



## Washington State Liquor and Cannabis Board Meeting

Wednesday, December 18, 2019, 10:00 a.m.  
Boardroom, LCB Headquarters – 1025 Union Ave SE, Olympia, WA 98504

### Meeting Minutes

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#### 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, December 18, 2019. Member Ollie Garrett and Member Russ Hauge were also present.

#### 2. MARIJUANA COMPACT SIGNING

Chair Rushford: Good morning, everyone. Thank you very much for being here. We're pleased to have leaders from the Nisqually Indian Tribe with us today to sign their marijuana compact. With that, Brett, would you come forward, please?

Mr. Cain: Good morning, Chair Rushford, Board members Garrett and Hauge. For the record my name is Brett Cain and I'm the Tribal Liaison for the Liquor and Cannabis Board. I'm here this morning to present to the Board for your signature, the marijuana compact between the Nisqually Indian Tribe and the State of Washington.

Just for a bit of background, a law was passed during the 2015 session that authorizes the state to negotiate formal agreements with federally recognized Indian tribes concerning marijuana operations. These compacts authorize state licensees to conduct marijuana business with compacted tribal governments. The authority to negotiate marijuana compacts is delegated from the Governor to the LCB, and the LCB conducts these negotiations in coordination with the tribe, the Attorney General's office and the Department of Revenue. Once signed by the Board, the compact will be delivered to the Governor for his signature.

As Chair Rushford did, I'd also like to recognize Nisqually Tribal Council members David Iyall and Willie Frank, and tribal attorney David Wolf and thank them for their partnership in this effort. It's been a great example of government to government coordination and we look forward to working with the tribes as they establish their marijuana businesses. Unless you have any questions for me, I have the documents for your signatures.

Chair Rushford: Yes, please.

*(The Board members each signed the documents and the group gathered for a photo.)*

Chair Rushford: Thank you. We're going to move now to our alcohol related rulemaking and timelines. Thank you, Janette.

### **3. ALCOHOL RELATED RULEMAKING AND TIMELINES**

#### **ACTION ITEM**

#### **ACTION ITEM 3A – Board approval of CR 102 for 2019 Legislation Implementation Regarding WAC 314-02-015, WAC 314-02-045 and Chapter 314-30 WAC (Soju Endorsement, Recapping Sake, Manufacturers Packaging)**

Janette Benham, Policy and Rules Coordinator, began the briefing with materials (HANDOUTS 3A 1-4).

Ms. Benham: Good morning, Chair Rushford and Board members Garrett and Hauge. This morning I'd like to request your approval to file the CR 102 and proposed rules regarding implementation of three bills that passed during the 2019 legislative session.

The proposed revisions were made to the following sections of WAC. The first one is WAC 314-02-015, "what is a spirits, beer, and wine restaurant license." The second is WAC 314-02-045, "what is a beer and/or wine restaurant license." And the third is WAC 314-30-010, "sales and contracting by manufacturers."

The proposed revisions implement three bills from the 2019 session. The first is Substitute House Bill 1034, which created an endorsement that allows spirits, beer, and wine restaurants to serve bottles of Soju for on premises consumption to tables of two or more patrons. The new law also allows restaurants to recap Soju bottles and for patrons to remove recapped Soju bottle from the premises. WAC 314-02-015 was revised to allow the service of Soju by the bottle in restaurants that have a Soju endorsement and it also references the Soju training curriculum developed by the Liquor and Cannabis Board. I want to note the curriculum was developed by our licensing division earlier this year and is available on our website. The curriculum and information about the Soju endorsement is also available in the Korean language.

The second is House Bill 1672, which allows spirits, beer, and wine restaurants and beer and wine restaurants to recap Sake purchased for consumption with a meal and for patrons to remove the recapped Sake. WAC 314-02-015 and WAC 314-02-045 were revised to allow this.

The third bill, Senate Bill 5909, allows manufacturers license under RCW 66.24.150 to contract with distilleries, breweries, and wineries to provide packaging services. WAC 314-30-010 was revised to include packaging for manufacturers licensed under RCW 66.24.150, And it adds a reference to packaging provisions that are outlined in the statute. Instead of repeating what's in statute and putting all of the provisions in rule, we put the reference in that links back to statute. Additional technical and clarifying changes were made to all of the revised sections of WAC and unnecessary language in WAC 314-30-010 was removed.

