that make sense?



**Laflamme, Denise M (LCB)** 38:41

Yeah, I think I think it.

I think it does.

Kyler, thanks for offering that perspective.

And let me follow up too with some other questions.

Tierney, would you mind?

Unmuting Caitlin.



**Hamilton-Steele, Tierney A (LCB)** 39:01

Caitlin, you should be ready to go.

And then up next is Micah.



**Caitlein Ryan - The Cannabis Alliance** 39:10

So I have to be honest.

I'm struggling a little bit with sort of taking a little some of this personally in the sense that you know, I sort of flippantly had commented about how, you know, my kids should be hired by the prevention community to sort of give Ted talks on responsible use of.

Cannabis and and children's access and so.

Gosh, I just can't stress enough. I mean literally.

Every licensee and every employee of a licensee like this is our full time job.

And so if we have children, we it is all incumbent upon us to have really frank conversations with our kids about cannabis.

I have cannabis in my home.

I make sure that it's stored safely and my kids are very clear on our house. Everything's labeled and locked up, but they also know that when they're over at friend's houses, because not everybody is as responsible to ask before they eat food. Make sure that you know everything that.

They have access to is safe. They're good about educating their friends about that. And to be honest, if you were to ask any of them the idea of taking cannabis either from my office that is not on my license premises from the licensed premises from my bag like it's it's just a ridiculous notion to them.

And and so I mean, I could stand in a soapbox about this for a very long time. You know, education is is critical.

And so I just would really urge you to sort of contemplate.

The fact that whether they're on the premises of the license or not.

It is my full time job and so it's, you know, we have this conversation a lot with them. Having to answer any questions from this perspective about that, particularly with as far as that foster care situation, my mind is a little bit blown.

That would impact placement for kids as to whether or not a person could, and this is not what this role making is about could possibly bring the kid to work or not, at any rate, happy to answer questions if anybody has them.

**MK** **McGee, Kyler (DCYF)** 41:23

Caitlin, if I can jump in.

I was envisioning it more of the placement setting for that child is also where the cannabis is produced.

So say it's like a home.

They're like a Home Farm or something like that.

I don't think the specific situation that I was talking talking about.

Applies to taking your child to a workplace for an afternoon or for a day or something like that.

It would be a a farm homing cultivation.

Situation.

**C** **Caitlein Ryan - The Cannabis Alliance** 41:58

A clarification.

Appreciate it.

**MK** **McGee, Kyler (DCYF)** 42:00

I think I think there is a a path to make it happen I think.

I think the the challenge, not the challenge, but the thing we'll have to figure out is how do we convince a judge that it's safe, that it's OK that the child's not gonna have access to to to these products so.

Yeah.

**C** **Caitlein Ryan - The Cannabis Alliance** 42:23

That makes a lot more sense.

Thank you very much.

Really appreciate that.

 **Laflamme, Denise M (LCB)** 42:30

And Daniel put a question to my colleague Daniel and rules put a question is there federal funding that goes to foster care?

Kyler is that something you could answer?

**MK** **McGee, Kyler (DCYF)** 42:45

Yeah, once.

Once somebody is licensed to provide foster care or a family member is licensed to provide kinship, foster care, we collect Title 4 E funding.

So there is there is special funding tied to it.

 **Laflamme, Denise M (LCB)** 43:02

That's federal.

That's federal funding, OK.

**MK** **McGee, Kyler (DCYF)** 43:05

Yeah, 40.

I'll put it in the chat.

 **Laflamme, Denise M (LCB)** 43:07

Thank you.

We have another hand.

Oh, thanks guy.

Another hand raised.

Maybe not.

Just a question, Caitlyn, for you, if you wouldn't mind.

Oh, it sounds like you have these, you know, very open conversations with your children, and I appreciate you bringing that up.

Do you think that's the case in general?

Have you seen just different variability about how?

You know the information that.

Children receive from other I mean, I mean you have your what your you have your one experience which is very helpful and great to hear but.

 **Caitlein Ryan - The Cannabis Alliance** 44:03

Yeah, I mean.

Sure.

 **Laflamme, Denise M (LCB)** 44:10

What? What variability do you see?

 **Caitlein Ryan - The Cannabis Alliance** 44:11

Well, and I can say, yeah, like any workplace, we all talk about our kids.

And you know, we all have that story. Like my kid once wore a hemp fest hoodie to middle school, and I thought I was going to die.

He didn't get called on it, you know, just sort of.

Things like that.

But then we also talk a great deal about how we talk to our kids in particular, especially how we talk to coach our kids.

To talk to other kids and other kids parents, just because this stigma, that sort of got me feeling a little bit defensive is real and it's harmful.

And so I would say.

I struggle to think of a colleague that's either a licensee or an employee of a licensee, not just at my facility, but you know, I as the Executive Director of the Cannabis Alliance, I get to talk to a lot of people.

I'm struggling to think of a conversation that I've ever had where I sort of went oh.

That makes me uncomfortable.

I think everybody's keenly aware.

Of yeah, making sure they get it right when they're talking to their kids and not just their own kids, but like nieces, nephews, all the kids around them, like, we understand that we have to be ambassadors.

For safety, when it comes to this plant.

Across the board.



**Laflamme, Denise M (LCB)** 45:38

Thank you.

Comments or questions otherwise.

We might wrap up this section.

Again, comments questions can be sent to our rules at [lcb.wa.gov](http://lcb.wa.gov).

And we do have another session on Thursday, Thursday afternoon from 2:00 to 4:00.

If you had questions that you wanted to send prior to that session also that we could address at that session, that would be great as well.

So if we don't have any other questions for this one, we might just take a break until 11:00 and the people who want to stay on or come back for that session, please do.

And that the second hour, so from 11:00 to noon we have blocked off to talk more about employees.

Specifically of contractors who might be on site doing electrical plumbing construction work.

Who might be who could be under 21?

As we know, as you probably are aware, contractors will hire.

Employees under 21 to as apprentices or.

Trainees to assist and so that's starting at 11. We'll talk about that type of situation and some conditions possibly around that, so.

I don't hear anything else.

OK. We'll take a break until 11 and if you wanna come back, great.

And if not, thanks so much for attending.

And like I said, we're doing this again on Thursday from 2:00 to 4:00. Thanks.

● **Hamilton-Steele, Tierney A (LCB)** stopped transcription

## 1. Summary

|                         |   |
|-------------------------|---|
| Meeting title           | Conceptual Rule Framework: Minors on Cannabis Premises rulemaking |
| Attended participants   | 22  |
| Start time              | 9/16/24, 9:50:18 AM   |
| End time                | 9/16/24, 11:42:21 AM  |
| Meeting duration        | 1h 52m 3s   |
| Average attendance time | 1h 13m 40s  |

## 2. Participants

| Name   | First Join           | Last Leave           | In-Meeting Duration | Email                        | Participant ID (UPN)         | Role      |
|--|----------------------|----------------------|---------------------|------------------------------|------------------------------|-----------|
| Laflamme, Denise M (LCB)                           | 9/16/24, 9:50:20 AM  | 9/16/24, 11:33:15 AM | 1h 42m 54s          | denise.laflamme@lcb.wa.gov   | denise.laflamme@lcb.wa.gov   | Organizer |
| Hamilton-Steele, Tierney A (LCB)                   | 9/16/24, 9:50:56 AM  | 9/16/24, 11:33:34 AM | 1h 42m 37s          | tierney.hamilton@lcb.wa.gov  | tierney.hamilton@lcb.wa.gov  | Organizer |
| Murphy, Matthew W (LCB)                            | 9/16/24, 9:56:14 AM  | 9/16/24, 10:49:45 AM | 53m 30s             | matthew.murphy@lcb.wa.gov    | matthew.murphy@lcb.wa.gov    | Attendee  |
| Penny Allen (Guest) (Unverified)                   | 9/16/24, 9:56:38 AM  | 9/16/24, 10:36:28 AM | 39m 50s             |                              |                              | Attendee  |
| Magerl, Paul A (LCB)                               | 9/16/24, 9:57:59 AM  | 9/16/24, 10:49:26 AM | 51m 27s             | paul.magerl@lcb.wa.gov       | paul.magerl@lcb.wa.gov       | Attendee  |
| Monroy, Desiree (LCB)                              | 9/16/24, 9:58:19 AM  | 9/16/24, 11:33:16 AM | 1h 34m 57s          | desiree.monroy@lcb.wa.gov    | desiree.monroy@lcb.wa.gov    | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/16/24, 9:58:21 AM  | 9/16/24, 11:33:14 AM | 1h 34m 53s          | daniel.jacobs@lcb.wa.gov     | daniel.jacobs@lcb.wa.gov     | Attendee  |
| McGee, Kyler (DCYF)                                | 9/16/24, 9:58:24 AM  | 9/16/24, 10:49:29 AM | 51m 4s              | kyler.mcgee@dcyf.wa.gov      | kyler.mcgee@dcyf.wa.gov      | Presenter |
| Hallows, Kelly (LCB)                               | 9/16/24, 9:59:02 AM  | 9/16/24, 11:33:07 AM | 1h 34m 4s           | kelly.hallows@lcb.wa.gov     | kelly.hallows@lcb.wa.gov     | Attendee  |
| Tinnerstet, Kandra J (LCB)                         | 9/16/24, 9:59:33 AM  | 9/16/24, 11:33:14 AM | 1h 25m 40s          | kandra.tinnerstet@lcb.wa.gov | kandra.tinnerstet@lcb.wa.gov | Attendee  |
| Thompson, Linda A (LCB)                            | 9/16/24, 9:59:37 AM  | 9/16/24, 11:33:09 AM | 1h 33m 31s          | linda.thompson@lcb.wa.gov    | linda.thompson@lcb.wa.gov    | Attendee  |
| Kristen / The Cannabis Alliance (Unverified)       | 9/16/24, 10:00:19 AM | 9/16/24, 11:33:14 AM | 1h 32m 55s          |                              |                              | Attendee  |
| Abigail Wells                                      | 9/16/24, 10:00:20 AM | 9/16/24, 11:33:13 AM | 1h 32m 52s          | abigail.wells@esd112.org     | abigail.wells@esd112.org     | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/16/24, 10:00:37 AM | 9/16/24, 10:49:55 AM | 49m 17s             |                              |                              | Attendee  |
| Johnson, Tholo J (DOH)                             | 9/16/24, 10:00:53 AM | 9/16/24, 11:33:09 AM | 1h 32m 16s          | tholo.johnson@doh.wa.gov     | Tholo.Johnson@doh.wa.gov     | Attendee  |
| Ray's AI Notetaker (Otter.ai) (Unverified)         | 9/16/24, 10:01:03 AM | 9/16/24, 10:44:20 AM | 43m 16s             |                              |                              | Attendee  |
| Micah Sherman (Unverified)                         | 9/16/24, 10:01:14 AM | 9/16/24, 11:36:12 AM | 1h 34m 58s          |                              |                              | Attendee  |
| Gregory Foster (@CannObserv) (Unverified)          | 9/16/24, 10:13:27 AM | 9/16/24, 11:36:19 AM | 1h 22m 51s          |                              |                              | Attendee  |
| Jen Myrick   | 9/16/24, 10:14:14 AM | 9/16/24, 11:34:27 AM | 1h 2m 16s           | jenm@greenlinkholdings.com   | jenm@greenlinkholdings.com   | Attendee  |
| Wong, Johnny (DOH)                                 | 9/16/24, 10:20:46 AM | 9/16/24, 11:42:21 AM | 1h 21m 35s          | Johnny.Wong@doh.wa.gov       | Johnny.Wong@doh.wa.gov       | Attendee  |
| Unicum, Andre (LNI)                                | 9/16/24, 10:58:13 AM | 9/16/24, 11:33:11 AM | 34m 57s             | UNIA235@LNI.WA.GOV           | UNIA235@lmi.wa.gov           | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/16/24, 11:04:25 AM | 9/16/24, 11:33:24 AM | 28m 59s             |                              |                              | Attendee  |

## 3. In-Meeting Activities

| Name   | Join Time            | Leave Time           | Duration   | Email                        | Role      |
|--|----------------------|----------------------|------------|------------------------------|-----------|
| Laflamme, Denise M (LCB)                           | 9/16/24, 9:50:20 AM  | 9/16/24, 11:33:15 AM | 1h 42m 54s | denise.laflamme@lcb.wa.gov   | Organizer |
| Hamilton-Steele, Tierney A (LCB)                   | 9/16/24, 9:50:56 AM  | 9/16/24, 11:33:34 AM | 1h 42m 37s | tierney.hamilton@lcb.wa.gov  | Organizer |
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| Penny Allen (Guest) (Unverified)                   | 9/16/24, 9:56:38 AM  | 9/16/24, 10:36:28 AM | 39m 50s    |                              | Attendee  |
| Magerl, Paul A (LCB)                               | 9/16/24, 9:57:59 AM  | 9/16/24, 10:49:26 AM | 51m 27s    | paul.magerl@lcb.wa.gov       | Attendee  |
| Monroy, Desiree (LCB)                              | 9/16/24, 9:58:19 AM  | 9/16/24, 11:33:16 AM | 1h 34m 57s | desiree.monroy@lcb.wa.gov    | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/16/24, 9:58:21 AM  | 9/16/24, 11:33:14 AM | 1h 34m 53s | daniel.jacobs@lcb.wa.gov     | Attendee  |
| McGee, Kyler (DCYF)                                | 9/16/24, 9:58:24 AM  | 9/16/24, 10:49:29 AM | 51m 4s     | kyler.mcgee@dcyf.wa.gov      | Presenter |
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| Tinnerstet, Kandra J (LCB)                         | 9/16/24, 9:59:33 AM  | 9/16/24, 11:21:02 AM | 1h 21m 28s | kandra.tinnerstet@lcb.wa.gov | Attendee  |
| Tinnerstet, Kandra J (LCB)                         | 9/16/24, 11:29:02 AM | 9/16/24, 11:33:14 AM | 4m 12s     | kandra.tinnerstet@lcb.wa.gov | Attendee  |
| Thompson, Linda A (LCB)                            | 9/16/24, 9:59:37 AM  | 9/16/24, 11:33:09 AM | 1h 33m 31s | linda.thompson@lcb.wa.gov    | Attendee  |
| Kristen / The Cannabis Alliance (Unverified)       | 9/16/24, 10:00:19 AM | 9/16/24, 11:33:14 AM | 1h 32m 55s |                              | Attendee  |
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| Jen Myrick   | 9/16/24, 10:14:14 AM | 9/16/24, 10:49:50 AM | 35m 35s    | jenm@greenlinkholdings.com   | Attendee  |
| Jen Myrick   | 9/16/24, 11:07:45 AM | 9/16/24, 11:34:27 AM | 26m 41s    | jenm@greenlinkholdings.com   | Attendee  |
| Wong, Johnny (DOH)                                 | 9/16/24, 10:20:46 AM | 9/16/24, 11:42:21 AM | 1h 21m 35s | Johnny.Wong@doh.wa.gov       | Attendee  |
| Unicum, Andre (LNI)                                | 9/16/24, 10:58:13 AM | 9/16/24, 11:33:11 AM | 34m 57s    | UNIA235@LNI.WA.GOV           | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/16/24, 11:04:25 AM | 9/16/24, 11:33:24 AM | 28m 59s    |                              | Attendee  |

# Transcript

September 16, 2024, 6:01PM



**Laflamme, Denise M (LCB)** 0:03

And.

