



Executive Management Team Meeting

Wednesday, September 8, 2021, 1:30pm

This Meeting was Convened via Conference Call

Meeting Minutes

EMT ATTENDEES

Chair David Postman
Member Ollie Garrett
Member Russ Hauge (*excused*)
Rick Garza, Director (*excused*)
Toni Hood, Deputy Director
Chandra Brady, Director of Enforcement and Education
Brian Smith, Communications Director
Becky Smith, Licensing & Regulation Director
Chris Thompson, Director of Legislative Relations
Gretchen Frost, Special Assistant to the Director
Dustin Dickson, Executive Assistant to the Board

GUESTS

Chair Postman announced that Member Russ Hauge was on leave. He also noted that Director Rick Garza was excused.

APPROVAL OF MEETING MINUTES

MOTION: Member Garrett moved to approve the August 11, 2021, EMT meeting minutes.

SECOND: Chair Postman seconded.

ACTION: Chair Postman approved the motion.

ENFORCEMENT AND EDUCATION UPDATE – CHANDRA

Chandra Brady began by sharing data from the Enforcement and Education Division ([Presentation 1](#)). She asked if there were any questions.

Chair Postman: Ollie, any questions for Chandra?

Member Garrett: No, that was a very good and thorough report. Thank you.

Ms. Brady: Absolutely. Thank you, Ollie.

Chair Postman: I have one. If we can go back to slide five, the cannabis complaints chart. I just wonder what happened from July to August where complaints were 15 in July and then 39, I think it says. That's the biggest jump I see in this date range that we've looked at. What's going on there?

Ms. Brady: I'll look it up and confirm it to you. If I had to make an educated guess based on all the data I looked at this week, I would say compliance checks and youth access.

Chair Postman: Oh, okay, right. And I guess I could overlay it with what the cannabis compliance checks look like that. I bet you're right. I just didn't see any that jumped as much as that. Well, yes, I see cannabis compliance in July looks really high too. But, if you take a look at some point --

Ms. Brady: What it looks like to me, looking at the data, is we did a large number of checks in July and the AVNs came in August. But I'm going to confirm that and I will follow up with you.

Chair Postman: Okay, great. Appreciate that. Thank you for that and thank you for the report.

Ms. Brady: Thank you.

Chair Postman: Next up, is a legislative update and agency request legislation review with Chris Thompson, our Director of Legislative Relations.

LEGISLATIVE UPDATE – CHRIS

Chris Thompson: Good afternoon, Mr. Chairman, Board Members, and Executive Management Team. Good to be with you this afternoon. I have a quick update on where things stand. We are still in process with two agency request items.

I'll start first with a bill that would be a joint request of the LCB and the Department of Agriculture. This bill would establish a new and more rigorous and effective system for cannabis testing labs in our state to assist and work with the industry in Washington. This also is a result in part of discussions at the Cannabis Science Task Force, which was created by the legislature a couple of years ago. The proposal that has emerged from that group and those discussions envisions three agency coordinated team assembled to establish the quality standards for the testing labs. The legislation, which as I said, would be jointly requested by LCB and the Department of Agriculture because both of those agencies have regulatory authority implicated by the bill. In one case, LCB is transferring some authority and it's being transferred to the Department of Ecology. So, that's the reason for that approach to the package.

What the legislation would do is a few things. It would create an interagency coordination team. This would be made up of Agriculture, LCB and Department of Health. The Department of Agriculture would be the lead agency and these three agencies would work together to establish the substantive requirements for testing labs. The legislation also authorizes Department of Agriculture to establish those standards or requirements in rule. The bill also envisions that there'd be admin support for the team from Department of Agriculture but separate from -- it's not a part of the actual legislation, but part of the package overall -- our budget requests or decision packages from all three of those agencies to add a

little bit of particular staff to this effort. So, the budget request is separate and I didn't plan to address that today. We're still working on the decision package and the fiscal note for that. But each of the three agencies -- to work as proposed -- is a couple, three or so FTE (full time employees) at each of the agencies, particularly in scientific disciplines in order to put together the substantive requirements. There's an additional section of the bill that would clarify the difference between product standards and lab standards. I-502 sort of conflated those two things and some additional clarity is needed there, so the bill does that.