#### Tentative Timeline

December 18, 2019	<ul style="list-style-type: none"> <li>• CR 102 and proposed rules filed with the Office of the Code Reviser</li> <li>• WSLCB webpage updated and notice sent to the rules distribution list</li> </ul>
January 2, 2020	Notice published by the Office of the Code Reviser in WSR # 20-01
January 22, 2020	Public Hearing held and end of written comment period
February 5, 2020	<ul style="list-style-type: none"> <li>• Board asked to adopt rules if no additional changes are made</li> <li>• Notice and Concise Explanatory Statement sent to those who commented both at the public hearing and in writing</li> <li>• CR 103 and adopted rules filed with the Office of the Code Reviser</li> <li>• WSLCB webpage updated and notice sent to the rules distribution list</li> </ul>
March 7, 2020	Rules effective – Normally 31 days after filing the CR 103

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

MOTION: Member Garrett moved to approve the filing of CR 102 for 2019 Legislation Implementation Regarding WAC 314-02-015, WAC 314-02-045 and Chapter 314-30 WAC (Soju Endorsement, Recapping Sake, Manufacturers Packaging)

SECOND: Member Hauge seconded.

ACTION: Motion passed unanimously.

## RULEMAKING TIMELINE

Ms. Benham: Thank you. I also want to go over the rulemaking timelines for the other alcohol rules. We have the spirits distributor licensing fees rules that amended eight sections of 314-23- WAC and WAC 314-02-106 and 314-28-070. These revisions clarify who's required to pay spirits distributor license fees as a result of a 2017 Court of Appeals opinion. These rules have a delayed effective date of January 1 of 2020. All of the information is available on our website. We filed the CR 103 with the adopted rules on October 2.

January 8 we will have two rules hearings. The first is regarding special occasion license rules. We're clarifying language - unnecessary language was removed, application requirements were updated and clarification was added to the guideline section based on the questions that came into licensing and our enforcement division. We took a lot of information from our FAQs so now the information is all in one location. The advertising and branded promotional items section is being updated to include a reference to legislation that passed this past session regarding social media posting. The updates also added information taken from the advertising rules, including a section of 314-52 WAC regarding public and civic events.

The other hearing on January 8 is for the barriers rules. We did a lot of work on these rules with a large number of stakeholders to get feedback. The changes include that the beer and wine restaurants and spirits, beer, and wine restaurants will be allowed to have options other than the 42-inch barrier. It was a compromise between a 42-inch barrier and no distinction at all. Additional options will include: visibly different contrasting flooring, walls of any height, large planters, floor lighting, floor beacons, and steps up or down. There's also the option of having demarcations approved by the Board on a case by case basis.



We also updated signage requirements and added a reference to alterations in WAC 314-03-00 so that licensees know they can request an alteration for special or regularly scheduled event. So far we've received several comments and the majority of them are positive about allowing the additional options for demarcations. We've also received a couple of comments from licensees who would prefer to have no designation at all and just leave it up to the restaurants. I'll go over the comments more in detail prior to the January 8 hearing.

Wineries and breweries rules. These rules have been open for quite a while and we're still fine-tuning so we can file the CR 102. We're hoping to have that in the first quarter of the new year.

2019 legislation, of course, we just approved the CR 102 for the Soju, recapping Sake, and manufacturers. We also have another separate 2019 legislation and chapter review for our student tasting. This is going to be a full chapter review on chapter 314 38 regarding permits. I hope to have the CR 102 ready to present to you for approval in early 2020 also.

We recently opened rulemaking by filing a CR 101 on November 13 regarding alternating proprietorships for distilleries and craft distilleries. We're currently in the process of reaching out to stakeholders to get feedback. We also approved a Board Interim Policy (BIP), that's in place, so the feedback I'm requesting from stakeholders is regarding the BIP to see if we can simply use that language for rule or if it's going to change a little bit.

On the horizon we have rulemaking regarding trade practice rules. This is the result of a Court of Appeals decision, and we're currently reaching out to stakeholders for input to see what we need to open for this rulemaking - whether we need to simply repeal (at a minimum) the three sections of rules or if we need to make additional changes.