I'm gonna share my screen.

I'm not gonna do.

I know it's annoying, but I'm not gonna do the full.

Slide show sharing because then I don't.

I'm having some technical issues when I do that, so we're just going to share it sort of on the regular user view here, so hopefully you're not too annoyed by that and I can kind of manage things a little bit better.

So welcome.

We are today, we are talking about.

Conceptual rule framework. Looking at some conditions for allowing minors on non retail cannabis premises specifically.

Producers and processors. This is the second hour of our two hour session focusing specifically on employees of contractors who are under the age of 21.

So our agenda this morning is.

Welcome and feed and background for the 1st 15 minutes and then for the bulk of our talk about.

Some concepts conceptual draft conditions to consider to include in Rule making.

Related to the prior COVID allowance, some definitions of trade employees the the Washington.

Labor Department of Labor and Industries L and I provided and then look at other conditions and then wrap up the last five minutes.

So the objective today is to gather insights and feedback on draft proposed conditions for permitting minors on premises.

We don't have any specific draft rule language to share today.

It's really a discussion about what are some of the conditions to include in there, although actually we do have some draft language from Ellen I that would be.

You know could be used in our in our rule language, so we'll review that.

And the purpose really is to involve stakeholders in the development of rules that help determine when and how minors can be present on non retail cannabis

premises and to ensure final regulations reflect public input, public safety and industry needs.

And so some housekeeping for today's session. We are.

Collecting. We are recording today's session and we are also documenting comments provided in the chat.

And we just want to let people know that we're doing that.

They were keeping both of those.

Sources of input and that those are subject to public disclosure. We just wanted to let make people aware of that questions and comments put.

In the team chat, I will try to look at the chat as we move along, but I might miss some things because I'm trying to also manage the slides, so we'll I will review what's put in the chat at the end to make sure that we can Cir.

Back with questions that people have.

All participants are muted and will only be unmuted when the session when we.

Kind of enable your microphone, but I will go ahead and call on people when they raise their hand. So if you would like to speak, please use the raise raise hand function.

And if you'd like to submit questions.

Our Rules inbox is rules at lcb.wa.gov and I just realized I didn't fully introduce myself.

My name is Denise Laflamme, and I am a rules coordinator here at LCB.

I should have redone my front slide and I am on working on this rule making.

Uh, and I do have a couple other of my colleagues on this session also who I may call honor me.

Have some input on some of the issues that come up.

Overview of our timeline. The CR101 was filed.

Excuse me. February 28th and with the Wither number, is there all these slides?

Excuse me.

These slides are available on our website under.

The rules section under.

Outreach. So we do have these slides posted with these links to these different items today.

September 16th, we're having stakeholder engagement.

We also have the same set up, same agenda, stakeholder engagement schedule for this Thursday from 2:00 to 4:00.



We would.

We're planning on filing ACR 102 October 9th, where we would have some draft rules proposed.

Public feedback would happen until December, and then we would have a public hearing December 4th at our board meeting.

We're proposing to have file the CR103 December 18th with the final rules and rules would become effective January 18th. If we stick with this timeline.

Because you could see that this is tentative at this point.

Just some background, if you missed the background on the first hour, this is the the background. The board accepted two rule making petitions in 2022 requesting to adopt COVID allowances, COVID allowance to allow children and grandchildren of licensees on producer and processors premises and the.

Second Rule making petition that was.

Was accepted.

Was related.

It looked at allowing employees of contractors who are under 21.

To to conduct work on licensed premises, the CR101 filed February 28th.

Informal comment period ended March 29th and prior to the CR101 we did receive.

Upwards of 20 com 60 comments submitted via e-mail supporting this rule making.

Oh, but two of those were in support, and we also did receive 11 comments after the CR101 was filed and all but two of those were in support.

Of this rule, making a lot of the comments that came in specifically were around allowing kids and children and grandchildren of licensees.

We did not receive many comments.

Maybe only one comment actually, now that I'm thinking of it around.

Allowing employees of contractors who are underage 21.

So that was the bulk of the comments were related to children and grandchildren and under the age of 16.

So just looking at reviewing the COVID allowance, it applied to producers, processors.

And it was relaxing the enforcement, specifically around.

Act 31455015.

Involving the prohibition of minors being present on licensed cannabis producers and processors in limited circumstances.

And it was put in place really to address.

You know, families who needed assistance with the closures of child care and schools.

And the conditions that were part of the allowance where the person under 16 years of age as a child or grandchild of the licensee, the person under 60 years of age, is not engaged in any way.

And does not possess any products associated with.

Production and processing.

And this did not apply to retailers.

We have had some comments come in asking this that this allowance be considered to extend to retail operations and statute does not allow for that for retailers to.

Persons under 21 on site.

So the the whack that we're looking at amending is WAG 31455015 and general information about cannabis licensees.

This is where we would address exemptions or conditions.

And again, this is all up on our website. This PowerPoint and it has all the links to the to the wax in the RCW. This is the RCW that prohibits persons under the age of 21 at retail outlets except.

Qualifying patients who are underage under the age of 21.

WAC 31455086.

It relates to signage, so there may be some signage implications for.

These allowances and I just put this here 3 fourteen 55521 that would be a category two violation for.

Related to not following the conditions.

So for the session today, employees of contractors, some of the conditions that we wanted to open up for discussion, should we use parts of the COVID allowance language?

Should we use or we want to share some of the Ini definitions for employees that we did receive?

From the Department of Labor and Industries.

Around trades and.

Looking to #3 is looking to some liquor laws as a template for allowing workers under the age of 21 to conduct work on site and around supervision.

See there is one.

Comment that I was going to say.

Oh.

So if we're looking at the COVID allowance language, not engaging in any worker active employment for the licensed business and does not possess any products associated with the production or processing of cannabis. So we could use part or all of that as part of our conditions for allow.

Workers who are under the age of 21, that might be a good place to start.

But Lni language that provided was were provided to us.

Some of our internal discussions were around.

Making sure that these employees were worked for licensed contractors, well, it turns out there's not.

A definition for licensed contractors that would cover.

Different.

Activities there's not.

That's not a a term that's used to cover different types of workers.

But Elle and I was nice enough to provide some language around how it could be specified that the employee was actually working for a company that was.

That was that was licensed and.

So the language is here.

Hopefully that's legible.

So the and it differs by trade too. If you're talking about contractors.

By trade, so the the language they provided was around a plumbing. Contractors, registered contractors, electrical contractors and it means.

And they cite the specific chapters of RCW that apply.

And the other thing is when you're looking at employees that are under 21, they they refer to.

New employees who are learning the trade in different ways also course you know there's not.

It's much more complicated when you start looking at these things. So.

There's certified plumbing trainees.

There's certified electrical trainees, or there's registered apprentices, so they provided.

That type of information that we could use, and they also included that the trainee must be supervised.

On the same job site at all times at a ratio consistent with the trainee or apprentice standards.

So that was very helpful.

To kind of understand how that can be integrated in there and what type of language would be needed so this doesn't cover all.

Possible contractors, but these.

Appeared to be like the main ones that could be on site doing work.

For a company.

And the third thing was to look at some of our liquor laws.

Around workers who are under the age of 21.

For RCW 31411040 we have some language around permissible duties of an employee under 21 years of age on a licensed premises.

And.

I.

The language in yellow is.

Like.

Designated areas.

That's off limits to persons under 21 years of age to perform duties such as.

That could be inserted in terms of any type of contractor work and then provided the employee does not remain in the area any longer than is necessary to perform duties. So.

That could also be.

A template for some language that we could use around employees.

And I just wanted to mention that these are, you know, we're just discussing some of the different options for conditions that could be included in.

In Rule making around.

Employees who are under the age of 21.

So this is just what we're considering right now and some additional liquor rule language that is.

Addresses workers under the age of 21 on licensed premises.

Again, these are liquor licensed premises that they remain.

But only during the course of their employment that they're in restricted areas, but only during the course of their employment. That type of language could be used or under.

To be under here, employees, for the purposes of installing, maintaining, repairing or removing, and this is for amusement device. But it could be.

Tailored to activities related to any kind of work.

Would be conducted on site.

Oh, those. Let's go back up here.

Does anybody have any questions around this or comments?

I see we have somebody here from ill and I if they would like to provide.

Any additional feedback or perspective?

I think the the language that they provided was super helpful.

For us to be able to specify.

The employee was actually employed by.

A licensed employee.

Let's see somebody's hand.

Is that Micah Tierney?

Would you mind unmuting like, oh, thank you. Yeah.

**MS** **Micah Sherman** 17:46

Either I'm just looking for some clarity are are we?

Is the idea here that only?

Plumbers and electricians.

Would be allowed to have.

18 to 20 year old employees and that like a painter or.

Al.

Don't know. Like a flooring contractor or any other Carpenter.

That those types of trades would not be allowed.

**LM** **Laflamme, Denise M (LCB)** 18:22

Well, this this is a good question.

This is what we have looked at from.

So we have we right now.

There's plumbing contractor, electrical contractor, registered contractor.

So a registered contractor.

Paid cover some of those other types of activities. This would be a good question for.

Ellen I to see if, like.

Somebody installing flooring or painting would be covered under a registered contractor definition that they provided us.

**MS** **Micah Sherman** 19:01

I'm I'm not.

I don't necessarily think that that's important to answer my question.

I'm I'm asking is the intention.

Do allow for some but not others.

Or is the intentions use language that allows for anybody that we contract with to do any non plant touching work?

I'm assuming we're talking about here.

Regardless of whether or not their legal status is like, because I can hire somebody to like.

Come put together a piece of furniture.

That isn't a registered contractor, and that person might have.

A 19 year old working for them is the intention of the LCB to not allow that person to come in if they don't qualify under one of these specific definitions of a building trade contractor or as the intention allow us, as licensees, to have the ability to like.

Sign into an agreement with another business to do work for us, regardless of whether or not they meet the definition of contractor under this very narrow scope.

Is that the intention or is the intention to allow only licensed contractors in the building trade profession to have the ability to have a 19 year old work for them when they go to do something out of cannabis business?

I'm just trying to understand like what your guys's intention even is.

Not so much. Getting into the narrow like what is a contractor.

'Cause, I don't actually think that that's what we're trying to get to.

I'm assuming we're trying to get to like if I do business with another business and they're coming in to provide a service to me.

That isn't related to the plants because like I'm not allowed to contract that work legally, right?

Like I'm not allowed to subcontract plant touching work.

So inherently, we're only talking about non plant touching work.

So I I guess I'm trying to understand like what are we actually trying to describe?

Is it a service relationship with another business or is it?

A contract with a building per trades, a licensed building trade professional because those are two totally different conversations.

And I'm not sure which one we're trying to have.

Thanks for that.

The information that came in with the petition was brought up examples of. Contractors being on site around these types of trades and we're just trying to define what a licensed contractor was in order to ensure that the that the person who's on site doing work who's under the age of 21 actually works for a legitimate business, I guess.

You're saying that?

**MS** **Micah Sherman** 22:01

Is the suggestion that only licensed building trade contractors are legitimate businesses?

**LM** **Laflamme, Denise M (LCB)** 22:08

No, but we we wanted to define.

Licensed contractors, and it turns out there's just not a easy way to define that without calling out the specific trades.

But maybe it needs to be expanded.

**MS** **Micah Sherman** 22:23

Why do we want to define licensed contractor in the scope of this?

Wouldn't it be easier to just say like if a cannabis business is contracting a service with another business?

That that business isn't like I don't understand why it's important to define licensed contractor.

'Cause, that was the example in the petition.

**LM** **Laflamme, Denise M (LCB)** 22:46

It was well, it was one of the the guard rails. That was that we've discussed internally that we wanted it to be a business, a licensed business.

**MS** **Micah Sherman** 22:58

There's lots of licensed businesses that are contractors though.

**LM** **Laflamme, Denise M (LCB)** 23:04

Also true. This is why we're having this discussion, Micah.

**MS** Micah Sherman 23:06

So I'm asking why it's important to define this type of contractor in the scope of this rule making.

**LM** Laflamme, Denise M (LCB) 23:14

These were the examples types of examples that were brought up, but maybe we don't need to to define a licensed contractor. You're saying just a licensed business?

**MS** Micah Sherman 23:26

Correct. So that's what I'm I'm just trying to understand where.

Yeah, that's what I would suggest. I guess now that you've explained that, I would say to make it simpler.

It would be best just to stay like a licensed business and to make sure that it's clear that we're not allowed to use those people to like help us do work with plants or product. And that might be a simpler path to some clean language.

**LM** Laflamme, Denise M (LCB) 23:51

This is why we have these discussions. Thank you.

Just out of curiosity, Micah, two, like, do you?

How often do you? Like I said, we we've hardly received any kind of input on this type of situation with license, with contractors being on site or businesses coming on site to do like you said non non plant related work.

What? What types of typical businesses do you have people on site to do that maybe hasn't been discussed so far?

We have electricians, plumbers.

**MS** Micah Sherman 24:32

Well, I'm. I'm not a great example 'cause I come out of that world. So I do all that work myself for myself, but.

**LM** Laflamme, Denise M (LCB) 24:38

OK. Yeah.

**MS** Micah Sherman 24:41



I think that.

Yeah, there's there's businesses of all sorts.

There's, you know, like SYN test that does like uniforms and.

The gloves and you know they like, provide.

You know, like a kind of operational stuff for businesses like the floor mats in a store.