It would also contain an affirmative directive statement that would explicitly require labs to obtain and maintain accreditation from the state to operate in this manner. Currently, there's an implied or implicit suggestion of that, but this bill would make it explicit that labs have to seek, obtain, and continue to hold accreditation. As a side note, this envisions the system -- the program that we have before us -- it involves that the Department of Ecology would also play a role. Their role -- there are a variety of ways of describing it. I think of it in terms of an audit, but Ecology would go -- once the standards are established and Department of Agriculture has adopted those standards and rule -- then Ecology would go out to the labs and determine whether they are meeting those standards. So, I think of that as an audit function but take that as sort of on an informal lay-basis for that terminology.

I would also like to add that initially the concept here was for a second piece of legislation that would come from Department of Ecology as a request, dealing with that the timeline for some of this activity. At this point the Department of Ecology had decided to hold off on that proposal for a year. They will not be requesting legislation in the upcoming cycle for this and I think that's a positive step. It will put us in a position next spring to know a lot more about what we're dealing with, what the legislature has approved, and would affirm the direction that we're going and would clarify what further changes might be needed over time.

One last thing on the bill itself. We just got a draft back from the Code Reviser and we've had some suggestions from Department of Ecology. We're working on making some changes. Our initial draft deleted provisions related to the process for labs paying fees to the Department of Ecology once their part of the system is up and running in 2024. We had deleted those provisions in an attempt to coordinate with Ecology's legislation, which now is not going forward this year. So, we'd like to restore those provisions to current law, even though they're not effective until 2024. It's kind of a technical point, but that's part of the legislation.

As I mentioned, we're also working on a decision package and Jim Morgan is working in coordination with Department of Agriculture on aligning our decision packages and making sure everything is properly coordinated across the three agencies. So, that's what I have on this one. We haven't had very much stakeholder feedback outside of the team on this. There's been some but not a great deal. We've had a lot more stakeholder feedback on the other proposal that I was going to take up next.

The other proposal would be a request from LCB. One way to put it would be to close, essentially, a regulatory loophole in cannabis oversight currently in Washington, although it's an issue in states across the country that have cannabis programs. There are 150 or so and counting compounds that have been identified from the cannabis plant. Our current regulatory authority is tied solely to one of those compounds, just delta-9 THC. And that's how, in current law, THC concentration is defined as strictly specifically, only delta-9. So, we believe legislation is needed to give the agency regulatory authority over any and all compounds from the cannabis plant that are psychotropic and intoxicating. So this would include delta-8, which you've probably heard lots about. Others, which we think are probably not far behind in terms of emerging as a focus and a product that's out there, like delta-10. There are a number

of others and who knows how many more might be identified as having commercial value and emerge in a marketplace. If we don't extend our authority, we could be looking at a lot of products that are intoxicating and are unregulated, and essentially untaxed, at least in the manner that cannabis is. So what this bill would do is introduce a number of terms and define them in statute. It would revise a few current definitions of terms that are already in statute under the Controlled Substances Act. Important ones included there are THC concentration would no longer be limited to delta-9, and the definition of a processor is also revised. We discovered in working on putting this legislation together that we had some processors operating not strictly within the confines of the license privileges established. And what we're trying to say in this legislation is the processor could conduct an expanded range of types of activities, not just processing marijuana, but also doing compounds, converting, preparing directly or indirectly by extraction other components of the plant. And so we think the intent here is to establish a more realistic range of activities that processors would be allowed to conduct. We think possibly we need a technical amendment to the current bill draft so that we put these provisions also in the licensing statute in addition to the definition of a processor within the Controlled Substances Act. That's a technical detail. We're working on that.

A couple additional points I want to mention quickly -- we're in this legislation -- we're allowing for the use of synthetic cannabinoids that are created from plant material grown within the 502 system. We're also prohibiting the use of artificial cannabinoids. The bottom line is we're working toward trying to establish a regime where this agency has authority to regulate any of the compounds which are psychotropic and impairing from the cannabis plant. And, we're trying also to say this does not include hemp, provided that we're below the 0.3% THC level. We have distributed a draft to stakeholders that went out on September 1 and we had to ask them for feedback by September 7, given the Governor's deadline. But, we got a lot of feedback that that was a real serious concern for stakeholders, that that didn't provide enough time. So what we've done is gone to the Governor's Office and the Office of Financial Management (OFM) and asked for some flexibility here. And they've said yes. But we still have to submit our proposal on time as originally envisioned. But what they're giving us flexibility to do is to come back later with revisions.