As for rules reviews in the upcoming year, first and second quarter of 2020 I plan to look at our private clubs rules. There are some inconsistencies in these rules and we need to have some clarification on that.

Advertising rules - we'll need to update those rules because, similar to the special occasion rules, we took a section from our advertising rules and clipped it into the special occasion rules, so we'll have to do a some adjusting of those rules as well.

#### **4. CANNABIS RELATED RULEMAKING AND TIMELINES**

##### **ACTION ITEMS (A-J)**

##### **ACTION ITEM 4A - Board Approval to Withdraw the CR 101 for Production and Canopy**

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

Ms. Hoffman: Good morning, Chair Rushford, Board members Garrett and Hauge.

I'd like to begin by requesting to withdraw the CR 101 listed as WSR 18-01-058. As we have discussed in many of our meetings, the LCB is interested and committed to supporting a sustainable and vibrant cannabis production system. That interest includes business viability across our three-tiered system. This morning I'd like to begin furthering that effort by requesting approval to withdraw the preproposal

statement of inquiry or the CR 101 that was filed on December 13 of 2017 as WSR 18-01-058 regarding cannabis production and canopy rules contained in chapter 314-55 WAC and more specifically concerning 314-55-075.

Since the time that this document was filed, we refined our focus significantly around this particular section of rule and the discussion of canopy space restrictions. In order to refocus and refresh those efforts, it's appropriate to withdraw that CR 101 at this time. I ask for your approval to withdraw the CR 101 filed as WSR 18-01-058 on December 13, 2017.

MOTION: Member Hauge moved to withdraw the CR 101 for Production and Canopy.

SECOND: Member Garrett seconded.

ACTION: Motion passed unanimously.

#### **ACTION ITEM 4B - Board Approval of CR 101 for Tier I Expansion**

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

Ms. Hoffman: The second item today is to request approval of a new CR 101 with respect to canopy rules. As you're aware, we've received several requests from medical marijuana patients and segments of the industry to increase the availability of the Department of Health or also known as DOH compliant products in retail stores. These are products that meet DOH testing standards including tests for pesticides and heavy metals. Increased access to medical marijuana or DOH compliant product is a goal described in LCB's 2019-2024 strategic plan. It's also supported by the priorities of Second Substitute Senate Bill 5052. We've also learned in the past year that smaller producers are concerned about business sustainability based on canopy space restrictions. We would like to explore opportunities to harmonize and address the concerns of our smallest producers and medical marijuana patients that will support both increased business viability and access to state products. To accomplish that, I would ask for your approval to file a CR 101 to begin our discussions around canopy space expansion for Tier I producers.

#### Tentative Timeline

December 18, 2019	CR 101 filed with the Office of the Code Reviser. LCB webpage updated and notice circulated by rules distribution list. Informal comment period begins.
January 2, 2020	Notice published in the Washington State Register under WSR #2020
February 2, 2020	End of informal comment period.
June 24, 2020	Board is asked to approve filing proposed rules (CR 102). CR 102 filed with the Office of the Code Reviser. LCB webpage updated and notice circulated by rules distribution list. Formal comment period begins.



July 15, 2020	Notice published in the Washington State Register.
August 5, 2020	Public hearing held and formal comment period ends.
September 2, 2020	Board is asked to adopt rules if no substantive changes are made (CR103). Concise Explanatory Statement provided to individuals offering written and oral comment at the public hearing, and during the formal comment period, consistent with RCW 34.05.325. CR103 and adopted rules are filed with the Office of the Code Reviser. LCB webpage updated and notice circulated by rules distribution list.
October 3, 2020	Rules are effective 31 days after filing (unless otherwise specified).

Ms. Hoffman then requested approval from the Board to file the CR 101 for Tier I Expansion.

MOTION: Member Garrett moved to approve the filing of CR 101 for Tier I Expansion.

SECOND: Member Hauge seconded.

ACTION: Motion passed unanimously.