And swap those out every week, like those kind of companies have people that come through and.

You know, so I think that there's lots of services that people.

Contract for that.

It would be nice if we're going to go through this rule making to make sure that just like anybody that we might contract with doesn't need to worry that if you know their employee comes in for 10 minutes to change out some paper towels that you know they.

**LM** **Laflamme, Denise M (LCB)** 25:27  
Hmm.

**MS** **Micah Sherman** 25:33  
Have to to be 21.

So I you know, that's the kind of stuff that I would think about.

**LM** **Laflamme, Denise M (LCB)** 25:40  
OK. Yeah.

**MS** **Micah Sherman** 25:40  
People you know.

Or the UPS folks.

Or, you know, delivery driver that's bringing a pallet of material. And like all these sorts of people that we come into contact with.

So.

**LM** **Laflamme, Denise M (LCB)** 26:01  
Thank you.

Like I said, we kind of went down this path because that was the example.

But that's good to know about other thinking about other licensed businesses more

broadly.

Then some, then employees who are under 21, who might be on site, you know, repairing electrical.

So thank you.

Thank you for that discussion.

**MS** **Micah Sherman** 26:23

Yeah, it might just be a cleaner for you. You don't have to define every single type of business.

**LM** **Laflamme, Denise M (LCB)** 26:32

Yes, OK.

**MS** **Micah Sherman** 26:33

Make it.

Make it unwieldy.

**LM** **Laflamme, Denise M (LCB)** 26:35

Well, you can see it was already.

You know, there was already a lot there just thinking about those couple of examples so.

Thank you.

Anybody else have any other thoughts on that?

For questions, let's see.

Oh, here's Caitlin. It would make sense to have an exclusionary list if need be, rather than if you allowed profession.

OK.

That's a good thought.

Like what would be some exclusionary list, do you think?

Just wondering anyone has any thoughts on that?

Yeah, that might make it easier also.

Anyone see any?

Are there issues related to that?

We do have some good language from.

Thicker rules that we could also pull from.

So we'll go ahead.

Maika Tierney could you go ahead?

**MS** **Micah Sherman** 28:07

I'm I'm I'm still good, to be honest.

Could you go back to that last slide with the liquor ones?

**LM** **Laflamme, Denise M (LCB)** 28:13

This one of course.

**MS** **Micah Sherman** 28:14

Thank you. Yeah.

So this is interesting 'cause. It seems like some of this is like allowing for people.

At work for like a liquor licensee 'cause, they have like businesses that go in and out of alcohol. I guess in a way that we don't so.

**LM** **Laflamme, Denise M (LCB)** 28:27

Mm hmm.

**MS** **Micah Sherman** 28:34

It wouldn't really be as applicable right in this particular structure, yeah.

**LM** **Laflamme, Denise M (LCB)** 28:40

Well, no, but some of the language like you know may remain non licensed premises or portions of the premises that are restricted, but only during the course of their employment. So that could be.

**MS** **Micah Sherman** 28:53

Yeah, I'm like imagining here, like somebody that works for a restaurant bar that, you know, does cleaning work or something, whereas we wouldn't necessarily be allowed that where you know, because we don't have that sort of overlap between the age gated and nonage gated world. Yeah, no, I.

**LM** **Laflamme, Denise M (LCB)** 28:53

Similar.

**MS** **Micah Sherman** 29:12

All right, I get it.

Why you have this as an example, I think that makes a lot of sense.

That's useful language. Thanks.

**LM** **Laflamme, Denise M (LCB)** 29:18

Exactly. And we like, we try to be consistent when we can and then this other.

Whack 3/14/11 enter areas designated off limits.

Provided the employee does not remain in the area any longer than is necessary to plump duty.

So there are some.

There's some good language there that could be.

Could be used.

Even though it is a different like you're saying it's a different situation.

So.

Input we heard today will definitely consider that.

We may end up doing another round of stakeholder input.

Depending on what we hear today and on Thursday, again we have another session on Thursday. Tentatively would file the CR102 in on October 9th and then questions and comments to the rules.

Please send to the Rules inbox.

And.

If we have any other questions or thoughts around that.

I think we're gonna be done early and I appreciate you participating. And tell your friends to come on Thursday.

And then also tell your friends to send us comments on our Rules inbox too. If they have other things around some of the topics that other input on or input on the topics that we talked about today.

And again, this is all on our website.

These slides are on our website with all the links to.

And I guess that's it.

Thanks everyone.

**JD** **Jacobs, Daniel (LCB)** 31:23


Thanks, Denise.


- **Hamilton-Steele, Tierney A (LCB)** stopped transcription


Sept. 16, 2024


Minors on Cannabis Premises- Stakeholder session 10 am – noon.


Chat:


**Conceptual Rule Framework: Mi...** Chat Files Recap Attendance Breakout Rooms Speaker Coach Q&A 


 Laflamme, Denise M (LCB) named the meeting HOLD - Conceptual Rule Framework: Minors on Cannabis Premises rulemaking.  
Thursday, September 5

 Laflamme, Denise M (LCB) named the meeting Conceptual Rule Framework: Minors on Cannabis Premises rulemaking.  
Yesterday


 Yesterday 9:46 AM Meeting ended: **2m 51s**

 **Attendance**

 Yesterday 9:50 AM Meeting started


 Yesterday 10:01 AM Hamilton-Steele, Tierney A (LCB) started recording to the cloud

Ray's AI Notetaker (Otter.ai) Yesterday 10:05 AM

 Hi, I'm an AI assistant helping Ray Carveth take notes for this meeting. Follow along the transcript here: [https://otter.ai/u/17RwKhEdc9MhqJufaeem7TORc4F?utm\\_source=va\\_chat\\_link\\_1](https://otter.ai/u/17RwKhEdc9MhqJufaeem7TORc4F?utm_source=va_chat_link_1)


You'll also be able to see screenshots of key moments, add highlights, comments, or action items to anything being said, and get an automatic summary after the meeting.

Caitlein Ryan - The Cannabis Alliance Yesterday 10:13 AM

 Gregory Foster is waiting to join)


Nm:)

Ray's AI Notetaker (Otter.ai) Yesterday 10:17 AM

 Hi, I'm an AI assistant helping Ray Carveth take notes for this meeting. Follow along the transcript here: [https://otter.ai/u/17RwKhEdc9MhqJufaeem7TORc4F?utm\\_source=va\\_chat\\_link\\_2](https://otter.ai/u/17RwKhEdc9MhqJufaeem7TORc4F?utm_source=va_chat_link_2)

You'll also be able to see screenshots of key moments, add highlights, comments, or action items to anything being said, and get an automatic summary after the meeting.

Micah Sherman (Guest) Yesterday 10:19 AM

 I've also heard from producer licensees who would like to extend this allowance to the children of employees who run the business as well as the licensees who own the business. At least two that I spoke to had the understanding that the covid allowance extended to the children of staff as well as the licensee. I think it would be worth considering extending this rule to include that.

Gregory Foster (@CannObserv) (Guest) Yesterday 10:21 AM

- Gregory Foster (@CannObserv) (Guest) Yesterday 10:21 AM  
At some point, please address whether there were any complaints received or issues addressed throughout the COVID allowance period, and whether that would motivate adjustments to that language.
- Micah Sherman (Guest) Yesterday 10:25 AM  
it didn't, I'm just saying people thought that because it does in alcohol
- Jacobs, Daniel (LCB) Yesterday 10:27 AM  
Alcohol Analogs in Statute: <https://app.leg.wa.gov/RCW/default.aspx?cite=66.44.316>  
Alcohol Analog in Statute 2:  
<https://app.leg.wa.gov/RCW/default.aspx?cite=66.44.318>  
Rough analogs
- Gregory Foster (@CannObserv) (Guest) Yesterday 10:34 AM  
As there don't appear to be any public health or prevention folks on the call, can you share some of their concerns you have heard?

Yesterday 10:35 AM  
[rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)

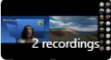
- Jacobs, Daniel (LCB) Yesterday 10:43 AM  
is there any federal funding that goes to foster care?
- McGee, Kyler (DCYF) Yesterday 10:45 AM  
IV-E funding
- Yesterday 10:49 AM Hamilton-Steele, Tierney A (LCB) stopped recording.
  - Yesterday 11:01 AM Hamilton-Steele, Tierney A (LCB) started recording to the cloud
- Caitlein Ryan - The Cannabis Alliance Yesterday 11:21 AM  
It would make sense to have an exclusionary list if need be rather than a few allowed professions
- Yesterday 11:33 AM Hamilton-Steele, Tierney A (LCB) stopped recording.
- Caitlein Ryan - The Cannabis Alliance Yesterday 11:33 AM  
Thank you!

- Caitlein Ryan - The Cannabis Alliance Yesterday 11:33 AM  
Thank you!
- Yesterday 11:42 AM Meeting ended: 1h 52m 4s

**Conceptual Rule Framework: Minors on Cannabis Premises rule...** [View recap](#)  
Monday, September 16, 2024 10:00 AM - 12:00 PM

Content

[Transcript](#) [Attendance](#)

 2 recordings  
[Set to expire](#)

### 1. Summary

|                         |   |
|-------------------------|---|
| Meeting title           | Conceptual Rule Framework: Minors on Cannabis Premises rulemaking |
| Attended participants   | 20  |
| Start time              | 9/19/24, 1:50:40 PM   |
| End time                | 9/19/24, 3:25:18 PM   |
| Meeting duration        | 1h 34m 38s  |
| Average attendance time | 53m 13s   |

### 2. Participants

| Name   | First Join          | Last Leave          | In-Meeting Duration | Email                       | Participant ID (UPN)        | Role      |
|--|---------------------|---------------------|---------------------|-----------------------------|-----------------------------|-----------|
| Laflamme, Denise M (LCB)                           | 9/19/24, 1:52:16 PM | 9/19/24, 3:25:08 PM | 1h 32m 52s          | denise.laflamme@lcb.wa.gov  | denise.laflamme@lcb.wa.gov  | Organizer |
| Hamilton-Steele, Tierney A (LCB)                   | 9/19/24, 1:52:37 PM | 9/19/24, 3:25:16 PM | 1h 32m 38s          | tierney.hamilton@lcb.wa.gov | tierney.hamilton@lcb.wa.gov | Organizer |
| West, Cassidy (LCB)                                | 9/19/24, 1:58:39 PM | 9/19/24, 3:25:13 PM | 1h 26m 33s          | cassidy.west@lcb.wa.gov     | cassidy.west@lcb.wa.gov     | Attendee  |
| McCallum, Matthew C (LCB)                          | 9/19/24, 1:58:57 PM | 9/19/24, 3:24:56 PM | 54m 57s             | matthew.mccallum@lcb.wa.gov | matthew.mccallum@lcb.wa.gov | Attendee  |
| Edwards, Judy (LCB)                                | 9/19/24, 2:00:04 PM | 9/19/24, 3:25:06 PM | 1h 25m 2s           | judy.edwards@lcb.wa.gov     | judy.edwards@lcb.wa.gov     | Attendee  |
| Johnson, Tholo J (DOH)                             | 9/19/24, 2:00:04 PM | 9/19/24, 3:25:05 PM | 1h 25m              | tholo.johnson@doh.wa.gov    | Tholo.Johnson@doh.wa.gov    | Attendee  |
| +14257855847 (Unverified)                          | 9/19/24, 2:00:36 PM | 9/19/24, 2:28:38 PM | 28m 1s              |                             |                             | Attendee  |
| Hallows, Kelly (LCB)                               | 9/19/24, 2:00:39 PM | 9/19/24, 3:25:07 PM | 54m 23s             | kelly.hallows@lcb.wa.gov    | kelly.hallows@lcb.wa.gov    | Attendee  |
| Kildahl, Jeff (LCB)                                | 9/19/24, 2:01:27 PM | 9/19/24, 2:29:48 PM | 28m 20s             | jeff.kildahl@lcb.wa.gov     | jeff.kildahl@lcb.wa.gov     | Attendee  |
| Micah Sherman (Unverified)                         | 9/19/24, 2:02:37 PM | 9/19/24, 3:25:06 PM | 1h 22m 29s          |                             |                             | Attendee  |
| Jen Myrick   | 9/19/24, 2:02:38 PM | 9/19/24, 2:29:25 PM | 26m 46s             | jenm@greenlinkholdings.com  | jenm@greenlinkholdings.com  | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/19/24, 2:02:43 PM | 9/19/24, 3:25:18 PM | 49m 1s              | daniel.jacobs@lcb.wa.gov    | daniel.jacobs@lcb.wa.gov    | Attendee  |
| Cande - The Herbery (Unverified)                   | 9/19/24, 2:03:08 PM | 9/19/24, 2:29:31 PM | 26m 23s             |                             |                             | Attendee  |
| Thompson, Linda A (LCB)                            | 9/19/24, 2:05:03 PM | 9/19/24, 3:25:05 PM | 1h 20m 2s           | linda.thompson@lcb.wa.gov   | linda.thompson@lcb.wa.gov   | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/19/24, 2:06:49 PM | 9/19/24, 2:29:41 PM | 22m 51s             |                             |                             | Presenter |
| Nordhorn, Justin T (LCB)                           | 9/19/24, 2:10:07 PM | 9/19/24, 3:25:09 PM | 1h 15m 1s           | justin.nordhorn@lcb.wa.gov  | justin.nordhorn@lcb.wa.gov  | Presenter |
| +15099474183 (Unverified)                          | 9/19/24, 2:16:24 PM | 9/19/24, 3:25:11 PM | 37m 33s             |                             |                             | Attendee  |
| Kristen / The Cannabis Alliance (Unverified)       | 9/19/24, 2:23:29 PM | 9/19/24, 2:29:30 PM | 6m 1s               |                             |                             | Attendee  |
| Cameron (Unverified)                               | 9/19/24, 2:29:08 PM | 9/19/24, 3:24:48 PM | 25m 24s             |                             |                             | Attendee  |
| Gates, Caitlin (LNI)                               | 9/19/24, 2:59:58 PM | 9/19/24, 3:25:07 PM | 25m 8s              | gatd235@LNI.WA.GOV          | gatd235@lcb.wa.gov          | Attendee  |