So our plan is to, and as I have notified stakeholders, all those originally that were notified, as well as additional stakeholders that we heard from, that there'll be some more time for them to more carefully go through the draft and to get us their feedback. We also had a discussion, another one this morning on staff to review fiscal issues here. And the decision there at the staff level was that we would not ask for any new funding for this. We think that the work could be some additional work come to the agency as a result of this legislation. But, that's work that is basically our current responsibility and probably can be handled within current resources. And, potentially, there's some reserves that could be used if necessary, if we have a big rush initially with new products that industry is asking for approval on packaging and labeling and so forth and that kind of thing.

I'm getting to a conclusion here in a second.

We do not anticipate fiscal impact and our fiscal note won't be seeking any new funds. We are allowing stakeholders some additional time to analyze this proposal and get us more feedback. We do need to submit our materials and this would include a memo explaining why we need additional time to do additional stakeholder work. But it sounds like we will have the time we need within reason to finish up and finalize our proposal, and ask the Governor's Office and OFM to make a determination on the revised proposal, not the one that we'll be able to submit this week.

Chair Postman: A couple quick things for me. One, since we do have this additional time for feedback, I think it would be important to have another conversation with the board as well. And so as soon as that's

possible and when we have everybody back, which I think might be at our caucus next perhaps. So when we arrange that -- I think we've obviously been kept up to date as the work was being done by our policy group and others -- but I think that it is worthy of a sort of a threshold conversation since we have this time to look at it.

And one of the things that you mentioned, one points out just how much of this rides on definitions I think you said our intent is to allow for synthetic but to prohibit artificial. So we need to define "synthetic", define "artificial", define all these different processes that result in those things. And it's not easy. And so I think that really gets to the bigger question, which is again to your description, Chris, is the intent is to establish a more realistic range of what processors can process. That to me is sort of the rub for us. I think we have to have that conversation and talk about how big of a focus do we envision for processors? And where do we take the market that's been fairly sacrosanct since 502 passed? So, I think there's a conversation is what I'm saying. It's a long way around to say that. So I hope that you and the policy team and others, Dustin, can find a time to get you with the board at one of our upcoming meetings.

Mr. Thompson: We certainly want to do that, Mr. Chairman. I think that's imperative that we do that. And I know that a number of the stakeholders we heard from basically didn't even respond substantively. Their concern was not having enough time. So part of the reason we got kind of stuck in his bind is what you were just alluding, to the technical difficulty and complexity of these definitions. And that took more time than we anticipated. That ate into the time we had originally allotted for. We had planned to allow three weeks for stakeholder review and comment. And that got squeezed to under a week, over a holiday weekends, because of the technical and scientific and industrial complexity of getting these definitions right and hitting the sweet spot in terms of what you were also alluding to.

Change is coming and this is a very dynamic and innovative industry. And yet, there are a lot of things where some degree of stability for our Washington State industry is valuable. So, we definitely need to give stakeholders more time. And then, we'll need to evaluate their thoughts and bring all that back to the board. So next week will be too soon. But probably in a two to three-week timeframe, it might be timely to come back to the Board and say, here's where we are, here's what we're hearing, what do you think, and this is what we're thinking.

Chair Postman: Yes, when you have the feedback you all have a chance to review that, why don't we do that? Ollie, any questions for Chris? No. Okay, great. Chris, anything else?

Mr. Thompson: I just was going to mention that we're still talking with Ecology and Agriculture about the lab bill. I don't know where we'll end up. I know there is one change to our draft we've already recommended Ecology and Agriculture, and we need to talk some more. So there is potential that we may need to revise that bill. And I don't know if we'll have time to do it before submission or if we'll need to do it once the bill arrives in the legislature, but we're not completely finished with that one, either. At this point, it's technical stuff, so it shouldn't trouble the Board too much at this point. I think I can leave it there and feel like you're fully briefed.

Chair Postman: Good. Thank you for that. And we will move on now to a licensing update from Becky Smith, the Licensing and Regulation Director.

LICENSING UPDATE – BECKY

Becky Smith: So good afternoon I am just going to jump right in and hope to save us some time. I just wanted to share with you that on September 2 we held our very first Social Equity Workgroup meeting. Ollie is a part of our Workgroup so this won't be any new news for her but certainly for you. I believe it's just the beginning of the collaboration that's necessary to ensure that social equity is really a part of and at forefront of what this agency is doing.

