



Board Caucus Meeting

Tuesday, October 12, 2021, 10:00am

This meeting was held via web conference

Meeting Minutes

CAUCUS ATTENDEES

Chair David Postman
Member Ollie Garrett
Member Russ Hauge
Dustin Dickson, Executive Assistant

GUESTS

Chris Thompson, Director of Legislative Relations
Kathy Hoffman, Policy and Rules Manager
Audrey Vasek, Policy and Rules Coordinator
Jeff Kildahl, Policy and Rules Coordinator
Robert DeSpain, Policy and Rules Coordinator

APPROVAL OF MEETING MINUTES

Chair Postman announced that the consideration of the September 28, 2021, Board Caucus minutes would be postponed to a later date.

MARIJUANA COMPACT PRESENTATION AND CONSIDERATION – COWLITZ INDIAN TRIBE

Chris Thompson presented and reviewed the proposed Cannabis Contract between the Cowlitz Tribe and the State of Washington ([HANDOUT 1](#)). He highlighted the negotiation process, noting that the efforts of both the Tribe and State were genuine in reaching agreement. Chris shared two specific examples from the negotiation:

- The Tribe asked for language in the Compact that would automatically authorize drive-through service at their retail store if state law were to change. This was agreed upon.
- The state held a firm position on what products could be exempt from Tribal tax, both under the Compact and the Tribal Ordinance – the Tribe disagreed in principal but agreed nonetheless in order to move the process forward

Chris informed that the Compact also included a Memorandum of Agreement (MOA) between the Tribe and the Department of Health (DOH) which would support their medical cannabis program.

Chris then summarized that the Compact proposal had been reviewed and approved by the Department of Revenue (DOR) and the Governor's Office without any concerns. He recommended approval and adoption by the Board.

Member Hauge applauded the negotiation efforts on both sides and acknowledged the compromises made in order to find agreement.

MOTION: Member Hauge moved to adopt the Marijuana Compact between the Cowlitz Indian Tribe and the State of Washington as explained.

SECOND: Member Garrett seconded.

ACTION: Chair Postman approved the motion.

RULES PETITION REVIEW AND CONSIDERATION

Audrey Vasek presented and reviewed the rules petition submitted by Katie Doyle of the Washington Hospitality Association ([HANDOUT 2](#)). This petition requests rules be adapted to allow liquor licensees to rent out kitchen space. She noted that a similar allowance was approved by the agency in mid-2020 as a temporary COVID-19 allowance, which expired on July 31, 2021, and that the petition included the same parameters. Audrey underscored that while the previous allowance was available, no licensees applied. She suggested that while the licensee interest in the petition does not appear to be high, it may be better served to renew the allowance rather than initiate rulemaking. Audrey said the agency recommendation was to deny the petition for rulemaking and rather extend the temporary allowance until April 15, 2022, and to reevaluate at that point.

MOTION: Member Garrett moved to accept the agency recommendation to deny the rules petition as described and renew the allowance through April 15, 2022.

SECOND: Member Hauge seconded.

ACTION: Chair Postman approved the motion.

Chair Postman encouraged licensees to come forward and let the agency know if this is an opportunity they would like to engage in.

BOARD MEETING PREP AND RULES UPDATE

Kathy Hoffman provided a brief update on the THC compounds rulemaking project, including:

- CR 102 scheduled for consideration tomorrow
- “Listen and learn” session held on September 9
- Two “Deliberative dialogue” sessions held in June and July, 2021

Kathy informed she would also be presenting four Board Interim Policies (BIP) for consideration of rescission tomorrow:

- Board Interim Policy 1-06 Concerning Allowance of Alcohol Consumption in Darkened Seating Portions of Sports and Entertainment Facilities
- Board Interim Policy 01-2011 Concerning Wine Dispensing Machines
- Board Interim Policy 07-2011 concerning Self-Service Beer Taps
- Board Interim Policy 08-2011 Concerning the Definition of “Wine of Its Own Production” as Referenced for a Specific Circumstance

She noted that these policies had been realized in rule, so there was no need to retain the BIP.

Jeff Kildahl provided a brief update on other cannabis related rulemaking, including:

- Cannabis Quality Control Rules
 - “Listen and learn” scheduled for Wednesday, October 20, 2021, 1-4pm
 - CR 102 tentatively scheduled for December 8, 2021

Jeff asked if there were any questions. There were none. Chair Postman encouraged interested parties to participate in the rulemaking process.

Audrey provided a brief update on alcohol related rulemaking, including:

- Axe Throwing at Liquor Licensed Premises
 - CR 101 filed on September 29
 - One public comment received via email to date
 - Internal team will meet regularly to develop conceptual draft rules and consider comments received
 - First meeting scheduled for tomorrow
 - “Listen and learn” tentatively scheduled for mid-November
 - CR 102 tentatively scheduled for January or February, 2022, at the earliest
- Implementing 2021 Legislation Related to COVID-19 Alcohol Allowances
 - CR 102 filed September 29, 2021
 - Public hearing scheduled for November 10, 2021
 - No written comments received to date
 - CR 103 tentatively scheduled for December 8, 2021
 - If adopted, rules would take effect January 8, 2022

Audrey asked if there were any questions. There were none. Chair Postman congratulated her on the anticipated arrival of her new baby.

Chair Postman thanked everyone for their presentations. He reminded that there would be a Board meeting tomorrow at 10:00am and that the Executive Management Team would meet tomorrow at 1:30pm, and adjourned the meeting.

Meeting adjourned at 10:20am.

Minutes approved this 19th day of October, 2021.



David Postman
Board Chair



Ollie Garrett
Board Member



Russ Hauge
Board Member

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