### 3. In-Meeting Activities

| Name   | Join Time           | Leave Time          | Duration   | Email                       | Role      |
|--|---------------------|---------------------|------------|-----------------------------|-----------|
| Laflamme, Denise M (LCB)                           | 9/19/24, 1:52:16 PM | 9/19/24, 3:25:08 PM | 1h 32m 52s | denise.laflamme@lcb.wa.gov  | Organizer |
| Hamilton-Steele, Tierney A (LCB)                   | 9/19/24, 1:52:37 PM | 9/19/24, 3:25:16 PM | 1h 32m 38s | tierney.hamilton@lcb.wa.gov | Organizer |
| West, Cassidy (LCB)                                | 9/19/24, 1:58:39 PM | 9/19/24, 3:25:13 PM | 1h 26m 33s | cassidy.west@lcb.wa.gov     | Attendee  |
| McCallum, Matthew C (LCB)                          | 9/19/24, 1:58:57 PM | 9/19/24, 2:29:30 PM | 30m 32s    | matthew.mccallum@lcb.wa.gov | Attendee  |
| McCallum, Matthew C (LCB)                          | 9/19/24, 3:00:30 PM | 9/19/24, 3:24:56 PM | 24m 25s    | matthew.mccallum@lcb.wa.gov | Attendee  |
| Edwards, Judy (LCB)                                | 9/19/24, 2:00:04 PM | 9/19/24, 3:25:06 PM | 1h 25m 2s  | judy.edwards@lcb.wa.gov     | Attendee  |
| Johnson, Tholo J (DOH)                             | 9/19/24, 2:00:04 PM | 9/19/24, 3:25:05 PM | 1h 25m     | tholo.johnson@doh.wa.gov    | Attendee  |
| +14257855847 (Unverified)                          | 9/19/24, 2:00:36 PM | 9/19/24, 2:28:38 PM | 28m 1s     |                             | Attendee  |
| Hallows, Kelly (LCB)                               | 9/19/24, 2:00:39 PM | 9/19/24, 2:29:31 PM | 28m 52s    | kelly.hallows@lcb.wa.gov    | Attendee  |
| Hallows, Kelly (LCB)                               | 9/19/24, 2:59:35 PM | 9/19/24, 3:25:07 PM | 25m 31s    | kelly.hallows@lcb.wa.gov    | Attendee  |
| Kildahl, Jeff (LCB)                                | 9/19/24, 2:01:27 PM | 9/19/24, 2:29:48 PM | 28m 20s    | jeff.kildahl@lcb.wa.gov     | Attendee  |
| Micah Sherman (Unverified)                         | 9/19/24, 2:02:37 PM | 9/19/24, 3:25:06 PM | 1h 22m 29s |                             | Attendee  |
| Jen Myrick   | 9/19/24, 2:02:38 PM | 9/19/24, 2:29:25 PM | 26m 46s    | jenm@greenlinkholdings.com  | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/19/24, 2:02:43 PM | 9/19/24, 2:27:55 PM | 25m 12s    | daniel.jacobs@lcb.wa.gov    | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/19/24, 2:48:53 PM | 9/19/24, 2:49:06 PM | 12s        | daniel.jacobs@lcb.wa.gov    | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/19/24, 3:01:40 PM | 9/19/24, 3:25:18 PM | 23m 37s    | daniel.jacobs@lcb.wa.gov    | Attendee  |
| Cande - The Herbery (Unverified)                   | 9/19/24, 2:03:08 PM | 9/19/24, 2:29:31 PM | 26m 23s    |                             | Attendee  |
| Thompson, Linda A (LCB)                            | 9/19/24, 2:05:03 PM | 9/19/24, 3:25:05 PM | 1h 20m 2s  | linda.thompson@lcb.wa.gov   | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/19/24, 2:06:49 PM | 9/19/24, 2:29:41 PM | 22m 51s    |                             | Presenter |
| Nordhorn, Justin T (LCB)                           | 9/19/24, 2:10:07 PM | 9/19/24, 3:25:09 PM | 1h 15m 1s  | justin.nordhorn@lcb.wa.gov  | Presenter |
| +15099474183 (Unverified)                          | 9/19/24, 2:16:24 PM | 9/19/24, 2:29:46 PM | 13m 21s    |                             | Attendee  |
| +15099474183 (Unverified)                          | 9/19/24, 3:00:58 PM | 9/19/24, 3:25:11 PM | 24m 12s    |                             | Attendee  |
| Kristen / The Cannabis Alliance (Unverified)       | 9/19/24, 2:23:29 PM | 9/19/24, 2:29:30 PM | 6m 1s      |                             | Attendee  |
| Cameron (Unverified)                               | 9/19/24, 2:29:08 PM | 9/19/24, 2:30:32 PM | 1m 23s     |                             | Attendee  |
| Cameron (Unverified)                               | 9/19/24, 3:00:47 PM | 9/19/24, 3:24:48 PM | 24m 1s     |                             | Attendee  |
| Gates, Caitlin (LNI)                               | 9/19/24, 2:59:58 PM | 9/19/24, 3:25:07 PM | 25m 8s     | gatd235@LNI.WA.GOV          | Attendee  |



# Transcript

September 19, 2024, 9:03PM

□ **Hamilton-Steele, Tierney A (LCB)** started transcription

**LM** **Laflamme, Denise M (LCB)** 0:06

Nice to have a discussion.

And I'm gonna go ahead and share my screen.

Now.

So hi everyone.

My name is Denise Laflamme, and I am a policy and rules coordinator here at the LCB. And this afternoon, we're going to be talking about some conceptual.

Rule conditions framework around allowing minors on non retail premises. This is the second of two stakeholder input sessions.

Our first session was on Monday.

And today is our last one.

That we have scheduled.

So the agenda for today is the two we have. We have reserved A2 hour session.

And the first hour we're going to be talking about.

Children and grandchildren of licensees on licensed premises.

And the second hour, we're going to be talking about employees of contractors and both of these relate to two separate petitions.

That we received.

So for the first hour, we're just gonna provide some welcome and background the 1st 15 minutes. The bulk of the hour. We'll look at discussing some conceptual draft conditions that we're considering for rulemaking.

Like to get your input and then wrap up and next steps the last five minutes and then if we have a little time before the 2nd hour, we'll take a break, and if not we'll just go straight into the second hour.

So that would be 3:00 to 4:00 where we'll we'll be talking about employees of contractors.

Who are?

Who are under 21 being allowed on licensed premises.

So that's the schedule for today.

Our objective is to gather insights and feedback on draft proposed conditions for permitting minors on premises.

So I'm not going to be presenting any draft rule language today.

It's just really around talking about different ideas for conditions.

Include in Rule making language.

So we don't have anything specific in terms of rule language to review or just talking about what would be included in Rule language in language and if you'd like to provide written comments or questions, you can contact us at the Rules Inbox, which is here listed on.

The slide rules at [lcb.wa.gov](http://lcb.wa.gov) and this whole.

Slide said is available on our website.

Under current outreach under the rules.

Web page on the LCB main web page.

Just look for rules and you can get down to our outreach outreach page and this is this whole PowerPoint presentation is saved there and the PowerPoint presentation contains all the links to that I have in here for other, you know, related information.

So our purpose is to involve stakeholders in the development.

Rules that help determine when and how minors can be allowed.

On non retail cannabis premises, to ensure that the final rules reflect public input.

Public safety and industry needs.

So here's some housekeeping notes to be aware of.

We are recording today's session and we are also.

The team's chat feature is available and we will be keeping both of those in our saving both of those in our rules file, and that means that they're also subject to public disclosure, just so you're aware.

Questions and comments you can put in the team chat.

During our session today, but I may not be able to respond to them in real time, and if I, if I can't, respond to them immediately, I will look back at them and try to address at the end of this session.

All participants will be muted and will only be unmuted when.

Actually, tyranny is helping me. Today will unmute your microphone.

So just we ask that you raise your hand if you'd like to ask a question or provide a comment and we will unmute you.

You can also put questions and comments in the chat and if you would like to submit questions.

Before, during or after today's session. Please you can send us emails at the Rules Inbox.

So just like a little overview of timeline.

We filed the CR101 in the end of February that you know initiated rulemaking.

And so we are here in September and we are gathering some stakeholder input around the conditions.

Looking forward, we're tentatively looking at filing ACR 102 with the draft rules in October, October 9th. The public feedback period that would initiate public feedback period, which would run to the beginning of December.

With a public hearing December 4th, and if everything goes well, there would be filing.

CR103 in December 18th and that would make the rules effective in January 18th.

So that's kind of an overview of the rule making timeline as we see it now.

So for some background, the board accepted two rule making petitions in 2022 and the first one first petition was looking to allow.

Children and grandchildren of licensees.

The licensed premises of producers and processors and that would was the same as a COVID allowance that was in effect through the end of 2022.

So the petition was looking to adopt.

Pre-existing COVID allowance that expired at the end of 2022.

The second petition was around employees of contractors working on site of a licensed premises who are under 21. And I'll be talking about that more at the 30 clock hour, ACR 101 was filed.

Our informal comment period ended the end of March.

And we did receive a number of comments we received about 60 comments.

Via e-mail to our Rules inbox prior to the filing of the CR101 and all but two of these were in support of.

You know, making permanent the COVID allowance, specifically 53 of these included minors on farms as the subject line as a main focus of the e-mail comment we received 11 comments during the informal comment period following the filing of the CR101 and all but two.

Of those were in support.

Again, those comments really focused on the COVID allowance around children and grandchildren.

And so just to review what the COVID allowance was that we're talking about here

and that is the subject of the.

Of the of today's rule rule making discussion and was the subject of the petition.

It applied specifically to producers and processors, did not apply to retailers and.

It's looked at LCB temporarily relaxing enforcement of WAC 31455015 involving the prohibition of minors being present on licensed cannabis producers and processors in limited circumstances.

And this was put in place to allow or to accommodate families that were impacted by school and daycare closures during COVID and.

It was in effect as long as certain conditions were met, and it did apply to children who were under the age of 16, and these conditions that were part of the COVID allowance was the person was under 16 years of age, child or grandchild of a licensee, the.

Person under 16 was not engaged in any work or active employment and did not possess any products associated with the production, processing or sales of cannabis.

So this advisement covered only the licensed cannabis facility for producers and processors and did not include retail locations or transportation vehicles.

I just wanted to do a little overview of the statutes and rules that come into play for this rule making.

This is WAC 31455015. General information about cannabis licensees.

This is the section that would be amended to.

To include allowances for.

People being present.

And.

Is where we would see our our rural language.

Inserted.

This is RCW 695357 and the reason I am highlighting this here is this specifically.

Prohibits people under the age of 21 on in retail outlet.

This is with part of the petition, the petition specifically called out that.

People under the age of 21 were not prohibited.

In statute, from being on license producers and promise producers and processors.

But they are statutorily prohibited from being in retail outlets.

Except however, except for qualifying patients who are under the age of 21, there are some.

Exceptions for them.

This I'm just bringing up the wax 31455086 there are, you know, requirements around mandatory signage and that this may be affected by this rule making. To indicate any kind of exceptions to the prohibition of people under the age of 21 unlicensed premises.

And I also just want to call out here wax 31455521. It would be a category.

Two violation if there were.

Issues related to.

Non compliance with.

The with the requirements.

So let's get into our first hour subject matter, which is children and grandchildren of licensees.

So the conditions that we'd like to present and discuss today.

Are fall under these topics?

Should we use all or part of the COVID allowance?

So the petition was specifically requesting the COVID allowance be enacted. But you know, there could be some discussion if some parts of that the COVID allowance don't apply or shouldn't apply.

We could just also bring up for discussion types of operations.

Are we looking at only?

Producers or processors or outdoor grow areas.

For example, are there certain areas that we would like to look at or would like input around in terms of restricting access to and then we have?

Some.

Template language from some liquor law to look around, look at related to requiring supervision and then other topics that people might wanna discuss.

So for the first one.

Children and grandchildren. Conditions for discussion.

The COVID allowance, should we keep all our parts and the COVID allowance again specifically, if a person is under 16 years of age, so 16 is the cut off.

Is a child or grandchild of the licensee. Is not engaged in any work or active employment for the licensed business and does not possess any products associated with the production, processing or sale.

And.

That is our first.

Topic area.

The second topic area should minors be permitted on all types of producer and processor operations?

And some of these aspects that I'm bringing forward for discussion either have been discussed internally at LCB or have been provided in emails, you know, in support or in not in not of support for.

This type of rulemaking and allowance.

So that's where some of these ideas and conditions have have come from.

So if they're provided, should minors be permitted on all types of operations?

So should any licensed premises, regardless of operation type or activity, be included?

Or should it be restricted to only specific types of licenses, for example?

Small scale producers.

Family owned operations, maybe Co located family residences, that type of thing so.

That's what we are looking at. If other people, if people have other suggestions around that or thought of the third.

Condition just for discussion is should certain areas be restricted for example.

This has also come up with some comments that we have received via e-mail.

Restrict areas where there are live plants or where there's harvested or post harvest cannabis where there are unpackaged products.

In grow rooms where there's extensive lighting, equipment and electrical.

Possible hazards?

And also possibly restrict areas where there's chemicals including pesticides or solvents that are used or stored.

In other conditions that people may have input on that.

And then also the 4th 1:00.

Just wanna highlight here for discussion is should supervision be required and the liquor regulations do include some parental supervision language, specifically around craft stories that could be useful for template language. And I just wanted to highlight some of that.

Before this is an RCW 6620 four 145 craft distillery.

On premises and off premises, consumption, tasting room age restrictions. In one section there the first one 7A.

No person's under 21 May be on the premises of a craft distillery tasting room, including off site tasting room license, unless they are accompanied by their parent or guardian.

And then under D persons under 21 years of age who are children of owners. Any area of a licensed craft distillery room, tasting room, or off site tasting room provided they must be under the direct supervision of their parent or guardian while on the premises.

So that might be some useful information, useful language that we could incorporate.

And oh, I thought I hit another slide.

Oh, here it is.

So that's kind of an overview of what we're looking at and some of the things that we're considering if people want to provide input on any of those conditions or if you have any other questions, we can entertain them. Now, I'd love to hear what.

Have any questions?

I haven't seen anything in put in chat.

And do you mind?

I'm meeting Caitlin for us.

**HA** **Hamilton-Steele, Tierney A (LCB)** 17:49

Caitlin, you should be good to go.

**C** **Caitlein Ryan - The Cannabis Alliance** 17:53

Thank you very much.

Just to sort of echo the sentiment that I shared earlier in the week, I think that it makes a lot of sense to utilize the alcohol language around supervision.