Five years ago, we embarked on our first I-502 workgroup meeting as an agency. It really helped us to be successful in the implementation of I-502, and then the legislation followed, of course, with [Second Substitute Senate Bill] 5052. It gave us the opportunity to really embrace the work as an entire agency, not just for Licensing, not just for Enforcement, but the entire agency. And it really kept folks involved. It helped us monitor the work, define some roles assigned, and then all the steps that needed to be taken. So, I'm really excited about this work. I think even though Licensing began the work, I think the whole agency participating on this workgroup will certainly send us in a good direction and have us with the ability to get this work done efficiently and effectively. Ollie, do you want to add anything?

Member Garrett: No, I just want to thank you for bringing us all together, the entire agency, to be part of this conversation, because you and I and others and Licensing staff have been working with the Social Equity Task Force. And a lot of conversations and things were going on around us. And as I said on the call, we come to realize a lot of things -- and through our outreach -- things that we know that if given the opportunity, we would have done different. And we now have the opportunity going into a new phase to be more on top of the decisions that we're making and what we're doing as far as social equity goes. So I appreciate you bringing the entire agency together on this subject and the support of the agency understanding the importance of the social equity work that we're trying to do out. Thank you.

Ms. Smith: Thank you. So I also want to talk a little bit about "special occasion licenses" because they continue to come in. What we've seen in the last two weeks is we've had about 163 applications come in, in two weeks, but 50 of those have been cancelled. So they've come back to us and then canceled their event. And then we've had 20 go from what would have been an in-person event to virtual event. So I think people are out there thinking about whether or not they want to hold these in-person events, and another way to have an event that raises money for these nonprofits but doing it in a way that mindful of what's going on with COVID and the variants. I just wanted everyone to be aware of that.

We've also, in Licensing, been doing a lot of work with [Engrossed Second Substitute House Bill] 1480. This extends the privileges that were allowed during COVID. Our customer service manager has been working really closely with IT by making sure that we're testing out the privileges so when they go live we know that our Business Licensing Service and Liquor and Cannabis Board are talking to one another so we don't have any hiccups for our applicants along the way. Right now folks have continued to be able to offer those endorsements. And some of the work we have going on too is to make sure that the policy work and the work that has already been approved for endorsements continues to align with one another. What we don't want to do is to make this more difficult for our licensees when we've already allowed for the privilege. So again, a lot of work happening.

We're going to be doing an in-service training for Enforcement in a couple of weeks and sharing some of this information with them as well. Again, Chandra talked about all the collaboration with Licensing and Enforcement. But certainly, we see a lot more training happening back and forth so we don't have to duplicate some of the training areas.

The other thing, a couple of weeks ago, or possibly even in July, I talked a bit about some alterations that were happening. We are doing a change in our alterations for cannabis. And so we're going to be reducing the number of licensees that apply for change in their floor plan or a change to some of their security. What we've heard from the industry is that this takes a long time to put these requests in. So, what we've decided to do is we conducted a pilot in our Cannabis Unit and then we move that over to actually making it happen. We've worked with customer service and we've worked with our Enforcement staff as well. We're going to begin slowly with about six of these alteration types, going over to customer service so we'll be operating just like we do on the liquor side. That means customer service will be taking care of these changes and alterations. We're going to be working with Communications to get something out to all of our licensees. It's a good direction ahead. I think that I'm going to be meeting with a couple of industry members this afternoon just to let them know about some of these changes. But again, something that's been a long time coming. We've been working on it and we wanted to make sure before we hit the "go button" that we had some of the hiccups worked out. We know that we are going to have hiccups along the way. I'd spoken to my staff about this. We know that there's going to be some things that we might have to pull back and send back to the cannabis investigators. But certainly, we're going to try to work out some of the processes and then add more of those change requests over to our customer service staff as well.

Chair Postman: That was a concern, actually, that I heard first from my fellow two Board members. So, before that is disseminated too widely, can we make sure that member Garrett and Hauge get all the details of what that change is and how we're going to go about doing that? Because I think the Board members likely hear these sorts of complaints from licensees as well. And, we've had some that we've reviewed in our adjudication. So if we can get a detailed briefing for the Board members, that would be great.