#### **ACTION ITEM 4C - Board Adoption of CR 103 for Cannabis Packaging and Labeling Rules**

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

Ms. Hoffman: Thank you. The next item is the request for adoption of the CR 103 for marijuana packaging and labeling rules. Before I present this package for your consideration, I'd like to thank our industry partners, prevention and public health partners, and members of our community who participated in and contributed to the development of these rules. We are committed to collaborative rulemaking and offer that the outcome of this project embodies and reflects that commitment.

As I've mentioned at previous Board meetings at various points along the way, we believe that these final rules reflect a balance of the many interests represented and expressed during the development of these rules. So today I request adoption of the final rule text and approval to file the CR 103 regarding revisions to marijuana packaging and labeling rules concerning WAC 314-55-105 and WAC 314-55-077 subsections eight and nine.

By way of background, this rule project concerned three specific elements. The first was a consideration of two rule petitions: one that proposed the reduction in packaging thickness of these products from four mils to two mils and another one that asked to remove the requirement of an external measuring device for marijuana-infused liquid edible products and allow hash marks on a bottle to qualify as a measuring device. The proposed rule language was entitled "eliminate requirement for the external measuring device" and offered the following specific ruling division: "packaging for marijuana-infused edible products containing more than one serving of marijuana-infused liquid edible product must have a reseal enclosure and included measuring device with the package containing the marijuana-infused edible product. Hash marks on the bottle qualify as a measuring device. This language was offered in an effort to maintain the current requirement for the provision of measuring device for marijuana-infused liquid edible products by

allowing hash marks as an option to qualify as such a device in an effort to reduce waste and support industry sustainability.

The second element was to consider whether five Board Interim Policies, each related to rules that went into effect on packaging and labeling on January 1 of this year, should be incorporated into the rule. These policies concerned rule implementation and phase in, interpretation and clarification of phrases like “false and misleading” and “curative and therapeutic effects” and offered the interpretation of packaging color and homogenization of marijuana-infused solid edible products.

And finally, the third element was to implement the directives of ESSB 5298 regarding the allowance of additional information on labels to assist consumers when purchasing these products.

To review our progress on this rule project, the CR 101 was filed on June 12 and notice was disseminated in our usual fashion. Comments were received during this period and were reviewed, considered, and shared. The LCB held a focus group with industry members and representatives on August 12. The LCB held another focus group with prevention and public health representatives on September 17. The LCB issued draft conceptual rules for consideration on or about September 26, also inviting comment and announcing our listen and learn session for October 11. We held that day-long listen and learn session on October 11 that brought our prevention, public health, and industry partners together, resulting in the proposed rule language. The CR 102 was filed on October 30 and notice was provided to stakeholders. And finally, the public hearing was held last Wednesday, December 11.

The LCB received 15 written comments from our prevention, public health, and industry partners. You’ll note on the concise and explanatory statement that these comments are provided in their native form and each comment has been acknowledged with a complete and generally individualized response. We also heard the oral testimony from a number of our partners at the public hearing last week. Staff reviewed and considered all of these comments and made the following revisions to the proposal that was offered as part of the CR 102. First, we added a reference to federal regulation regarding the definition of structure and function to provide clarity and guidance. Next, we added a reference to federal regulation where the phrase “false and misleading” appears to provide clarity and guidance. We struck the language that referred to “serving” or “draw size” as a metering measurement for marijuana concentrates, useable marijuana, and marijuana mix. We combined the language that formerly appeared as separate labeling requirements regarding lot number and unique identifiers. And finally, we revised the language regarding the provision of an external measuring device for liquid edible products that contain more than one serving of product to clarify that licensees must provide a measuring device, such as a cap or dropper and that hash marks on the bottle qualify as a device. This reflects not only the language of the rule petition, but also the substance of our discussions at the listen and learn session and the written and oral comments received through the conclusion of the comment period that ended last Wednesday. It’s my understanding that packaging has already been submitted for review that contains such hash marks. These changes are listed by section and in tables contained both in the CR 103 memorandum and the concise explanatory statement.

Additionally, I’d like to draw your attention to a portion of the CR 103 memorandum. In the last pages, you’ll note a proposed rule implementation plan and the metrics by which we proposed to measure the effectiveness of these rule amendments in the future. These provisions are offered to clearly and transparently describe the strategies we’ve designed to support not only compliant success but to leverage our existing resources and best practices to evaluate the overall effectiveness of these rules.