But I think additional restrictions.

Might be a little bit of overkill to put actually in the rule.

I think parents are careful about their kids safety and things like access and and that sort of thing. You know, we sort of covered it, but, you know, I think the worst possible thing that could happen to a licensee would be for their child to be selling their.

Cannabis, cannabis.

At school.

So I think everybody has a really deeply invested sort of a deeply invested in ensuring that that while their kids are on the premises, they are safe and restricted from stealing product while they're there.

**LM** Laflamme, Denise M (LCB) 18:42

OK.

Great. Thank you.

Thank you for that, Caitlin. Appreciate that.

Comment and for bringing that up. You know being here again, I know you were here on Monday, so I appreciate you being back.

And then for our chat.

We have a comment from Jen.

And as a Tier 3 producer in Eastern Washington, there's often lots of maintenance and landscaping to do inside the fenced in area.

Or what would be the canopy area? Things like clearing weeds, running, repairing. Drip lines.

Privacy screens, etc.

The kind of work that an underage person should be allowed to do, we would like to see allowances to hire individuals between 18 to 20, not a contractor, to do these tasks in the offseason.

The minor would not be working with actual plans, nor would they have access to flowering plants in the off season. These kinds of allowances would make the labor cost reasonable for small businesses to budget.

Please consider allowing minor to work on outdoor farms with the condition that they are not working.

Oh, thanks.

Thank you for putting that in. Appreciate that.

And it scared this came up on Monday.

We'll get into this a little bit more in the second hour, but.

The petition that was submitted around workers on site at licensed premises was really focused petition specifically focused around contractors.

Construction, electrical plumbing workers on site and as we discussed on Monday, which was very helpful, that there could be other workers on site that are not.

In these types of trades, and this is a good example of.

Of workers, that would be helpful, but and they are not in some of these specific trades that were included in the petitions so.

And then we have another question from.

TJ in the chat.



Is there a reason that other non adult minors?

16.

Well, the petition looked at these two populations.

They looked at kids and grandkids of licensees.

That was the first petition, and then the second petition specifically looked at.

Trade workers workers in trades such as construction on site.

So that's why.

Those two groups are included.

We're just trying to address the the particular petition. Did you have another population, TJ, that you were thinking?

Oh, sorry, children. Yeah, this this.

Again, it's consistency with the petition.

The petition was under the age of 16 and that was the that was the specific COVID allowance, and that was the specific petition to enact the COVID allowance, which was under the age of 16.

Do we have any other?

Is that how it is for alcohol?

Hi, Micah.

I see another comment in the chat.

I don't know how.

I don't know how the 16 year old cut off came about, but I see we have Justin here who can maybe help answer that question.

If you'd like to Justin.

**NT Nordhorn, Justin T (LCB) 22:28**

Yeah, I can.

I can try to tackle both of those.

So how it is an alcohol?

Miners aren't allowed. There's contract allowances.

There is some provisions.

On wineries, however, they still can't be in any manufacturing area.

Going to the 1618 year olds, the whole purpose behind the allowance.

Was a family farm concept.

It was not to allow.

Bring your kids to work.

It was they live on a farm.

They have no opportunity to get the daycare. They can't get to school because of COVID and they wanted the the child to be able to be sitting in the office and doing their their homework, etcetera.

The other issue was that anybody under 16 was not mobile on their own because they can't drive and didn't have driver's licenses.

So 16 the up to 18 year olds did not qualify because they don't need the same level of supervision and their.

Limitation on mobility from a legal standpoint wasn't there.

There's a lot of concerns from folks about having minors on premises, and so we were trying to be able to address multiple interest points with that and so that's why those folks were excluded.



**Laflamme, Denise M (LCB)** 23:52

Thank you, Justin.

Anyone else have any questions or comments?

And let's see.

Share again here.

Yeah. Let's see. Whoops.

So we don't have any other questions or comments right now.

So next steps the input we hear today will help us develop some draft rule language and.

We will look at doing additional stakeholder input, either sessions or just or provide some draft rule language for review, so maybe additional.

Request for input.

Tentatively, we'd like to file the CR102 October 9th, but that kind of depends on where we land with some of the input that we hear and then of course any comment. Today or in the future?

You can send it to our rules at [lcb.wat.gov](mailto:lcb.wat.gov) Inbox and we'd be happy to incorporate that into our discussions.

And if we don't have any other comments right now, we might just take a break until our 30 clock time frame 'cause that's when we're gonna.

Review the petition that specifically looked at.

Workers being on site who are under the age of 21 and we'll kind of go through some of the background information again and then specifically look at some of the

conditions and issues related to workers on site.

So.

Like you guys have a break. If you'd like to come back at three, we may get some additional people sign on at three who are interested in that topic area.

Oh, OK.

Thank you.

I'll see you at 3:00.

The people who want to come back, and if not, you're not coming back at 3:00.

Thanks so much for coming.

OK.

- **Hamilton-Steele, Tierney A (LCB)** stopped transcription

### 1. Summary

|                         |   |
|-------------------------|---|
| Meeting title           | Conceptual Rule Framework: Minors on Cannabis Premises rulemaking |
| Attended participants   | 20  |
| Start time              | 9/19/24, 1:50:40 PM   |
| End time                | 9/19/24, 3:25:18 PM   |
| Meeting duration        | 1h 34m 38s  |
| Average attendance time | 53m 13s   |

### 2. Participants

| Name   | First Join          | Last Leave          | In-Meeting Duration | Email                       | Participant ID (UPN)        | Role      |
|--|---------------------|---------------------|---------------------|-----------------------------|-----------------------------|-----------|
| Laflamme, Denise M (LCB)                           | 9/19/24, 1:52:16 PM | 9/19/24, 3:25:08 PM | 1h 32m 52s          | denise.laflamme@lcb.wa.gov  | denise.laflamme@lcb.wa.gov  | Organizer |
| Hamilton-Steele, Tierney A (LCB)                   | 9/19/24, 1:52:37 PM | 9/19/24, 3:25:16 PM | 1h 32m 38s          | tierney.hamilton@lcb.wa.gov | tierney.hamilton@lcb.wa.gov | Organizer |
| West, Cassidy (LCB)                                | 9/19/24, 1:58:39 PM | 9/19/24, 3:25:13 PM | 1h 26m 33s          | cassidy.west@lcb.wa.gov     | cassidy.west@lcb.wa.gov     | Attendee  |
| McCallum, Matthew C (LCB)                          | 9/19/24, 1:58:57 PM | 9/19/24, 3:24:56 PM | 54m 57s             | matthew.mccallum@lcb.wa.gov | matthew.mccallum@lcb.wa.gov | Attendee  |
| Edwards, Judy (LCB)                                | 9/19/24, 2:00:04 PM | 9/19/24, 3:25:06 PM | 1h 25m 2s           | judy.edwards@lcb.wa.gov     | judy.edwards@lcb.wa.gov     | Attendee  |
| Johnson, Tholo J (DOH)                             | 9/19/24, 2:00:04 PM | 9/19/24, 3:25:05 PM | 1h 25m              | tholo.johnson@doh.wa.gov    | Tholo.Johnson@doh.wa.gov    | Attendee  |
| +14257855847 (Unverified)                          | 9/19/24, 2:00:36 PM | 9/19/24, 2:28:38 PM | 28m 1s              |                             |                             | Attendee  |
| Hallows, Kelly (LCB)                               | 9/19/24, 2:00:39 PM | 9/19/24, 3:25:07 PM | 54m 23s             | kelly.hallows@lcb.wa.gov    | kelly.hallows@lcb.wa.gov    | Attendee  |
| Kildahl, Jeff (LCB)                                | 9/19/24, 2:01:27 PM | 9/19/24, 2:29:48 PM | 28m 20s             | jeff.kildahl@lcb.wa.gov     | jeff.kildahl@lcb.wa.gov     | Attendee  |
| Micah Sherman (Unverified)                         | 9/19/24, 2:02:37 PM | 9/19/24, 3:25:06 PM | 1h 22m 29s          |                             |                             | Attendee  |
| Jen Myrick   | 9/19/24, 2:02:38 PM | 9/19/24, 2:29:25 PM | 26m 46s             | jenm@greenlinkholdings.com  | jenm@greenlinkholdings.com  | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/19/24, 2:02:43 PM | 9/19/24, 3:25:18 PM | 49m 1s              | daniel.jacobs@lcb.wa.gov    | daniel.jacobs@lcb.wa.gov    | Attendee  |
| Cande - The Herbery (Unverified)                   | 9/19/24, 2:03:08 PM | 9/19/24, 2:29:31 PM | 26m 23s             |                             |                             | Attendee  |
| Thompson, Linda A (LCB)                            | 9/19/24, 2:05:03 PM | 9/19/24, 3:25:05 PM | 1h 20m 2s           | linda.thompson@lcb.wa.gov   | linda.thompson@lcb.wa.gov   | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/19/24, 2:06:49 PM | 9/19/24, 2:29:41 PM | 22m 51s             |                             |                             | Presenter |
| Nordhorn, Justin T (LCB)                           | 9/19/24, 2:10:07 PM | 9/19/24, 3:25:09 PM | 1h 15m 1s           | justin.nordhorn@lcb.wa.gov  | justin.nordhorn@lcb.wa.gov  | Presenter |
| +15099474183 (Unverified)                          | 9/19/24, 2:16:24 PM | 9/19/24, 3:25:11 PM | 37m 33s             |                             |                             | Attendee  |
| Kristen / The Cannabis Alliance (Unverified)       | 9/19/24, 2:23:29 PM | 9/19/24, 2:29:30 PM | 6m 1s               |                             |                             | Attendee  |
| Cameron (Unverified)                               | 9/19/24, 2:29:08 PM | 9/19/24, 3:24:48 PM | 25m 24s             |                             |                             | Attendee  |
| Gates, Caitlin (LNI)                               | 9/19/24, 2:59:58 PM | 9/19/24, 3:25:07 PM | 25m 8s              | gatd235@LNI.WA.GOV          | gatd235@lni.wa.gov          | Attendee  |

### 3. In-Meeting Activities

| Name   | Join Time           | Leave Time          | Duration   | Email                       | Role      |
|--|---------------------|---------------------|------------|-----------------------------|-----------|
| Laflamme, Denise M (LCB)                           | 9/19/24, 1:52:16 PM | 9/19/24, 3:25:08 PM | 1h 32m 52s | denise.laflamme@lcb.wa.gov  | Organizer |
| Hamilton-Steele, Tierney A (LCB)                   | 9/19/24, 1:52:37 PM | 9/19/24, 3:25:16 PM | 1h 32m 38s | tierney.hamilton@lcb.wa.gov | Organizer |
| West, Cassidy (LCB)                                | 9/19/24, 1:58:39 PM | 9/19/24, 3:25:13 PM | 1h 26m 33s | cassidy.west@lcb.wa.gov     | Attendee  |
| McCallum, Matthew C (LCB)                          | 9/19/24, 1:58:57 PM | 9/19/24, 2:29:30 PM | 30m 32s    | matthew.mccallum@lcb.wa.gov | Attendee  |
| McCallum, Matthew C (LCB)                          | 9/19/24, 3:00:30 PM | 9/19/24, 3:24:56 PM | 24m 25s    | matthew.mccallum@lcb.wa.gov | Attendee  |
| Edwards, Judy (LCB)                                | 9/19/24, 2:00:04 PM | 9/19/24, 3:25:06 PM | 1h 25m 2s  | judy.edwards@lcb.wa.gov     | Attendee  |
| Johnson, Tholo J (DOH)                             | 9/19/24, 2:00:04 PM | 9/19/24, 3:25:05 PM | 1h 25m     | tholo.johnson@doh.wa.gov    | Attendee  |
| +14257855847 (Unverified)                          | 9/19/24, 2:00:36 PM | 9/19/24, 2:28:38 PM | 28m 1s     |                             | Attendee  |
| Hallows, Kelly (LCB)                               | 9/19/24, 2:00:39 PM | 9/19/24, 2:29:31 PM | 28m 52s    | kelly.hallows@lcb.wa.gov    | Attendee  |
| Hallows, Kelly (LCB)                               | 9/19/24, 2:59:35 PM | 9/19/24, 3:25:07 PM | 25m 31s    | kelly.hallows@lcb.wa.gov    | Attendee  |
| Kildahl, Jeff (LCB)                                | 9/19/24, 2:01:27 PM | 9/19/24, 2:29:48 PM | 28m 20s    | jeff.kildahl@lcb.wa.gov     | Attendee  |
| Micah Sherman (Unverified)                         | 9/19/24, 2:02:37 PM | 9/19/24, 3:25:06 PM | 1h 22m 29s |                             | Attendee  |
| Jen Myrick   | 9/19/24, 2:02:38 PM | 9/19/24, 2:29:25 PM | 26m 46s    | jenm@greenlinkholdings.com  | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/19/24, 2:02:43 PM | 9/19/24, 2:27:55 PM | 25m 12s    | daniel.jacobs@lcb.wa.gov    | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/19/24, 2:48:53 PM | 9/19/24, 2:49:06 PM | 12s        | daniel.jacobs@lcb.wa.gov    | Attendee  |
| Jacobs, Daniel (LCB)                               | 9/19/24, 3:01:40 PM | 9/19/24, 3:25:18 PM | 23m 37s    | daniel.jacobs@lcb.wa.gov    | Attendee  |
| Cande - The Herbery (Unverified)                   | 9/19/24, 2:03:08 PM | 9/19/24, 2:29:31 PM | 26m 23s    |                             | Attendee  |
| Thompson, Linda A (LCB)                            | 9/19/24, 2:05:03 PM | 9/19/24, 3:25:05 PM | 1h 20m 2s  | linda.thompson@lcb.wa.gov   | Attendee  |
| Caitlein Ryan - The Cannabis Alliance (Unverified) | 9/19/24, 2:06:49 PM | 9/19/24, 2:29:41 PM | 22m 51s    |                             | Presenter |
| Nordhorn, Justin T (LCB)                           | 9/19/24, 2:10:07 PM | 9/19/24, 3:25:09 PM | 1h 15m 1s  | justin.nordhorn@lcb.wa.gov  | Presenter |
| +15099474183 (Unverified)                          | 9/19/24, 2:16:24 PM | 9/19/24, 2:29:46 PM | 13m 21s    |                             | Attendee  |
| +15099474183 (Unverified)                          | 9/19/24, 3:00:58 PM | 9/19/24, 3:25:11 PM | 24m 12s    |                             | Attendee  |
| Kristen / The Cannabis Alliance (Unverified)       | 9/19/24, 2:23:29 PM | 9/19/24, 2:29:30 PM | 6m 1s      |                             | Attendee  |
| Cameron (Unverified)                               | 9/19/24, 2:29:08 PM | 9/19/24, 2:30:32 PM | 1m 23s     |                             | Attendee  |
| Cameron (Unverified)                               | 9/19/24, 3:00:47 PM | 9/19/24, 3:24:48 PM | 24m 1s     |                             | Attendee  |
| Gates, Caitlin (LNI)                               | 9/19/24, 2:59:58 PM | 9/19/24, 3:25:07 PM | 25m 8s     | gatd235@LNI.WA.GOV          | Attendee  |

# Transcript

September 19, 2024, 10:03PM



**Laflamme, Denise M (LCB)** 0:03

Framework around allowing minors on non retail premises.

