



Washington State Liquor Cannabis Board Meeting

Wednesday, November 28, 2018, 10:00 a.m.
LCB Headquarters - Boardroom
3000 Pacific Avenue SE, Olympia WA 98501

Meeting Minutes

1. CALL TO ORDER

Chair Jane Rushford called the regular meeting of the Washington State Liquor and Cannabis Board to order at 10:00 a.m. on Wednesday, November 28, 2018. Member Ollie Garrett and Member Russ Hauge were also present.

2. APPROVAL OF MEETING MINUTES

MOTION: Member Hauge moved to approve the October 31, 2018, meeting minutes.

SECOND: Member Name seconded.

ACTION: Motion passed unanimously.

3. EMPLOYEE ANNOUNCEMENTS

Public Service Recognition – Presenter: Justin Nordhorn, Chief of Enforcement and Education

Chair Rushford and Chief Nordhorn acknowledged Officer Henry Gill for his act of heroism in assisting a state trooper that was being assaulted. Chief Nordhorn stated that Officer Gill had been given both the Washington State Patrol Award of Merit and the National Liquor Law Enforcement Association Agent of the Year.

4. ACTION ITEMS (A-B)

ACTION ITEM 4A - Board Approval of CR 101 for Marijuana Signage

Kathy Hoffman, Policy and Rules Coordinator, began the briefing with materials (HANDOUTS 4A 1-2).

Ms. Hoffman: Rulemaking is needed because packaging and labeling rules were recently amended and will be effective January 1, 2019. Among the amendments was removal of specific label warnings concerning the use of marijuana during pregnancy and these warnings also appear in the mandatory signage rules under WAC 314-55-086. Modifying mandatory marijuana signage will assure a consistent coordinated consumer messaging regarding the use of marijuana during pregnancy.

Timeline

November 28, 2018	Board is asked to approve filing the pre-proposal statement of inquiry (CR 101)
December 19, 2018	Code Reviser publishes notice, LCB sends notice to rules distribution list
January 16, 2019	End of written comment period
January 23, 2019	Board is asked to approve filing the proposed rules (CR 102 filing)
February 6, 2019	Code Reviser publishes notice, LCB sends notice to rules distribution list
March 6, 2019	Public Hearing held
March 6, 2019	End of written comment period
March 20, 2019	Board is asked to adopt rules
March 20, 2019	Agency sends notice to those who commented both at the public hearing and in writing.
March 20, 2019	Agency files adopted rules with the Code Reviser (CR 103)
April 22, 2019	Rules are effective (31 days after filing)*

*Unless otherwise provided.

Ms. Hoffman then requested approval from the Board to file proposed rules.

MOTION: Member Garrett moved to approve the filing of CR 101 for Marijuana Signage

SECOND: Member Hauge seconded.

ACTION: Motion passed unanimously.

ACTION ITEM 4B - Board Approval of CR 102 for Vapor Product Rules

Karen McCall, Policy and Rules Coordinator, began the briefing with materials (HANDOUTS 4B 1-3).

Ms. McCall: This comes about from legislation passed in 2016. After that legislation we did adopt a few rules. Over the last year our enforcement officers have visited over 1,400 licensed and unlicensed vapor product locations. Based on what they found in those visits it was felt we needed to further clarify these rules.

Ms. McCall highlighted a few items included in the rulemaking package:

New Section. WAC 314-23-015 Definitions. Added definitions for “domicile” and “manufacture”.

Amended Section. WAC 314-35-020 Vapor product licenses required – Licensing requirements, denials, suspensions, and revocations. Added licensing requirements and qualifications for vapor products.

New Section. WAC 314-35-027 What persons or entities have to qualify for a vapor products license? Added language regarding true parties of interest.

Amended Section. WAC 314-35-040 Age-restricted vapor products retailer licensed locations. Included language that vapor products licensed locations that allow vapor product sampling must be restricted to persons age 18 or older at all times.

Timeline

November 28, 2018	Board is asked to approve filing the proposed rules (CR 102 filing)
December 19, 2018	Code Reviser publishes notice, LCB sends notice to rules distribution list
January 9, 2019	Public Hearing held
January 9, 2019	End of written comment period
January 23, 2019	Board is asked to adopt rules
January 23, 2019	Agency sends notice to those who commented both at the public hearing and in writing.
January 23, 2019	Agency files adopted rules with the Code Reviser (CR 103)
February 24, 2019	Rules are effective (31 days after filing)

Ms. McCall then requested approval from the Board to file proposed rules.

MOTION: Member Hauge moved to approve the filing of CR 102 for Vapor Product Rules

SECOND: Member Garrett seconded.

ACTION: Motion passed unanimously.

5. GENERAL PUBLIC COMMENT

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

Jim Sultan – A Bud and Leaf Inc.

We have sent a letter to each of you this morning regarding our request for a consideration of a rule change with regard to the 1,000 foot requirement with reverence to the location of an I-502 store. We did this because we're trying to move our store and admittedly it may not be necessary if we can get an extension of time with respect to our efforts to move the store.

We have been at this for a while, working incessantly and continuously since we were actually evicted from our property because the building was torn down. Finding another location has been a bit of a challenge. We do have one, we are ready to move, we just need a little bit more time and I wanted to inform you of that. You will find that letter in your email when open it next.

Chair Rushford: Thank you very much for being here today, Jim. There are some statutory requirements affiliated with this but we will take a closer look at what you provided today. I'm not sure if there are local ordinances involved. Thank you.

Mr. Sultan: We think there is a conflict between the local ordinance and the Board rules so we'd like you to take a look at that.

Chair Rushford: Again, I think that some of this is statutory in nature but we will break it down and see what, if anything, is possible.

Mr. Sultan: Thank you very much for your time and consideration.

Chari Rushford: Thank you.


ADJOURN

Chair Rushford adjourned the meeting at 10:13 am.

Minutes approved this 12 day of DECEMBER, 2018


Jane Rushford
Board Chair

NOT PRESENT
Ollie Garrett
Board Member


Russ Hauge
Board Member

Minutes prepared by: Dustin Dickson, Executive Assistant to the Board

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

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