I ask for your adoption of the rule text with the revisions as offered as well as approval to file the CR 103 for this project. If approved, I will file these documents with the code reviser today and the rules will become effective by January 1 of 2020. Thank you.

Chair Rushford: Well done to all who have contributed, thank you. Is there a motion?

MOTION: Member Hauge moved to approve the adoption of CR 103 for Cannabis Packaging and Labeling Rules.

SECOND: Member Garrett seconded.

ACTION: Motion passed unanimously.

**ACTION ITEM 4D-4I - Board Approval to Rescind Board Interim Policies: 05-2019 for Cannabis Packaging and Labeling, 07-2019 for MJ Labeling – False and Misleading Clarification, 08-2019 for MJ Labeling – Curative or Therapeutic Effects, 09-2019 for MJ Labeling – MIE Colors and Homogenization, 10-2019 for MJ Labeling – MIE Colors, 14-2019 for MJ Labeling – Retail Sell Down**

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

Ms. Hoffman: The next piece of business is to rescind several Board Interim Policies (BIP) that relate to the former packaging and labeling rules.

On January 9 of this year, five BIP were approved by the Board. Each of these pertained to the rules that became effective regarding packaging and labeling on January 1 of this year that now have been superseded by the rules that have just been adopted.

Additionally, BIP 14 was approved on July 17 regarding retail sell down on those now superseded rules. To be clear, I would ask that we rescind BIP 05-2019 regarding cannabis packaging and labeling rule implementation, BIP 07-2019 regarding the false and misleading clarification, BIP 08-2019 regarding curative and therapeutic effects, BIP 09-2019 regarding marijuana-infused edible colors and homogenization, BIP 10-2019 regarding marijuana-infused edible colors - that includes packaging and product color - and then finally, BIP 14-2019 regarding retail sell down.

Since the adopted rules either incorporate parts of these BIPs or have been addressed by way of ESSB 5298, I would ask for your approval to rescind these BIPs because they are no longer needed.

MOTION: Member Garrett moved to rescind BIPs 05-2019, 07-2019, 08-2019, 09-2019, 10-2019, 14-2019.

SECOND: Member Hauge seconded.

ACTION: Motion passed unanimously.

**ACTION ITEM 4J - Board Adoption of Board Interim Policy (BIP) 17-2019 for Implementation of WAC 314-55-105 Regarding Marijuana Packaging and Labeling Rules**

Kathy Hoffman, Policy and Rules Coordinator, began the briefing with materials (HANDOUT 4J 1).



Ms. Hoffman: All right. Now, one more BIP. This new BIP 17-2019 addresses phase in and sell down periods for the newly adopted marijuana packaging and labeling rules that will become effective January 1 of 2020. This policy is designed to address the phase-in and sell down periods for the newly adopted packaging and labeling rules and are intended to both increase compliant success and mitigate compliance impact, and cost. This policy provides that effective July 1, 2020, licensed marijuana retailers cannot accept product packaging and labeling that does not comply with the rules adopted today that become effective January 1 of 2020. Additionally, the policy provides that licensed marijuana retailers may not sell non-compliant products after December 31 of 2020. After that time, retailers may return those products to licensed processors consistent with their requirements of WAC 314-55-077 or dispose of those products consistent with WAC 314-55-079(13), 13 and 314-55-097. I ask for your approval of BIP 17-2019.

Member Hauge: With the understanding that we're allowing six months, basically, to July 1, 2020 for acceptance of the former labels that are consistent with the former rules and then the balance of the year through 12-31-20 to sell down those products. I will move approval.

MOTION: Member Hauge moved to adopt Board Interim Policy (BIP) 17-2019 for Implementation of WAC 314-55-105 Regarding Marijuana Packaging and Labeling Rules.

SECOND: Member Garrett seconded.

ACTION: Motion passed unanimously.

## **RULEMAKING TIMELINES**

Ms. Hoffman: Finally, I will provide an update on cannabis and vapor product rules. Our hearing on penalty rule redesign is still scheduled for January 8 of next year. I have not received any comments on these rules to date. We're coming close to that hearing date and I'm hoping that we'll receive feedback on those rules.