We've had two stakeholder sessions.

Today is the second of two.

We had one on Monday and I am Denise Laflamme.

I'm with the I'm a policy and rules coordinator with the LCB and my e-mail is listed below as well as our rules inbox rules at lcb.wa.gov.

So we'd love any kind of.

Feedback sent to the Rules inbox so we can incorporate that.

So this second hour we're talking about employees of contractors. The first hour we were talking about children and grandchildren licensees and this section is focused on the second of two petitions we received around this.

So the agenda today just gonna have a welcome and some background information for the 1st 15 minutes.

And then a review of some conceptual draft conditions that were considered.

Roommaking, we don't have draft rule making language today per SE to.

For review, we're just looking at some conditions that we would possibly include in rulemaking language.

So that's the topic of discussion. And so the bulk of this hour is around reviewing some conditions that we've identified and then getting your feedback and questions around those and any additional conditions.

You think would be important and then wrap up in next steps at the at the end.

So the objective today is to gather insights, feedback on draft proposed conditions for permitting minors on premises.

And our purpose is to involve stakeholders in the development of rules that help determine when and how minors can be present on non retail cannabis premises.

To ensure final regulations reflect public input, public safety and industry needs.

And so here's our housekeeping notes, just to go over, we are recording today's session and we are keeping any comments written in the chat.

And we are saving those to our rule making files.

And just wanted to let you know that those would be subject to public disclosure

questions and comments in the chat.

I may not be able to respond in real time, although I don't. I feel like I can respond to real time today because we don't have so many people in today's session.

But if I don't get to it right away, I will try to review before we sign off.

If please raise your hand if you have questions and to your knees assisting me today and she will unmute you so that you can ask your question.

And again, if you would like to submit any comments or questions, the Rules inbox is the way to go.

So just some room making timeline highlights.

We filed the CR101 to initiate rule making at the end of February.

We are in September now.

Conducting some stakeholder engagement sessions.

Our plan currently is to file ACR 102 with some draft.

Craft rules at the beginning of October at our October 9th board meeting.

That would initiate public feedback period that would run to the beginning of December with a public hearing December 4th, December 18th is if everything goes well.

We would file ACR 103 and the the rules would become effective in January 18th.

So that's just kind of an overview of where we're at with the timeline.

Would look like.

And again, these are tentative, tentative dates at this point.

For background.

In 2022, the.

Liquor and Cannabis Board accepted two rulemaking petitions around allowing minors on licensed premises.

The first one was around.

Making permanent a COVID allowance that was in place until the end of 2022 and then the 2nd.

Petition that was accepted was not related to the COVID allowance, but it was related to allowing persons under the age of 21. Specifically employees of contractors who are under 21.

And just for some other background, I just went over the CR101.

The informal comment period ended March 29th and we did receive.

About 60 e-mail comments prior to the CR101 filing and 11 cents the CR101 filing and all of those comments really pertain to the children and grandchildren of

licensees.

We just, we have not heard.

Not received many comments related to employees allowed on licensed premises.

Yet so feel free to provide us comment on that particular issue and if we look at the minors on premise, on premises COVID allowance, it was justification.

Tessers and.

It's was related to temporarily relaxing enforcement of wax 31455015 involving the prohibition of minors.

And it was specific to kids under the age of 16, and these were the conditions of the COVID allowance that could be used.

Or parts of these could be used related to.

Allowing employees under the age of 21, specifically the second and third bullet, that the persons were not engaging in any work or active employment for the licensed business and the person does not possess any products associated with the production, processing or sales of cannabis and these the.

COVID Lounge was also specific to producers and processors.

And did not cover retail locations or transportation vehicles.

So I just wanted to highlight this.

This is what was included in the rulemaking petition that was submitted to the board and accepted in 2022, and this is language from the petition that they were requesting to create an exemption to the prohibition of minors being present on premises of licensed cannabis producers and.

Processors for employees of contractors engaged in construction, electrical, plumbing.

HVAC work.

Etc. Provided the person is over the age of 16 and not engaging in any work related directly to the production, processing or sales of cannabis, we have good discussion on Monday about well what might be other employees or other workers who would want to be on on on.

The premises outside of employees in these trades.

But that's why we were focusing on that for our discussion, because that's what was included in the petition.

So just some general information about.

The the rules and the statutes involved in this rule making the rule making would amend WAC 31455015, adding some conditions under general information about

cannabis licensees.

So this is the the rule.

The.

WAC section that would be amended.

And I wanted to bring up that retail outlets are not included in this rule making as there's a prohibition of for people.

21 under 21 being in retail outlets under statute, so we that is not included with the exception of course of qualifying patients certain certain qualifying patients are allowed on retail outlets otherwise.

Other persons under the age under the age of 21 are prohibited.

There may be some implication for mandatory signage.

Currently wax 31455086 has specific requirements around signage, but if there's allowances for persons under the age of 21, this could be.

Umm.

Be addressed under that and then also it just wanted to highlight that wax three fourteen 55521 is the category two violation that is implicated.

In this type of allowance, if there.

Are violations.

So for discussion today, we're just talking about employees of contractors and we could open up about other employees, but this was the focus of the petition.

Should we use COVID allow and COVID allowance language?

Should we?

Ellen, I I see that Caitlin is on.

That our call today, she was helpful in providing some ill and I definitions around employees internally.

There was discussions around.

The contractor question and specifying that only employees of licensed contractors be on site.

And there is not one definition for licensed contractors that covers all of these trades. And so Caitlin Gates at Illinois provided us some language that could be used around specifics.

Or certain trades we are looking at keeping.

Employees of these trades between the ages of 18 and 20 years old.

There's other ill and I implications. If you're looking at workers under the age of 18 and then we there are some, there's some good language in liquor laws that could



be used as a template around workers who are under 21.

Working at certain liquor premises, you know, stocking, cleaning, that could be useful template information and also some supervision language that might be useful.

So I'm just gonna go through each of these different possible conditions for discussion, and then we could.

What are your thoughts?

So the COVID allowance language that could be applied is not engaging in any worker active employment for the licensed business and does not possess any products.

So those that language could be used for verbatim or some version of that.

Ellen I.

Provided us the following definitions that differ by trade.

Of course it's.

You say licensed contractor.

Well, that is not an over a term that's used for all of these different trades, but Caitlin provided the following language around qualified contractor means a licensed plumbing contractor under a particular.

Black chapter license, electrical contractor or registered contractor and.

Employees who might be under the age of 21 are referred to differently depending on the different trades.

They could be trainees or they could be registered apprentices.

And the language that Caitlyn also provided included the training must be supervised on the same job site at all times at a ratio consistent with the trainee or apprentice standards, as a way to have that additional safeguard.

Of oversight and supervision.

Some I just wanted to highlight some of the existing liquor rule language that could be useful under WAC 31411040 permissible duties of an employee under 21 years of age on a licensed premises.

So a person must be 21 years of age or older to be employed in the sale of handling of liquor.

Except as provided below and persons between 18 and 2018 and 21 May perform the following duties.

An establishment that sells liquor for on premises consumption.

They can enter areas as off limits to perform such duties as picking up liquor for

service from other parts of the establishment, cleaning, setting up delivering provided the employee does not remain in the area any longer than is necessary to perform the duties.

So I kind of highlighted here in yellow some of the language that could be.

You know, possibly used.

In some draft, as draft rule language and then also another example is 3/14 11:04 one.

The continues on the following persons that are 18 19 or 20 years of age may remain on a licensed premises.

Or portions of that premises that are restricted from persons under 21, but only during the course of his or her employment and employees.

Oh well, this is an amusement device company, but we're not talking about that. But for the purposes of installing, maintaining, repairing or removing, and you can see how that could be applied to installing, maintaining, repairing or removing equipment or other types of things that are needed on site.

So those are some.

Possible language.

And so I don't have a section here for questions or comments, but that's kind of.

That's the overview.

That's what I have for discussion, and if anybody has any questions or comments related to.

Do this.

It's like to open it up for discussion or comments or questions.

Have a small group today. Micah. Did you have anything you wanted to add?

MS

**Micah Sherman** 15:44

I will just reinforce my comments from the other day.

That and I, I spoke with a few other you know, operators in our association after the call earlier in the week and.

Everybody reinforced my my suggestion that we should try to simplify the approach here. Kind of remove the attempt to define contractor and simply.

State that.

Oasis can contract with the outside.

Company to provide.

Goods and services and in the provision of those goods and services, the outside

business can employ 1819 and 20 year olds to do that work and that it should just be clear that it's not related to the plants or the product.

And I think that will have.

A very simple.

And understandable approach for everybody, and it'll be less work in the rule writing process as well, which is always good.

**LM** **Laflamme, Denise M (LCB)** 17:00

So I think the other day on on Monday when we spoke, you had suggested if they were employed by a licensed business.

Is that?

**MS** **Micah Sherman** 17:12

Yeah, I mean for my.

**LM** **Laflamme, Denise M (LCB)** 17:13

Was that one of your suggestion?

**MS** **Micah Sherman** 17:17

I did say that.

**LM** **Laflamme, Denise M (LCB)** 17:19

Mm hmm.

**MS** **Micah Sherman** 17:20

And but I think the the chat comment from earlier made a point that you know it there might be a a an opportunity for.

An independent 19 year old to get a job cleaning up.

The cannabis field. I don't know if that's an.

I mean, I can see why that a lot of licensees might want that to be included.

And I think if that's something that everybody feels comfortable on on your end with trying to make it work in the language, it would be great to accommodate that.

But I did think that.

In my impression of.

Of the need out there in this regard is really more in relationship to.

When we contract a service with another company that it becomes kind of untenable for us to to, to like police, whether or not a 20 year old is coming to do some work for that company.

So I do think that that's like a real specific thing that we should address 'cause.

**LM** **Laflamme, Denise M (LCB)** 18:31

Mm hmm.

**MS** **Micah Sherman** 18:35

I know that's caused a lot of problems over the years for for people, and it's mostly people that are coming in and out relatively briefly.

But having said that, I think there's a lot of our outdoor farmers that, that.

Would probably benefit and appreciate the ability to have some younger people do.

Very typical farm work.

Without being plant touching, and that if there's comfortability within the agency to include language around that, I think it would be great to include.

I hope that's a helpful answer to that.

**LM** **Laflamme, Denise M (LCB)** 19:13

That is no thanks.

Comfortability too.

I think that's a good word.

So and you've seen this situation arise like around I think the other day you suggested like painters.

**MS** **Micah Sherman** 19:27

Yeah. And I mean the delivery people, just people that are doing kind of general service jobs. You know, there's I I mentioned the company Cintas.

**LM** **Laflamme, Denise M (LCB)** 19:28

These and delivery people.

**MS** **Micah Sherman** 19:41

They do like delivery of cleaning products and stuff like that.

And often have, like you know, service people in vans that drive around and and do

that.

One of my one of my staff I was talking to her about it 'cause she just managed a different facility and.

She told me a story of yeah, having a company come and having to keep two people outside that, like couldn't come into the work that they, you know, hire them because they were only 20.

And so I can't remember exactly what you said they were doing.

But yeah, I think there's like a broad enough amount of of sort of services that we contract for that it'd be hard to like go and define them all.

**LM** **Laflamme, Denise M (LCB)** 20:27

Hey, thank you. Thanks for that.

The other comments or thoughts?

So I guess I would say move on.

We could wrap it up here.

So input we heard today will help develop draft rule language.

We may pursue another round of stakeholder input.

We're shooting for October 9th for CR102 tentatively, and questions and comments come to our Rules Inbox.

And unless we have any other.

Questions or comments?

Will be done for today.

We're done early.

Thank you so much for joining us and feel free to follow up at our Rules Inbox.

Thank you all.

● **Hamilton-Steele, Tierney A (LCB)** stopped transcription

JM

**Jen Myrick (Unverified)** 2:20 PM

As a tier 3 producer in Eastern Washington there is often lots of maintenance and landscaping to do inside the fenced in area or what would be the canopy area .Things like clearing weeds and running and repairing drips line, repairing privacy screens, etc. The kind of work that an under aged person should be allowed to do. We would like to see allowances to hire individuals between 18-20 (not a contractor) to do these tasks in the off season. The minor would not be working with actual plants nor would they have access to flowering plants in the off season (Nov-May ish). These kinds of allowances would make the labor cost reasonable for small businesses to budget. Please consider allowing minors to work on outdoor farms with the condition that they are not working with live cannabis plants. Thank you.

Jen Myrick  
Production Manager  
Suncliff  
jenm@suncliff.com  
425-442-6607



**Johnson, Tholo J (DOH)** 2:21 PM

Is there a reason that other non-adult minors (16-18) aren't included?

Edited

sorry, children/grandchildren of licensed farmer that are 16-18 yo



**Micah Sherman (Unverified)** 2:24 PM

Is that how it is for alcohol?

**From:** [Alison Sheafor](#)  
**To:** [LCB DL Rules](#)  
**Subject:** minors on cannabis premises  
**Date:** Monday, September 9, 2024 11:03:58 AM

---

External Email

Dear LCB,

I see you will be having meetings about minors (children and grandchildren) on cannabis premises. My heart goes out to parents struggling with childcare, but considering the studies showing how high THC cannabis is detrimental to the pre-frontal cortex development of young-uns, I vote that it's NOT appropriate to expose children to cannabis facilities.

I enjoy working in this field, but I still don't think cannabis should be normalized in the same way working at a vegetable farm or a grocery store is normal and acceptable. There's just still so much we don't know, better safe than sorry. However, I know my opinions are probably in the minority.