Ms. Smith: Absolutely, and we actually have that ready to go. So certainly myself and my Deputy all swing back around and share our process. We have a training plan prepared for training our customer service staff, training our Enforcement staff, and again, some communication that's going to go out from our Communications division.

Chair Postman: Great, thank you.

Ms. Smith: And then I have just a couple more things. The Small Business Fair is October 12. Licensing has been working with Communications team to prepare a short presentation that will be offered along with six other state agencies. We'll be sharing some of our recently recreated resources, such as a "starter's guide for liquor", and also the "social equity application" web page. The licensing team will be hosting a booth during the small fair, so people can visit it virtually and ask questions. We usually don't get a lot of questions but we certainly want to make sure that we resource it so if a question comes in regarding cannabis or liquor or a special occasion license, we have staff there that are prepared to answer any of those questions.

And then, Ollie, I did want to share with you that we have been working on a survey to speak about remote work even though it's not specific to Licensing, it's actually for the whole agency. Licensing did work on developing the questions. The survey has gone out. It's about four questions, asking stakeholders about whether or not they've experienced any gaps in the service since March of 2020. It's literally four questions: what type of license they have, and they could pick more than one license. And then, of course, how satisfied are they with the services. And it goes everywhere from Enforcement, Licensing, Adjudications, public meetings, Examiners and Finance. So we tried to hit every area. They can, again, pick several areas if they were satisfied, dissatisfied or hadn't had a problem at all with those

other divisions. But I did want to let you know that that went out on Friday. I reached out to five of our industry members on the liquor side to make sure that some the associations like Washington Wine were aware of it. I also reached out to Josh and Annie and Katie and Vicki, so they were aware the survey was coming. They could encourage their licensees and the people that they work with to respond to the survey. Because it is important, as you said, for us to know if there have been service gaps in our remote work, that we know what those are and we're able to address it. So, again, I'll report back probably about a month goes by so we can see what we've heard.

Member Garrett: Thank you for that because I had that written down. I was going to ask you what the status of that was, so, thank you.

Ms. Smith: Good. And I think for me, that's about it.

Chair Postman: Okay, great. Thank you for the report. We appreciate it. We will move to the other Smith, with a Communications and Media update from Communications Director Brian Smith. Brian.

COMMUNICATIONS AND MEDIA UPDATE – BRIAN

Brian Smith: Chair Postman and Member Garrett, thanks for having me. I have just a few highlights today. As you are most likely aware, we hit a major milestone on the CCRS, formerly known as the traceability project, where we held a webinar. It's the first real engagement since we began the process of figuring out what this system might look like with our licensees and labs and integrators, et cetera. We had 347 attendees that were part of that. That number I thought was a little low, but when you consider that many of the licensees likely will be looking to their integrator to be paying attention to that and see what they need. We are going to post all that information online and they can watch it later at their convenience. So it's always going to be up there.

As we speak right now, members of my staff are working with Brad to post up the user's guide and other documentation that everyone is going to need. Since we first announced this, this is what people have been waiting for. And we're providing them that detail now and we'll continue to add to it. This has been a very collaborative effort in getting us to this point. This is the latest step in the communications plan that we laid out. It started with internal messaging and then external messaging and notifying the Governor's Office and developing the talking points. We developed a website. If you've taken a look at that now, there's a section of our website that's dedicated to this information because people are going to be going there. This is a big deal. And as you know, with the history of the traceability project, what licensees are most interested in knowing is "is this system going to work and work fine for us? And what do we need to know?" We think that we're on top of that. We're providing them what they need and I'm feeling good about where we're at. But I just wanted to stress that collaborative nature of all the divisions and all the people that were involved in this because it's gone fairly well. And we've relied on each other, I think, to be able to get it to this point. So kudos to the rest of the staff.

On another topic, David, as you know, communications as a member of the Policy Team -- and just so this group is aware, we are we're always looking at our allowances. We're taking on new issues that come in from the regulated stakeholder groups, et cetera. And one of the issues that we've discussed at that policy team was with the rise of the delta variant and we're having expired most of our allowances back on July 31. Is there anything that we wanted to be able to update and maybe bring back and reactivate, I guess is the term. And David is a part of those discussions. Justin and Audrey and I had gone back and made recommendations for some of the cannabis allowances primarily dealing with curbside service,

which ended on July 31; walk-up windows, which ended at that time and allowing a licensee to give away a mask on the premises. We made a decision as the Policy Team to allow that to happen. And so, Communications worked to pretty much revamp that section of our website to make it simple and put out a message right away to stakeholders. That's been pretty positive. Maybe you've heard some of that in your own circles and responded to. So many of the licensees are glad to have that. And see us be responsive to their concerns. We said on October 31 that we will let them know whether these are going to be extended, whether it's still possible and still needed. And we will do that as a group.