What we are now calling our quality control rules, formerly named our quality assurance rules, are on track for a presentation of CR 102 to you on January 8.

Our internal work continues on the marijuana voluntary compliance program for marijuana licensees. Our next internal meeting is scheduled for tomorrow to begin to sketch out that program and also, leverage the program structure we have in place now and take the best of that and move forward.

Our internal workgroup continues on TPI rules and refinement around spousal vetting requirements, a workable and agreed upon definition of control and how we define "employee" within the context of TPI among other things are what we are refining in this ruleset.

We look forward to adding the work of the Tier I expansion to the suite of projects.

We also look forward to considering changes to our advertising rules in the coming year as well as beginning rule work on what emerges from the 2020 legislative session.

For our vapor product rules, we continue to monitor the emergency rules to assure that we don't miss any deadlines and also to make sure we're still in alignment with our thinking on VALI (vapor associated lung injury) Can I answer any questions?

Chair Rushford: No, you covered it well. Thank you very much, Kathy. We obviously are going to have an important agenda on January 8. We'll now move to the general public comment portion of our agenda.  
Laura Kaminski.

## **5. GENERAL PUBLIC COMMENT**

### Lara Kaminsky – Cannabis Alliance

Thank you, Chair Rushford, members of the Board. My name is Laura Kaminski. I'm the Executive Director for the Cannabis Alliance. I'm here today to offer my thanks and appreciation for all of the hard work that went into the packaging and labeling ruleset. I know it took little over a year. It started with our petitions that were accepted by the Board and I want to acknowledge the Board's interest in sustainability within our rules for our industry and thank you for opening up the rules to look at this issue. I have been really grateful for the process.

Obviously, the outcome is exactly where we hoped it would be, specifically as it comes to the dosing cups. Having the ability to not mandate the external device and having hash marks on the package itself is exactly what we needed. Most of our industry will most likely go to the hash marks which means those dosing cups will not land in a landfill which is what we were after.

As a reminder, these rules will now make sure that we don't have 1.5 million dosing cups going into the landfill just in one year and 39 tons of plastic will also be removed because of the lowering of the thickness of the plastic. That's an incredible, incredible realization and win.

So again, I believe that these rules are thoughtful, comprehensive, and hopefully we will not need to revisit packaging and labeling for quite some time. Thank you very much.

Chair Rushford: Thank you, Laura. Aaron Barfield.

### Aaron Barfield – Black Excellence in Cannabis

My name is Aaron Barfield with Black Excellence in Cannabis. I'm here once again to point out the major crisis that's going on to the African American community in Washington State. We are being completely excluded from the cannabis industry which you are overseeing.

Basically, it started out with medical cannabis and we were told that "cannabis is bad, we don't want you involved in cannabis. We're going to lock you up at four times the rate for being involved with cannabis." And then we were told that "there's a lot of money in this so we're going to oversee it and we're going to tax it and you have got to come to us for approval." We went along with that program and then we were told that "no, actually, you are not qualified to sell cannabis or provide it in any way or be involved in this industry. You guys are completely locked out. You have to go to another state or just completely become criminals in order to participate in an industry that you built."

You have to admit that we built this on our backs. Unless you are wanting to say that you created a whole bunch of new cannabis smokers, which I don't think the LCB wants to say, you have to admit that those people were being provided to before the LCB got involved. The profits that are going to the LCB and the state now are being concentrated into very few hands of millionaires who are monopolizing the industry, that was previously being dispersed throughout the African American community and other members of the cannabis community in the state. Now that's all gone. We're left with very few options on how to proceed with our livelihood. I wanted to point that out. I can see that there's a lot more activity going on



with the vaping and packaging rules but yet there's still nothing being done to fix this problem with the African Americans being excluded from the industry.

At the last meeting I presented a misconduct report showing some of the evidence of how we as black people were excluded from this industry. I submitted a copy of it for the written record. For some reason that was not posted so I'm not sure what's going on with that. If you would like another copy, I can definitely provide that to you. Other than that, we're just going to -- we're not going to go away. We've been asking for meetings. Chair Rushford, you said that you would be sitting down in a meeting with us soon. I've written you and your assistant and had no response. We met with Rick Garza and Rebecca Smith last month and they said that that would be the first meeting of many. I wrote them right after that meeting and haven't gotten any response or any kind of follow-up. I'm just here to let you guys know that we're going to be persistent. We're not going away. Thank you.