Thanks for your time,  
Alison Sheafor-Joy  
Mako Farm LLC  
17636 State Route 20  
Burlington, WA 98233



**From:** [Laflamme, Denise M \(LCB\)](#)  
**To:** [Alison Sheafor](#)  
**Cc:** [LCB DL Rules](#)  
**Subject:** RE: minors on cannabis premises  
**Date:** Monday, September 9, 2024 2:00:08 PM

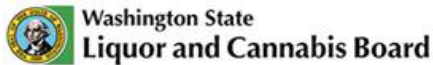
---

Thank you, Alison, for your email on this rulemaking. We will keep your comment with our rulemaking file.

Information about this and other rulemaking is available on our [current rulemaking webpage](#).

Regards,  
Denise

Denise Laflamme MS, MPH | she/her  
Rules Coordinator  
Washington State Liquor and Cannabis Board (LCB)  
[Denise.Laflamme@lcb.wa.gov](mailto:Denise.Laflamme@lcb.wa.gov)  
Mobile: 360-819-0452



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**From:** Alison Sheafor <makofarmllc@gmail.com>  
**Sent:** Monday, September 9, 2024 11:03 AM  
**To:** LCB DL Rules <rules@lcb.wa.gov>  
**Subject:** minors on cannabis premises

External Email

Dear LCB,

I see you will be having meetings about minors (children and grandchildren) on cannabis premises. My heart goes out to parents struggling with childcare, but considering the studies showing how high THC cannabis is detrimental to the pre-frontal cortex development of young-uns, I vote that it's NOT appropriate to expose children to cannabis facilities.

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Thanks for your time,  
Alison Sheafor-Joy  
Mako Farm LLC  
17636 State Route 20  
Burlington, WA 98233

**From:** [shellies4@netzero.com](mailto:shellies4@netzero.com)  
**To:** [LCB DL Rules](#)  
**Subject:** Public Comments. Feedback  
**Date:** Monday, September 9, 2024 7:37:19 PM

---

External Email

Good morning board. Thank you for all you do to keep these rules within reason!  
My comment is that I agree with this and I feel that children or grandchildren SHOULD be allowed to be on the premise.  
I feel the same about guns.  
Knowledge is power and hiding things makes kids WAY more curious about stuff than if you let them ask questions and get the truth from you instead of their friends!!  
That's how MANY misconceptions come about!  
There has been no evidence that I have seen that says kids exposed to marijuana are more likely to do it. Just as many are exposed and NEVER do it.  
Either way, PARENTS are the ultimate authority when it comes to kids and the government should STAY OUT OF IT!  
Thank you for your time and service!  
I think the open rules is the absolute best way to make rules!  
Have a wonderful day!!

**From:** [Laflamme, Denise M \(LCB\)](#)  
**To:** [shellies4@netzero.com](mailto:shellies4@netzero.com)  
**Cc:** [LCB DL Rules](#)  
**Subject:** RE: Public Comments. Feedback  
**Date:** Tuesday, September 10, 2024 4:12:02 PM

---

Thank you so much for providing your comment on the Minors on Non-Retail Cannabis Premises Rulemaking Project. Your input is valuable and we look forward to reviewing your feedback. If we have any questions we will follow up by email.

The Washington State Liquor and Cannabis Board (LCB) relies on public feedback, and welcomes the opportunity to hear more from you! Public participation helps LCB develop inclusive, transparent, and accountable policies and rules that serve the public interest.

Please visit the [LCB's website](#) for more information about the Minors on Non-Retail Cannabis Premises Rulemaking and other current rulemaking activities. To get timely updates from LCB, please [sign up](#) to be on our GovDelivery email distribution list (select the Rulemaking option along with any other topic of interest).

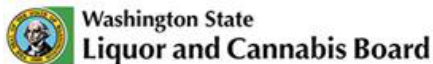
The LCB Board holds public meetings on Wednesdays at 10 a.m., twice monthly. Held both virtually and in-person, the meetings provide an opportunity for members of the public to address Board members during the Public Comment agenda item, or during scheduled Public Hearings held during the Board meetings. Board meetings are also broadcast live on the state's public access TV station [TVW](#).

Please visit LCB's [Board meeting schedule and information webpage](#) to learn more about observing or participating in a Board meeting. The next Board meeting will be held tomorrow, Sept. 11.

Thank you again for reaching out!


*LCB Policy & Rules Coordinators*

Denise Laflamme MS, MPH | she/her  
Rules Coordinator  
Washington State Liquor and Cannabis Board (LCB)  
[Denise.Laflamme@lcb.wa.gov](mailto:Denise.Laflamme@lcb.wa.gov)  
Mobile: 360-819-0452



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**From:** shellies4@netzero.com <shellies4@netzero.com>  
**Sent:** Monday, September 9, 2024 7:37 PM  
**To:** LCB DL Rules <rules@lcb.wa.gov>  
**Subject:** Public Comments. Feedback



## External Email

Good morning board. Thank you for all you do to keep these rules within reason!

My comment is that I agree with this and I feel that children or grandchildren SHOULD be allowed to be on the premise.

I feel the same about guns.

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Either way, PARENTS are the ultimate authority when it comes to kids and the government should STAY OUT OF IT!

Thank you for your time and service!

I think the open rules is the absolute best way to make rules!

Have a wonderful day!!

**From:** [Laflamme, Denise M \(LCB\)](#)  
**To:** [Bethany McMartin](#)  
**Subject:** RE: Comment in support for Minors on Non-Retail Cannabis Premises Rulemaking  
**Date:** Tuesday, September 17, 2024 2:48:00 PM

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Bethany:

Thank you so much for providing your comment on the Minors on Non-Retail Cannabis Premises Rulemaking Project. Your input is valuable and we look forward to reviewing your feedback. If we have any questions we will follow up by email.

The Washington State Liquor and Cannabis Board (LCB) relies on public feedback, and welcomes the opportunity to hear more from you! Public participation helps LCB develop inclusive, transparent, and accountable policies and rules that serve the public interest.

Please visit the [LCB's website](#) for more information about the Minors on Non-Retail Cannabis Premises Rulemaking and other current rulemaking activities. To get timely updates from LCB, please [sign up](#) to be on our GovDelivery email distribution list (select the Rulemaking option along with any other topic of interest).

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Please visit LCB's [Board meeting schedule and information webpage](#) to learn more about observing or participating in a Board meeting. The next Board meeting will be held tomorrow, Sept. 25.

Thank you again for reaching out!

Denise

Denise Laflamme MS, MPH | she/her  
Rules Coordinator  
Washington State Liquor and Cannabis Board (LCB)  
[Denise.Laflamme@lcb.wa.gov](mailto:Denise.Laflamme@lcb.wa.gov)  
Mobile: 360-819-0452



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**From:** Bethany McMartin <bethanymcmartin@gmail.com>  
**Sent:** Tuesday, September 17, 2024 1:46 PM  
**To:** LCB DL Rules <rules@lcb.wa.gov>  
**Subject:** Comment in support for Minors on Non-Retail Cannabis Premises Rulemaking

---

## External Email

Hello LCB,

I would like to comment that I support 'Minors who are children or grandchildren of licensees' to be allowed to be in producer/processor facilities. As an owner of a I502 grow and a mother of a newborn I would appreciate being able to bring my baby with me when I come in to work so as to not interrupt our bond and breastfeeding.

Thank you!

Bethany McMartin  
Olympus Horticulture LLC  
BC Labs LLC



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Email Address  e.g. name@e.

### Share Bulletin



## Feedback Needed: Two Cannabis-Related Rulemakings

Washington State Liquor and Cannabis Board sent this bulletin at 11/20/2024 04:50 PM PST

Having trouble viewing this email? [View it as a Web page](#)



Nov. 20, 2024

### LCB Seeks Feedback on Two Cannabis-Related Rulemakings: Minors on Non-Retail Cannabis Premises and Sale of Cannabis Waste ([SSB 5376](#))

Your feedback will help shape the proposed rules the LCB Board will be asked to approve for the CR-102 filings.

Deadline for feedback: **Friday, Dec. 6, 2024** (11:59 p.m. PST)

Draft rules are available on the LCB website using the links below. Please email your feedback to [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov).

- [Draft Rules for Minors on Non-Retail Premises](#)
- [Draft Rules for Sale of Cannabis Waste](#)

More information about these rulemaking efforts and other current rulemaking projects is found on the [LCB Current Rulemaking](#) webpage. Please contact [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov) with questions about rulemaking.

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**WAC 314-55-015 General information about cannabis licenses.** (1)

To be issued and maintain a license to produce, process, or sell cannabis at retail, a person or entity applying for a cannabis license must meet all of the qualifications described in this chapter.

(2) All applicants, licensees, and employees working in each licensed establishment must be at least 21 years of age. ~~((No one))~~ Persons, as defined in RCW 69.50.101, who are under 21 years of age ((may)) must not:

(a) Enter or remain on ((a-cannabis)) the licensed premises of a cannabis licensee except as provided in RCW 69.50.357 or as provided in subsections (3) and (4) of this section.

(b) Possess any products associated with the production, processing, or sales of cannabis.

(c) Be an employee as defined in WAC 314-55-010.

Nothing in this section conflicts with RCW 9.41.300 (1)(d) as the entire premises remain classified as off-limits to persons under 21 years of age from the general public.

(3) Persons under the age of 16 who are children and grandchildren of licensees may enter or remain on the licensed premises of a cannabis producer with an outdoor grow operation, as provided in this subsection.

(a) The person does not enter or remain in areas where cannabis is present including, but not limited to, those areas where cannabis is grown, dried, cured, trimmed, processed in any manner, stored, or being prepared for shipment.

(b) The person is under the direct supervision of the licensee while on the premises.

(c) Prior to allowing any child or grandchild of the licensee to enter or remain on the licensed premises, the licensee must notify the enforcement and education division of the LCB in writing that children may be on their licensed premises. Written notification to the enforcement and education division must indicate the day(s) of the week, times of the day, and age of the child(ren) that will be present.

(4) A licensed producer or processor may allow a person under 21 years of age to enter or remain on the licensed premises under the conditions outlined in this subsection.

(a) The person under 21 years of age is:

(i) At least 18 years of age.

(ii) Employed by a licensed plumbing contractor under chapter 18.106 RCW, or licensed electrical contractor under chapter 19.28 RCW, or a contractor registered with the Washington state department of labor and industries as required under chapters 18.27 RCW and 296-200A WAC.

(iii) On the licensed premises only during the course of their official employment providing contracted services to the licensee and does not remain on the premises any longer than is necessary to perform duties associated with their employment.

(iv) Accompanied by a supervisor at all times who is employed by the same licensed or registered contractor and who is at least 21 years of age.

(b) In addition to requirements under WAC 314-55-083, including wearing an identification badge while on the premises, licensees must



record the following information about employees of contractors in the visitor log:

(i) If the employee is under 21 years of age; and

(ii) The name of contractor business for whom employee is engaged in work while on the licensed premises.

~~((3))~~ (5) Mandatory signs must be conspicuously posted at all cannabis licensed premises consistent with the requirements in WAC 314-55-086.

~~((4))~~ (6) The privileges of a board issued cannabis license may be used only after the board issues official written approval.

~~((5))~~ (7) The board will not approve an application for a cannabis license under any of the following circumstances:

(a) The proposed cannabis location would limit law enforcement access without notice or cause, including a personal residence;

(b) The proposed cannabis business would be located on federal lands;

(c) The proposed cannabis business would be located within the exterior boundaries of the reservation of a federally recognized tribe without the express written consent of the tribe consistent with WAC 314-55-020(4).

(d) The application for a cannabis retail license is located within another business unless that other business is a research license as described in WAC 314-55-073. More than one license may be located in the same building if each licensee has their own area separated by full walls with their own entrance, or if the same business entity holds a producer license and a processor license at the same location under a single license number. Product may not be commingled.

~~((6))~~ (8) The board may impose special conditions to an approval for a cannabis license. Special conditions include, but are not limited to, involvement of any former licensee in the operations of the licensed business, their former employees, or any person not qualifying for a cannabis license.

~~((7))~~ (9) All cannabis licensees must conspicuously post and keep posted its license, or licenses, and any additional correspondence issued by the board describing special conditions.

~~((8))~~ (10) A cannabis licensee must use sanitary practices in the production, processing, storage, and sale of all cannabis products.

~~((9))~~ (11) Cannabis licensees may not allow the consumption of cannabis or cannabis-infused products on or within the licensed premises.

Comments received Minors on Non-Retail Cannabis Premises – prior to CR 102. Sent via GovDelivery on 11/20/24.

1. Received via email 11/20/24

From Shane at [shane@leganjafairy.com](mailto:shane@leganjafairy.com)

Feedback on rules

I can tell you as an owner and licensee, it was extremely helpful to be able to have my child with me when there were no other options. This should become a permanent rule.

Shane

2. Received via email 11/20/24

From Jeff at [merrymanjc@hotmail.com](mailto:merrymanjc@hotmail.com)

Hello,

The draft rules that have been drawn up for the minors on premise is ridiculous. This is government overreach and it should not depend on outdoor versus indoor. It should be all operations should be allowed to have their children present.

But then again regulators like LCB will definitely over regulate. We've seen it for years. That's why so many people want to get out or they just sell on the black market cuz they're just fed up with the system. And Washington state is a broken system as you can tell.

Look at some of the original language like during the covid times and go with that and just leave it alone.

I know my son grew up in those fields during covid and he has a newfound respect for the plant. He's learned how to grow agricultural plants better and he shares knowledge with other kids about how we take care of our soils and mother Earth.

I know that's scary, Isn't it?

Having children that want to respect our Earth and not pollute it? That's what you get when you allow kids around cannabis grows. They grow out to be better. Humans.

Jeff

3. Received via email 12/2/24

From Gregory Gustafson, Underground Roots LLC at [undergroundrootsllc@gmail.com](mailto:undergroundrootsllc@gmail.com)

Hello,

I would like to give an example of myself and my family as a producer/processor. I have 4 children, ages 1 to 18. They all have very limited knowledge of what cannabis is, what it looks like, and I believe none have ever consumed it or even touched it. While the state is looking at it as a federally illegal drug manufacturing business, I look at it as simple farming. I have my hands in dirt, I water plants, I work with plants as a farmer would. Besides the additional traceability and security, my job is very similar to when I owned a nursery. I don't have any dangerous equipment or chemicals any worse than any other job. Besides allowing my kids to

sit in the office, I would love to be able to show them what I do sometime. I would be happy to have them grow up and join me in a family business if they should so choose, but my occupation is shrouded in mystery to them. I think it would be wholesome for them to see where I work.

