



Washington State Liquor and Cannabis Board Meeting

Wednesday, April 26, 2023, 10:00 am

This meeting was held in a hybrid environment

Meeting Minutes

1. CALL TO ORDER

Chair David Postman called the regular meeting of the Washington State Liquor and Cannabis Board to order at 10:00 am on Wednesday, April 26, 2023. Member Ollie Garrett and Member Jim Vollendroff were also present.

2. VAPOR PRODUCTS RELATED RULEMAKING

ACTION ITEM 2A – Rules Petition Review and Consideration Requesting to Amend WAC (sic)[RCW] 70.345.030(4) to Add the Word “Vapor” to the Sections’

Introductory Sentence

Kathy Hoffman, PhD, Policy and Rules Manager

Kathy Hoffman: (HANDOUT 2A) Good morning, Chair Postman, Board Members Garrett and Vollendroff. I'm here to present an option for you on a rule petition that we received on March 20 from Mr. Chris Girard, of Cultiva Law, and he submitted a petition for adoption, amendment or repeal of a rule that he refers to as WAC, or Washington Administrative Code, 70.345.030(4), to add the word “vapor”. And he didn't provide any additional supporting documentation other than the rule petition and the language that you see there. And so the issue is whether the Board should initiate rulemaking to consider amending again what Mr. Girard refers to as WAC 70.345.030. So the Board does have a rulemaking authority under RCW 70.345, to create vapor product rules. And we did that in Washington Administrative Code, or WAC, 314.35. Currently, there is no language that exists in our rule that aligns with the language that Mr. Girard refers to because what he's referring to is a statute, and that's RCW 70.345.030(4). And so the Board does not have the regulatory authority to change statute. And so the only option available to the Board is to deny this petition based on our ability to only be able to change Washington Administrative Code and not statute through rulemaking. So any questions? All right, thank you.

David Postman: Okay, thank you for that. And we will entertain a motion and a second for the rules petition that requested to amend WAC to add the word vapor to the section's introductory sentence and the motion is to deny that rules petition.

Member Garrett made a motion to deny the petition. Member Vollendroff seconded. The motion was approved unanimously.

3. GENERAL PUBLIC COMMENT

Chair Postman invited citizens to address the Board regarding any issues related to LCB business.

Christopher King: I need to find you first, hold on a second here. All right. Okay. Yeah, just real quick, I sent you guys an email yesterday. And I want to reference Malcolm X, you know, the belt or the bullet because he's saying the same things. I'm saying the same things that he was saying years ago, you know, and he says this is the time when the white politicians come into the Negro communities, they're going to come in with false promises. I'm one of 22 million of Black victims of the Democrats and the Republicans. We have never seen democracy. All we have seen is hypocrisy, no American dream, only the American nightmare, and stop talking about the South. If you're south of the Canadian border, you are in the South. Okay. That's what I'm talking about right here. You're only as good as the performances that you have put out. And thus far, there's been nothing from you. All right. And I have a right to be critical of you. All of you. I've had some detractors tried to say that I'm trying to take down a Black woman, Ollie, Garrett, and all that stuff. No, I'll freely criticize each and every one of you, as well as a Garza for telling those lies that he told to Kevin Shelton, about how he just, you know, thanks for bringing these items to my attention about the compassion clubs that are operating and all that. When we have the police records from King County and all that from 2018 going back, so there's no way he didn't know about it. If he didn't, he's completely inept. Alright, so that's another lie. And then you look right now, you look at the fact that you have Kaleafa, like a company like Kaleafa, I have the documents from your own lawyers at the AGs office. Remember, I used to be a State AG too in another state. So I know how that works. All right. So they come in, and they said, these Kaleafa, people are doing things that will make your hair white. That's a direct quote from your counsel, right? And then you had the bankruptcy trustee file suit against them for leaving out the Rolexes and the Porsches and all that stuff. I don't have a Rolex or Porsche, but anyway, I just kind of, you know, just gesturing in that way. But whatever I did have, I wouldn't leave it out from US Trustee if I were in bankruptcy, right. But Kaleafa did, and they got licenses during this period, you know, all these white folks getting all their licenses and selected Black folks getting licenses. Meanwhile, my friends in here struggling, we were taking heat from people trying to say that I'm crazy. And I'm like, no, I'm not one bit crazy whatsoever. You know, the only crazy people are those people who are sitting here trying to believe that they have to sell themselves out to get something from you. I'm not having it. You know I'm nearly 60 years old. I'm not going to have that stuff where people are going to tell me I don't have the right to criticize a completely feckless organization, as far as racial inclusion has been involved. And you have been completely feckless. And, you know, that remains to be seen if you correct it going forward. I hope so. My friends hope so. You know, even my detractors, I

hope they get their licenses too. I'm not like some of them. I hope everybody gets licenses. But I'm still going to call you on the math for what has happened all these years, just as Malcolm X did, you know, and that's the way it goes. I don't know what else to tell you about it. But you know, it's pretty simple. You know, and that's what he said. You know, that's what he said. Anyway, I hope that what Malcolm X said ceases to hold true at some point in time with you. And with these Black folks getting licenses as Kaleafa got. You guys look it up out there K-A-L-E-A-F-A. All the documents I put them online, you know, again, conduct that would make your hair white. And these guys get licenses. One of them right in Kevin Shelton's backyard to add insult to injury. Yeah, it's a fact. I deal in facts. And the fact of the matter is, I need to get back to work. Have a nice day. Goodbye.

