



Board Caucus Meeting

Tuesday, April 12, 2022, 10:00am

This meeting was held via web conference only

Meeting Minutes

CAUCUS ATTENDEES

Chair David Postman
Member Ollie Garrett
Dustin Dickson, Executive Assistant

GUESTS

Kathy Hoffman, Policy and Rules Manager
Audrey Vasek, Policy and Rules Coordinator

APPROVAL OF MEETING MINUTES

MOTION: Member Garrett moved to approve March 29, 2022, Board Caucus minutes.

SECOND: Chair Postman seconded.

ACTION: Chair Postman approved the motion.

Chair Postman: Just a note, that was the roundtable on retail cannabis safety. The minutes will be posted later today if anybody wants to go back and reread any part of that. I looked at it again this morning, it was a great conversation, so take a look.

BOARD MEETING PREP AND RULES UPDATE

Kathy Hoffman, Policy and Rules Manager

Kathy Hoffman: Good morning, Chair Postman and Board Member Garrett. I'll go ahead and start with a brief rules update and then move into the CR 102 package that will be presented at the Board meeting tomorrow.

I'll start with our alcohol rules. With respect to the rule project concerning axe throwing, the public hearing is scheduled for April 27. We received a handful of comments – I want to say three or four, perhaps – in support of that proposal so far. In that timeline, the CR 103 would still be presented to you on or about May 25, so that project remains on schedule and good to go forward.

Chair Postman: I have a quick question. With the three comments, that's it in total so far?

Ms. Hoffman: I believe – Audrey, if I may – Audrey, how many total comments have we received so far? I want to say it's been about three, but I might be mistaken.

Audrey Vasek: Hi, Kathy. I believe you are correct. I can double check that.

Chair Postman: No, that's good, thank you.

Ms. Hoffman: Yes, just a handful of comments on that.

Chair Postman: Okay, thank you.

Ms. Hoffman: Of course. The next project that we just recently opened is to implement Senate Bill 5940 that has to do with contract packaging services endorsement. We had our first project team kickoff meeting yesterday, scoping the rule project and talking about how we might implement that legislation. More to happen there, but at this point it looks like the CR 101 will be prepared to be presented to you April 27. We're moving along with that project nicely.

Then, the next project has to do with general rulemaking, it has to do with the electronic service project. We do have draft conceptual rules that were shared with the public yesterday for comment. Because they are general in nature, and we don't see them as being very controversial at all, we're using the approach of just sharing the draft conceptual rules over our GovDelivery service and inviting people to comment on those rules through our rules inbox. We've done that with a couple of other projects before that were relatively noncontroversial. These rules we do believe will benefit both our regulated community and others who engage with the agency, as well as the agency itself. The comment period for that, I believe, ends on the 25th of this month and then we can move towards a CR 102 that we anticipate will be filed on May 11th.

Any questions on those before we move into the cannabis rule projects?

Chair Postman: No, just on the electronic service – I know we've talked about this before – I know it's not one of our more exciting things and I think sending it out for comments is totally appropriate. I would just encourage anybody interested to take a look. I agree that it will help with the smooth running adjudication and other parts of what the LCB does every day. I appreciate the work the staff has put into that, and I encourage people to take a look. Thanks!

Ms. Hoffman: Thank you. Moving now to cannabis rules in progress.

As you know, Jeff filed with your approval the CR 102 for making technical adjustments to 314-55-108, that has to do with pesticide action levels and aligning that particular rules section with the quality control rule updates that we just recently made. That is scheduled for a hearing on May 11th. Under the timeline released, we could bring the CR 103 for approval on May 25th. I think there have been one or two comments received, mostly in the form of questions about what the rules might do. Jeff isn't here to provide details on that, but there's been very little feedback on that ruleset at this point.

Jeff is also working on implementing House Bill 1210, the piece of legislation that changes the word "marijuana" to "cannabis" in statute. We're updating all of our rules to reflect that change. It's not just isolated to our cannabis rules, there are other rules throughout the entire section of WAC 314 that need to be updated. Jeff plans on bringing the CR 105 – that's a different rulemaking process called expedited rulemaking – that, because it's mandated, that we engage in that process when doing it. So, that means there won't be a public hearing on the rule proposal and that we move to a CR 103 45 days after the CR 105 and its content have been published on the Washington State Register.

Member Garrett: I didn't know there was a 105. My first frustration was that 101, 102 and 103 before something could be done. I didn't know we could jump to a 105 on certain issues.

Chair Postman: Right? Then it goes back to a CR 103, as I get it.

Ms. Hoffman: But wait, there's more! There's one more process. This is a process that was written into the legislation that moves industrial hemp into what it is right now. So, it's available to us and we're using it as mandated by House Bill 1210, and it should be on the agenda at the next Board meeting after tomorrow's.

Then, we can talk about what I'll be presenting to you at the Board meeting tomorrow, and that is the CR 102 – asking for your approval to file it – the proposal for social equity rules. I really am excited to bring this rule package to you tomorrow for a number of reasons, not withstanding that we have a proposal that puts the social equity program into rule and that aligns with the recommendation from the Social Equity in Cannabis Task Force (SECTF). It also amends several licensing rules to align with the language that we're introducing in the social equity program. And then also make the rules, I think, easier for people to read, understand and to understand the licensing process. We did some reorganization in our licensing rules on the cannabis side so that they flow a little more smoothly and some of the language lines up better. And we're shifting away from that kind of language so that people that read the rules, and people to whom the rules apply, can understand what they say. So, we're excited about this proposal.