I have two main concerns with the current draft rules:

Firstly, I have an indoor production facility. While I do have an office at the entrance where my children could be, without being in an area where there is any cannabis, they would not be allowed because it is an indoor facility.

Secondly, I don't understand why any of my children ages 17-20 would not be allowed. What are we scared will happen between the ages of 17-20? What is it about the 17<sup>th</sup> birthday that makes the situation turn dangerous?

Please ponder these considerations and compare to another job where children may work with an adult, such as landscaping or painting. Landscaping has dangerous equipment, painting has ladders and toxic chemicals. In conventional food farming children may be exposed to dangerous chemicals used on crops, or residue from past chemical use.

I believe we have a divergent view, where I see an ideal and wholesome family business, and someone else is seeing that children may be corrupted into becoming drug addicts or steal some pounds of weed to sell to other children in the night. Then there is the possibility that I really just want to use my children for child labor like has happened at many meat packing plants.

I understand there are baby steps to take, and I appreciate that this conversation is even happening. Even without any revision, I hope this rule can pass to begin normalizing the idea of a family cannabis farm.

Thank you for your time, Gregory Gustafson, Underground Roots LLC

4. Received via email 12/6/24

From Matt at [ffuhttam@gmail.com](mailto:ffuhttam@gmail.com)

I think it's really important for licenses who have children to be allowed to bring them into their workspace within reason. For some of us most of the season consists of non-cannabis related duties such as putting mulch down in an outdoor garden. Weeding in other garden upkeep duties that apply to all crops. The children of licensees should be able to be involved in these activities.

Kind regards Matt

5. Received via email 12/6/24

From Ryan Sanderson (email [rynsndrsn@yahoo.com](mailto:rynsndrsn@yahoo.com))

Ryan from Benton County, WA. I have an outdoor grow and I am a single Dad with 3 kids ages 7,8 & 17. I was one of the first 100 farms licensed in the state in 2014. I'm one of the few survivors from the beginning. We live in a house next door to the farm. The over regulated industry has taken a serious toll on small farms like mine. I once had 8 employees. I now have 1 part time employee. I can't afford a babysitter. I'm often working alone at the farm and my kids stop in after school to let me know they're home, often times sitting at a table doing crafts

quietly while I finish work at the farm before dinner. Don't take away family time. Some day they may want to take over and farm, they should have the opportunity to learn their fathers skills and business like any other family run business.  
Please do the right thing. Cannabis is a plant and we are farmers

6.. Received via email on 12/6/24

From Kai at GoodBudS Purchasing at [gbspurchasing@gmail.com](mailto:gbspurchasing@gmail.com)

**Dear LCB Rules Coordinator,**

I hope this message finds you well. I am writing to respectfully request reconsideration and modification of the proposed rule change regarding the presence of minors on the premises of licensed cannabis producers and processors. Specifically, I urge you to extend exemptions to include **indoor farms**, the rule change must treat indoor and outdoor farms equitably, and to revise the proposed guidelines. As they are currently written, the guidelines are overly restrictive and, in most cases, make it impossible for parents or grandparents to effectively supervise minors while fulfilling their work obligations. During the pandemic, there was 2 years of anecdotal evidence from families demonstrating that allowing minors on-site had overwhelmingly positive outcomes and no reported safety concerns or issues regarding minors on site.

By implementing reasonable guidelines—such as prohibiting minors from handling cannabis products, and only restricting access to areas where heavy equipment is being operated and where edibles or solvent-extraction concentrates are processed —this change could alleviate unnecessary hardships while maintaining safety and compliance. Additionally, areas without heavy equipment, such as those where cannabis is processed through hand trimming or hand-packaging of cannabis flower, should be exempt from the restricted areas. These activities do not present significant safety concerns and would allow for a more practical approach to supporting family-owned businesses.

Also, since submissions to WSLCB are public record, licensees should not be required to report when their children are on-site. There is no way to protect that data, and it is unclear what practical purpose such reporting would serve.

Thank you for your time and attention to this important matter. I appreciate the LCB's thoughtful approach to regulating this industry.

Kai , GoodBudS

7. Received via email on 12/6/24

From Meghann Frickerg, Owner/Operator, Rock Island Farm at [farmtherock@gmail.com](mailto:farmtherock@gmail.com)

**Dear LCB Rules Coordinator,**

I hope this message finds you well. I am writing to respectfully request reconsideration and modification of the proposed rule change regarding the presence of minors on the premises of licensed cannabis producers and processors. Specifically, I urge you to extend exemptions to include **indoor farms**, allowing children and grandchildren of licensees to be present, and to revise the proposed guidelines. As they are currently written, the guidelines are overly restrictive

and, in most cases, make it impossible for parents or grandparents to effectively supervise minors while fulfilling their work obligations.

As a family-owned business operating an indoor farm, my husband and I face the same challenges as outdoor farms, yet the proposed rule change only benefits outdoor operations. This distinction is unfair and unwarranted, as both types of farms share similar hardships, particularly for small, family-run businesses like ours.

Additionally, the proposed restrictions on where minors can be present are far too rigid and impractical. During the pandemic, our family and others like ours had real-world experience with minors being present on indoor farm premises, including areas where cannabis was grown, processed, or stored (Our farm does not process edibles or do solvent-extractions, nor do we run heavy equipment for processing or packaging). In our case, my child would spend time completing schoolwork, drawing, or playing computer games while under direct supervision, and there was never a single issue involving him and the product. These real-world outcomes demonstrate that responsible practices—not blanket prohibitions—can effectively ensure safety without imposing undue burdens on families.

These restrictive rules make running a family business feel near impossible, creating constant challenges to keep operations running smoothly. They impose arbitrary limits that, as shown by practical experience, serve no clear purpose yet significantly impact the well-being of family businesses like ours.

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## **Our Story**

As a small business run by just my husband and me, with only two employees, these rules exacerbate the logistical and emotional challenges we already face as parents and business owners. If our child has a day off from school (or a 2 week winter break), an illness, or other scheduling conflicts, one of us must stay home, resulting in the loss of 25% of our workforce for the day. This leads to delays, reduced productivity, infestations, and financial losses.

But these challenges go beyond logistics—they are deeply personal. As a mother, I have had to reconsider growing our family because I know the current rules would make it impossible for me to care for another child without jeopardizing our business, especially during those first few years where breastfeeding is so important. Women entrepreneurs should not be forced to choose between caring for their children and maintaining the businesses their families depend on. These rules are especially inequitable for women, who often shoulder caregiving responsibilities while striving to succeed professionally.

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## **Why This Rule Change Matters**

While we understand and respect the need for compliance and safety, the current prohibition on minors being present is not mandated by RCW and appears to add an unnecessary layer of restriction. During the pandemic, anecdotal evidence from families like ours demonstrated that allowing minors on-site had overwhelmingly positive outcomes:

- A more sustainable and profitable business, thanks to fewer missed work days.

- Improved work-life balance for business owners.
  - Strengthened family bonds and reduced stress levels which positively impacts every aspect of the business itself including sales.
  - No reported safety concerns or issues regarding minors' presence on indoor farms under proper supervision.
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### Key Points for Consideration

1. **Fairness and Equity:** The rule change must treat indoor and outdoor farms equitably, as both face the same challenges and family dynamics.
  2. **Support for Family-Owned Businesses:** Restrictive rules disproportionately affect family-run and women-led businesses, particularly those balancing caregiving and professional responsibilities.
  3. **Proven Safety:** Real-world experience shows that minors' presence under supervision does not pose significant risks. Clear, practical guidelines such as prohibiting minors from handling cannabis products, restricting access to areas where heavy equipment is being operated and where edibles or concentrates are processed or stored can address safety concerns while still allowing families to operate effectively.
  4. **Industry Growth:** Promoting equity and inclusivity in the cannabis industry will support small, independent operators, contributing to a more resilient and diverse marketplace.
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By implementing reasonable guidelines—such as prohibiting minors from handling cannabis products, and only restricting access to areas where heavy equipment is being operated and where edibles or solvent-extraction concentrates are processed or stored—this change could alleviate unnecessary hardships while maintaining safety and compliance. Additionally, I believe areas without heavy equipment, such as those where cannabis is processed through hand trimming or hand-packaging of cannabis flower, should be exempt from the restricted areas. These activities do not present significant safety concerns and would allow for a more practical approach to supporting family-owned businesses.

Also, since submissions to WSLCB are public record, licensees should not be required to report when their children are on-site. There is no way to protect that data, and it is unclear what practical purpose such reporting would serve.

Thank you for your time and attention to this important matter. I appreciate the LCB's thoughtful approach to regulating this industry and welcome the opportunity to discuss these issues further. I would be happy to provide additional details about how this rule change could positively impact businesses like mine.

Sincerely,

**Meghann Frickberg**

Owner/Operator | Rock Island Farm

Wife | Mother

8. Received via email 12/6/24

From Chad Morgan at [206bassculture@gmail.com](mailto:206bassculture@gmail.com)

I am writing to express my profound disappointment in the proposed rules regarding minors on premises. My wife and I have provided extensive feedback to the board throughout this process, sharing the challenges we have faced over the past eight years. Yet, despite our ongoing efforts, the **exclusion of indoor farms** from consideration feels like a direct dismissal of our struggles. It is especially disheartening to see that, after all this time, our family's hardships seem to be disregarded simply because I operate an indoor cannabis farm.

I cannot understand why these new rules are being drafted so strictly. During the pandemic, minors were on producer sites for years without incident—this is not a new experiment. During that time, we had no issues or concerns when minors were on-site under previous exemptions. So why is there now a push to create even more burdensome restrictions when there have been no reported problems?

First and foremost, please do not exclude my family from the possibility of leading a normal life. Just because my farm is indoors doesn't mean that my family should face hardship in ways that outdoor farmers do not. My facility includes over 2,000 square feet of non-cannabis space, and it is completely unreasonable that this area would be off-limits simply because I grow cannabis indoors. He should not be subjected to unnecessary separation from us because we run an indoor operation. This is deeply unfair.

Having my child in the non-cannabis area isn't an ideal solution either, as it is physically separated from where my family works. For a child with sensory issues, being in the office space where we work would be much more suitable. This was the arrangement we successfully maintained during the COVID-19 exemption, and my child thrived in that space.

Furthermore, I have a large office that is an ideal environment for my child. It includes a computer and craft area, where he was able to safely stay for over two years during the pandemic. There is no open cannabis in this office—everything is locked securely in safes. The presence of these locked safes should not disqualify my child from using the space. In fact, the office is far more child-friendly and safer than many environments on traditional farms where children are routinely present.

I must ask: Why are we imposing such restrictive and disproportionate rules on cannabis farms? I've visited apple farms, wheat farms, dairy farms, and many others, and none of them have the same limitations on minors. Even though these farms often have heavy machinery, pesticides, and other dangers, children are allowed to be present. Why is my farm treated differently?

It's time we stop pretending that children being around cannabis flower is inherently dangerous. Cannabis is a legal substance in our state, and hundreds of thousands of parents who use it responsibly are able to keep their children safe in the same environment. Why is it that children can be around alcohol in grocery stores, restaurants, wineries, breweries, pubs and more, but they cannot be around cannabis? This unequal treatment is not justifiable.

When voters passed I-502, they sought to normalize cannabis use and remove the outdated biases and restrictions against it. As a state, we have led the way in sensible cannabis reform, and it's time to extend that same common sense to the issue of minors on cannabis farms. To a child, cannabis is as unappealing as broccoli—completely irrelevant and not worth their

attention. My child has zero interest in cannabis, You could cover it in whipped cream and sprinkles, pour chocolate on top of it and my kid still wouldn't touch it.

Lastly, I want to express my concern over the proposed requirement for parents to notify the state about their children's schedules. This would create a public record of personal family information, and feels an overreach on the part of the state. The state should not be keeping track of our children's whereabouts; we need less interference, not more.

This is not a new idea. We've already proven that minors can be safely present on cannabis farms, as we did during the COVID-19 exemption period. The guidelines established then were effective and should be reinstated to allow small family farms like ours to survive and thrive. We don't need to reinvent the wheel—just apply the common-sense solutions we already know work.

I agree that basic rules are needed to provide guidelines. As someone who has spent my entire life around cannabis and understands the entire process, inside and out, there are 5 common sense rules that apply to children.

Children are not allowed to touch cannabis products

No children around automated machinery.

No children in rooms with solvent extraction machines.

No children in the presence of unpackaged edibles.

No children in or around areas that have been recently sprayed with pesticides .

Exemptions are also needed for breastfeeding mothers. This exemption is long overdue and is an injustice to women and families. The industry I work in should not have rules that make it impossible to expand my family.

Finally, I ask that you consider the impact of these rules on the state's cannabis industry. Many farms, big and small, are on the brink of bankruptcy and continued burdens like these only accelerate their decline. This will have long-term negative consequences for both the health of the industry and state tax revenue.

It's time to stop imposing unnecessary hardships on small family operations. I urge you to reconsider these proposed rules and create a more fair and equitable framework for cannabis farmers and their families.

Sincerely,

Chad Morgan, Owner Rock Island Farm #425023

9. Received via email 12/7/24

From Brianna Hughes Gaffin at [hughes.b7@gmail.com](mailto:hughes.b7@gmail.com)

**Dear LCB Rules Coordinator,**

I hope this message finds you well. I am writing to respectfully request reconsideration and modification of the proposed rule change regarding the presence of minors on the premises of licensed cannabis producers and processors. Specifically, I urge you to extend exemptions to



include **indoor farms**, the rule change must treat indoor and outdoor farms equitably, and to revise the proposed guidelines. As they are currently written, the guidelines are overly restrictive and, in most cases, make it impossible for parents or grandparents to effectively supervise minors while fulfilling their work obligations. During the pandemic, there was 2 years of anecdotal evidence from families demonstrating that allowing minors on-site had overwhelmingly positive outcomes and no reported safety concerns or issues regarding minors on site.

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Thank you for your time and attention to this important matter. I appreciate the LCB's thoughtful approach to regulating this industry.

Kindly, a women business owner, farmer and mother

Please excuse the brevity, spelling and punctuation.