Mike Asai: Good morning. Board Members. Mike Asai with Black Excellence in Cannabis. I'm burnt out, don't have really too much to say this morning. We know the window is closing tomorrow for the social equity program. Our hope at Black Excellence in Cannabis in the community is that it's successful this go around. There's been a lot of misinformation out there regarding the application process. And we hope that the process goes in the way it needs to go. And that the Black community and the Brown community obtains these licenses in a way that reflects the community and that the pioneers obtain. Obviously, you have got to qualify for Social Equity Program. But you know, we at Black Excellence in Cannabis, Board Members, you know, we've been talking with you guys for quite some time. Our goal is to be solution based and to work with you. We're not here, we, as Black men already have to deal with racism. And we have to deal with racism as looked upon as we're angry Black men, because we speak up. Because we you know, we just we're, we've been dealing with things in racism since childhood. And we're not saying that the LCB is racist. But things that have been done can be deemed as racist. We're not pointing the finger saying you're racist, you're racist. But as the word has been going around systematic racism is in all government agencies, is in American society. So yeah, we are angry, but we're not angry Black men, we're trying to be solution based. We've been trying to work with the LCB over and over. It seems as if when we come and speak truth, you know, whether it's LCB, whether it's somebody in society, whatever it may be, all of a sudden, now that person is the victim. And we're the true victims, you know, in this. Senate Bill 5080 passed; a lot of people were very instrumental in that. But one thing I do know is Black Excellence in Cannabis was very instrumental in that. We're not here for no glory. We're not here for pat on the back. We're just here for truth to power. Me personally, as people know, I was in a car accident. And I'm still recovering from that. And come down to Olympia for 90 days, three months on my own dime, time, doing physical therapy in between. Fighting for the community. Does 5080 helped me in the future? Yes, possibly. But what does it do? It actually helps the Black and Brown community, those who qualify for Social Equity, that creates jobs, it can create future generational wealth. A lot of people have come up to Peter and I and congratulated us for what they saw that we've done with the help of senators and representatives. But when it comes from the Black community, you know, people need to know that we were the ones that were down here on a weekly, on a daily, emails, phone conversations.

Dustin Dickson: Mike, you have 30 seconds.

Mike Asai: Thank you, advocating for something that, you know, this bill should have came out two years ago. Whether it was an LCB agency lead bill, whether it was whoever, the fact is, this bill was a good bill for the community. And we were behind it. And we are happy that it passed. And we just hope that the LCB continues to make proper adjustments to make sure the social equity program in the future is very successful. Thank you.

Peter Manning: Give me a second, let me try to navigate two computers. Good morning, Chair Postman and Board Members. My name is Peter Manning, President of Black Excellence in Cannabis. I am happy to see that 5080 is awaiting to be signed by the governor. I believe this soon to be law will allow long awaited and most definitely a huge accomplishment achieved by the LCB, Black Excellence in Cannabis, and of course, the wonderful leadership of Senator Saldana. We at Black Excellence in Cannabis have some concerns. When it comes to transparency from this agency, the LCB. We were given information from a white retailer about the go live date, which was March 1, we conveyed that to the to the LCB, and was told that information wasn't true. It turned out it was very accurate. We also received the DIA map, I have a schedule prior to anyone else even having it, I assume, even at the LCB at some point. And we made that known to the LCB, too. And that was a surprise that we had it, but a white retailer gave it to us. We believe in this agency and its leadership, we think David Postman is a good person, we think that he's a good additive to the LCB. We think he's moving it in the right direction. But we also see some of the patterns that we have seen in 5052. And we won't go into detail. We just, as an organization with Black Excellence in Cannabis are concerned, this is what we are, we are not angry Black men. Nor do we push out disinfo when it pertains to cannabis and social equity, truth to power, we were told that the LCB, about the rubric and the point structure and all that, that we couldn't have multiple people. But we later learned through Paula Sadinis on March 18, which was 18 days after the live date, that you could apply multiple people to make up the 310-point threshold. Transparency is important. If we're going to move forward in this together, the Black and Brown community along with this agency, to get involved in his billion-dollar industry that Washington state has created, we have to have transparency on all fronts. And we should work hand in hand to achieve this. And if Black people are going to be accepted and Brown people are going to be accepted, it should be with open arms and with transparency from our white counterparts that are in the industry. We're not looking to be at odds. I believe truthfully, diversity helps everything. The most diverse societies are the most successful. Just go check it out. It's a fact. We do not wish to fight or argue. We at Black Excellence in Cannabis will continue to fight for inclusion in this billion-dollar industry. And we believe that we are all working for a common goal. And, that is, this is our goal. To be solution based, to continue to make sure that the situation in Washington is equitable when it pertains to cannabis on all fronts, whether it be retailers, processors, producers, when it comes to dealing with legislators, policymakers, senators, Governors and the like, we want transparency through and through. Thank you very much.

4. ADJOURN

Chair Postman adjourned the meeting at 10:20 am.

Minutes approved this 26th day of March 2025



Jim Vollendroff
Board Chair



Ollie Garrett
Board Member



Peter Holmes
Board Member

Minutes Prepared by: Deborah Soper, Administrative Assistant to the Board

<p>LCB Mission - Promote public safety, public health, and trust through fair administration, education, and enforcement of liquor, cannabis, tobacco, and vapor laws.</p>