Next is something I don't typically talk about here, but with Rick not being here, he's got a number of upcoming speaking engagements and presentations that I always kind of work with him on behind the scenes. He's got four coming up over a ten-day period starting next week. He's doing a podcast with Bruce Turcott with the AG's group, which is called the AG Alliance Cannabis Project. You've heard Bruce talk about that before with this group, and some other presentations coming up, and I'm working to get what he needs and working with him on that and getting that ready and out the door. I'm actually going to be out next week. With him being gone this week, we're pushing our schedules to try and align so that he's got everything when I'm out the door. But my staff can help fill in any gaps that anyone needs, whether that's anyone here or Rick.

Just looking down the road, I will always be involved in all the things that we do. You heard from Chandra and Becky and the others about what our role is. I just want to emphasize that I do want that CCRS project to always be in motion for our licensees and for our stakeholders to make sure that we are on top of that. And I know that I'm going to be focused on it. And the members my staff, we talk about it a lot.

And just lastly, on the media stuff, it continues to come in. We'll get a couple of day. A lot of localized ones right now around the mask mandate, wanting to know about particular places in their community. As you can understand, David, that's a typical thing that you see, et cetera. But ongoing, questions have been typical. There hasn't been anything that's really stood out of late that we've been working on from a media point that I couldn't answer with just a quick inquiry or a quick answer.

Are there any questions?

Chair Postman: Ollie, anything? No? Thanks, Brian. The allowances thing is so tough because I think we all thought we're in this ramp down stage and we did a lot of work around that. And then it started to ramp up again very quickly. And so I think that we don't know that every single thing that existed a year ago will exist again now. We don't know if we need it. We don't have business closures the same way we had in the first year of the pandemic. So both for licensees and their customers to know, we obviously are very aware of what's going on with the virus statewide. We're trying to be dynamic and flexible in that way. And if we need to do things to try to help like we did last time, we're going to be open to do that. And I appreciate how closely you're working with the policy people to make sure that that's out. In fact, I got a note today, forwarded to me, when the Governor's Office gets questions from constituents, it gets sent back through a chain and one of them was from a licensee asking about "why can't I give masks away?" So it hasn't quite caught up. But we will do that. And in fact, I should forward that to you, Brian. And I will. So, that's great. We appreciate it. And now we will move toward general agency update with Deputy Director Toni Hood today. Toni.

GENERAL AGENCY UPDATE – TONI

Toni Hood: Good, afternoon. I just wanted to start by recognizing everyone that worked on that CCRS webinar that you've heard several people talk about -- they really did a great job. And I know it took a lot of time to make that go smoothly. And they also answered a lot of questions from the public. And so I thought that was very helpful that they could answer all those questions. They're going to be putting out an FAQ in addition to the user guide. So that that team is working very hard. That's great.

Director Bingham and I are working on reviewing all the updates related to the state vaccination mandate. We have reviewed the state agency vaccination accommodation guidelines. Director Bingham continues to meet with other small agencies that are similarly situated to us with people that go out in a regulatory capacity and interact with the public. She has met with Parks, Fish and Wildlife, Gambling and they've all been in ongoing discussions, specifically about what happens if someone is granted an exemption, can an accommodation be made. So she's working carefully with our AAGs on that.

As of yesterday, we had about 221 people report to HR that they have been vaccinated and they've shown their verification card to HR. So we can mark them off. We had about 38 people ask for exemption forms. Of course, we know that not all of them will be submitting them for exemptions, but at least 38 forms have gone out. We are going to be talking with Director Garza tomorrow about accommodations and what we've learned from OFM and what we can and can't do regarding that. We know that people are very anxious to hear back from us regarding the exemptions that they're going to request and whether or not we'll be able to do an appropriate accommodation for them.

We currently have approximately 54 vacancies right now, which I thought was kind of high. But I don't know all of the history. Seven of those vacancies are likely going to be positions that were made for a project that simply need to be eliminated. So in reality, it's probably closer to 47 vacancies.