Chair Rushford: Thank you for your comments.

Don Skakie. And Don, I just want to say that your points were well taken last week on the duration of time. I had been lobbied by several people to, especially when we have a long list of people to testify at public hearing, to shrink that time. Thank you for steering me back in the right direction. I appreciate it.

Don Skakie – Homegrow Washington

I'm happy to participate. Good morning, Chair Rushford, members Ollie Garrett and Russ Hauge. For the record, I'm Don Skakie from the city of Renton and today I'm encouraged by the announcement of the opening of the CR 101 for medical canopy.

I'm also very happy to see that yesterday was the first cannabis advisory council meeting that included a medical patient representative. Although that's something that I've worked for behind the scenes for a couple of years now, I was unable to attend because a dear friend of mine who is a cannabis patient and quite ill is unable to drive and needed my help to get to an appointment. I'm fortunate that our good friends at Cannabis Observer will be providing a summary and audio and I look forward to reviewing that.

But on that note, I do want to say, I did not apply for that position and one of the reasons I didn't apply for that position, although I do self-identify as a medical cannabis patient, is that I no longer have a valid authorization signed by a doctor. And the reason for that is I, like many other patients in this state, don't see the value in it. We see the requirement of the registry as disrespectful and intrusive and, quite honestly, insecure in its treatment of our personal information. Even the authorization itself which puts the diagnosis on the authorization, which hadn't been the policy in the past was, we thought, disrespectful and shouldn't have been there.

I will say that I did follow up. I've had conversations with other people since the announcement. I heard that although over the past few years we've had meetings with LCB and DOH. Many people attended those meetings and signed up and gave their information and email addresses. I've come to find that they weren't contacted as part of the outreach. I hope that Lucas Barfield is a great representative and is a longtime member of the council. I think that Lucas' participation on the council will provoke more interaction between patients and the Board and it's important because for so long they've felt that they were ignored. They were told that 502 would not affect their ability under medical and then 5052 upset the whole apple cart, as it were. The fact the cult of ours that patients prefer and need are not really found in the licensee system is a major factor in a lot of patients staying away and going to other sources.

I will be making comments on the new CR 101 but I would advise that we don't need to reopen the 15-day window. We need to give licensees the opportunity to bring a new cult of ours into the system and

serve the patients' need that are not being served now, because if patients are not able to access the medicine that they need through the state system and their ability to produce what they need is limited by law or regulation, their only other option is to go to the black market. And that was certainly not the intent of 502 or ESSB 5052, and I don't think it's the intention of the Board.

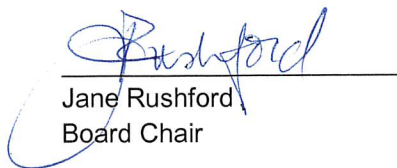
With 2020 coming as a new year, I look forward to better changes and medical product really needs to get intention that the Board mentioned in its retreat back in 2018. I think you for your time.


Chair Rushford: Thank you, Don. We have completed the orders of the day and now stand adjourned. Wishing all of you the best of the holidays, and we'll see you in January.

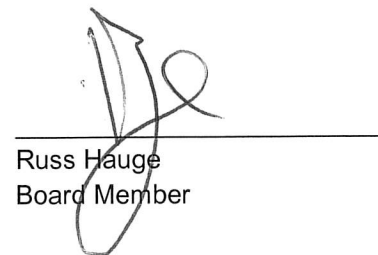
## ADJOURN

Chair Rushford adjourned the meeting at 10:42 am.

Minutes approved this 8 day of JANUARY, 2020

  
Jane Rushford  
Board Chair

  
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.

Complete meeting packets are available online: [http://lcb.wa.gov/boardmeetings/board\\_meetings](http://lcb.wa.gov/boardmeetings/board_meetings)  
For questions about agendas or meeting materials you may email [dustin.dickson@lcb.wa.gov](mailto:dustin.dickson@lcb.wa.gov) or call 360.664.1717