The other thing I wanted to share was the CR 102 memo itself, and the changes that it reflects in the way the agency thinks about rulemaking and policy development. You'll note in the 102 memo that we did a complete DEIB – Diversity, Equity, Inclusion and Belonging – analysis. That is something to look forward to in all of our rule packages. It's certainly been a lens that we do our policy development through, and it has been for the last year.

Another thing I want to bring your attention to, and I know I've done this with you individually, is the comparison table in the package that lays out the social equity program rule, and how it aligns with the recommendation of the SECTF, and in some instances actually uses the language that was offered to us, and, how it aligns with that recommendation and the statutory authority that goes along with it.

So, those really are the high points of the rule package. Can I answer any questions about this?

Member Garrett: No, I'm just excited with you that we are moving forward and moving along with those rules. The "listen and learn", you had a huge turnout, and I know that you did make some changes based on recommendations. So, great work.

Ms. Hoffman: Thank you. I'm glad you brought that up, Board Member Garrett. We did incorporate the scoring rubric in the rule. We also made a couple of changes to some definitions that were suggested by participants in the "listen and learn" session. We were grateful for the feedback received. I also want to say we were grateful for all the ways that feedback was received. We heard feedback in the form of narrative story sharing experiences, and that all is important to us and we listened to it and memorialized it in the rule package as well. So, everyone was heard, and we were grateful that they felt comfortable sharing with us and we continue to look forward to doing that good work. Thank you.

Chair Postman: I'll add my thanks to you and your team. And also, thanks to Board Member Garrett, whose leadership on the Task Force and within the agency has helped us hugely to get to this point. And, that comparison you talked about was something I was particularly pleased to see, because I

think it really shows how aligned the LCB is with the Task Force. Now, not 100%, and we've talked about the rubric, and we can talk about it more tomorrow – but we wouldn't be here if it weren't for Member Garrett's parallel roles on the Task Force and on this Board. I think we've really benefited from her knowledge.

Ms. Hoffman: Absolutely. And, if I may, a shout out to our Licensing Division and Becky Smith's leadership. She really helped this project along and I've greatly appreciated it. I've greatly appreciated everyone.

Chair Postman: We'll talk a little bit more about that tomorrow. We have mentioned in the past, but when you look at the turnaround that Licensing led in our collaboration with the Task Force and legislature, it has really been one of the more remarkable things in just this last year.

As Member Garrett reminds us, we brought that legislation to the legislature initially. I think that the staff stepped up here this year, two years after the initial one, to really get it to this point. And we will have to acknowledge that even though we are all really pleased and excited about what is happening, we also know it is the beginning of a lot of work to be done. The vote tomorrow is not completion of that, it is opening the door for a lot more hard work and trying to find locations and all that. But I won't rain on that parade yet, we'll be thankful today and conserve some energy for the future.

BOARD MEMBER AND EXECUTIVE ASSISTANT REPORTS

Chair Postman: Anything more, Member Garrett?

Member Garrett: No. I had a great conversation with our incoming Board Member. I'm looking forward to having him join us.

Chair Postman: I chatted with him too, Jim Vollendroff, he's studying so hard. It's really exciting. Just a couple weeks and he'll be with us.

The only thing I'll note is that at tomorrow's Board meeting we have a lot on the agenda, including spending some time updating everybody on cannabis retail and other safety issues. There's been a lot going on since our roundtable on the 29th. We will have division heads here at the LCB give you some detailed reports tomorrow as part of the Board meeting. Later this morning, there's going to be a licensee-only meeting with law enforcement to talk about best practices. We're excited to see what comes out of that. There's work going on in all the different pieces of this that we discussed on the 29th – cashless systems, federal legislation, state legislation that could help retailers that are making investments, all sorts of things. So, I'm looking forward to tomorrow for that update from everybody.

And then, as Kathy Hoffman was just pointing out, we are going to approve the CR 102 for social equity, which is a big deal, and I look forward to that as well.

Member Garrett: We also – I forgot to mention – Becky and I did a presentation last week with the Seattle City Council members. We brought them up to speed on where we are with social equity and how we got to where we are. We gave them an overview; they were having a discussion around that about if there was anything the city itself could be doing or working on. So, they wanted to hear where we were and how we got to where we are.

Chair Postman: That's great. I'm sure there's a lot you all have learned through this process.

Member Garrett: And still learning.

Chair Postman: Yes, it's a heavy lift.

Member Garrett: I think it's good when other municipalities are taking the time to bring us in and to know what we are doing and how we got to where we are, because they are hearing other things also. So, I thought it was great that they did that.

Chair Postman: That's terrific. I hope others do that as well, I think it's great there is that kind of sharing going on. Dustin, anything to report from your desk?

Dustin Dickson: Nothing for the good of the order, thank you Chair.

Chair Postman: With that, we will adjourn and be back tomorrow at 10am for the Board meeting. Thanks everybody, have a good day.

Meeting adjourned at 10:19 am.

Minutes approved this 5th day of November 2025



Jim Vollendroff
Board Chair



Ollie Garrett
Board Member

Not Present

Peter Holmes
Board Member

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

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