As you probably know, there is ongoing recruitment for enforcement officers. We have several positions open there at the first level and at the second level. Those are ongoing. I know that HR is working hard with all of our recruitments to try to fill as much as we can.

Regarding another subject, Director Brady talked about the proposed federal legislation, the Cannabis Administration and Opportunity Act, as she mentioned. Justin has led us in several groups where we've gone paragraph by paragraph and discussed where we have questions about the act, where there's some confusion, where we think it might conflict with Washington law. That's been a great group. A lot of good people have been giving their input and he's been taking notes. And all of those comments can be forwarded via Chris to the appropriate people.

And, we are working on our strategic plan, updating that. The agency has met some of the goals and we need to incorporate the work the agency has done in the strategic plan. And we are meeting the first week of October to talk about that and also see if there's any small modifications or tweaks that should be done to the strategic plan. We have two long sessions on our calendar for all the directors to come. So we can talk about that. And we're going to try to do that in person. But of course, that's always subject to change.

And finally, tomorrow is the kickoff for the Combined Fund Drive (CFD). Sue LaVoie has agreed to head up the committee this year for CFD. And we'll be going to the leadership kickoff breakfast together, she and I. It's virtual, but we'll be virtually attending the breakfast, and then proceeding with the fundraising efforts that this agency does every year.

Do you have any questions for me?

Chair Postman: Will they give you virtual bacon and eggs?

Ms. Hood: Well, apparently you could arrange to pick up a breakfast. Yeah, I am not picking up a breakfast but I think that they made arrangements for that. So they're really trying hard. And we're looking forward to that tomorrow.

Chair Postman: Great. One quick question on accommodation and you and I talked about this and I think I wasn't getting it straight in my head. When we talk about accommodations in these cases, it is only for people who have an exemption, right? Do I have that correct now? What we're talking about is if you get an exemption, which means you're not going to have a vaccine, we will look for a way for you to work that doesn't jeopardize the public or coworkers or anybody's health, right?

Ms. Hood: Yes, that is correct. We look at their current job position and their current job duties and we see if we can accommodate. And then if we can't do it then we look at are there other vacancies that they could fill. Or would they be interested in something else that we might have open that they could do safely and that they would have the skill set to accomplish?

Chair Postman: And what happens if there's not a slot like that but you have an exemption?

Ms. Hood: Well, if we can't accommodate you, it may turn out that you're no longer employed with LCB.

Chair Postman: Even with an exemption?

Ms. Hood: Yes. An exemption does not guarantee that you will continue your employment with LCB or with the State of Washington for that matter.

Chair Postman: Okay.

Member Garrett: Toni, my question is - because I know I went through this with the DEI position - are we making sure in HR when we are posting our open positions, if they are virtual positions, that we're specifying that and then people don't think that this is a position that's in Olympia only?

Ms. Hood: Well, what we are doing is indicating that telework is an option. I don't know that we're specifically saying that it is 100% virtual, but we are indicating telework as an option. And we are also indicating in our postings that the mandate is there for the vaccination. And so if someone inquires further, then we would explain the exemption process to them. But as far as the posting goes, it's simply referring to telework and flexibility. And then we can address the specific questions, depending on the position and the business need.

Member Garrett: Alright, thank you.

Chair Postman: Great. Good. Okay. Thank you. Anything further?

Ms. Hood: No, that's all I have. Thank you.

ADDITIONAL TEAM UPDATES AND FINAL BOARD INQUIRIES

Chair Postman: And then it is on the agenda, time for any other department reports. So I'll just pause one second and see if anybody has anything else they want to add to the meeting from the staff team. Hearing none, anything more, Ollie? No.

And then with that, we will adjourn. And I would just say on behalf of the Board really quick, I should have said this earlier, but congratulations to lieutenants Sigman and Hackenberg for their promotions and our own Dustin Dickson, five years now with the LCB. I just saw his certificate so congratulations, Dustin. And with that, we will adjourn the Executive Management Team for September 8. Thank you.

TAKEAWAYS

- Chandra – investigate and report on the jump in cannabis complaints from July to August
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Meeting adjourned at 2:34pm.

Minutes approved this 16th day of November, 2021



David Postman
Board Chair



Ollie Garrett
Board Member

Not Present

Russ Hauge
Board Member

Minutes Prepared by: Dustin Dickson, Executive Assistant