

# THE Cannabis COUNSELOR

WITH ALEECE BURGIO

## Episode 24: “Season 1 Finale: Senator Cooney’s Bill” Speakers: Aleece Burgio, host, Barclay Damon

**[Aleece Burgio]** Hey, everyone, this is a Barclay Damon Live broadcast. You’re listening to The Cannabis Counselor, and I’m your host, Aleece Burgio. Let’s get into it.

**[AB]** What’s up, everybody? This is Episode 24 of The Cannabis Counselor. And our last episode of Season 1. Today, we’re going to be talking about Senator Cooney’s bill, which is in the Rules Committee right now regarding provisional cultivation licenses in New York State if we cannot get our act together with the Office of Cannabis Management.

So you guys know, we’ve talked about this on previous episodes. We’ve been having difficulty, nominating, appointing, and confirming our picks for the Office of Cannabis Management. And don’t forget, we have seven big positions that need to be filled, that’s social equity director and executive director, and then five members of the Cannabis Control Board. And one of them is the chair. So at minimum, we have to have three of those positions appointed ASAP. And the governor, from what we’re hearing, has a short list for those names, but nothing has really moved along. We’re hearing that there’s a lot of stall with appointments at the MTA level. And so we’re just kind of sitting and waiting. And it’s becoming problematic because we’re all waiting for these rules and regulations to be drafted. And so Sen. Cooney, who we’ve had on in a previous episode—absolutely just so knowledgeable in this topic—has put a bill into the Senate Rules Committee. It’s Senate Bill 7295. And it basically allows these kind of provisional cultivation licenses to happen so that by the time things get up and running, cultivators have already planted their seed and are able to harvest so that it can get to consumer faster, right? Let me give you some of the details of this bill.

Sen. Cooney has said that if we can’t get our act together, for example, say we cannot have an awarding of licenses or the cultivators can’t get into play until January 1st of 2022, there will be a provisional license. And if OCM isn’t formed yet, it’ll be done through the Department of Agriculture. And what they’re saying is that by June of 2022, they would be able to put their seeds in the ground, and you’d have to even figure out the seeds prior to that. But growers, cultivators would be allowed to put their seeds in the ground so that there could be a harvest by the anticipated time when consumers would be purchasing. You know, what we forget to think about, right, is that you can have this program start—and I think this is where Senator Cooney, his thought process is—cultivation is going to take a little bit more time, right? Because we’re constricted to the harvest. So if you’re licensed on day one, you’re not going to see product until day X. It’s different for a retail store, you could get licensed on day 1, and you might be up and running by day 30, right?



So with the harvest and things of that nature, you have to be mindful of schedule, and it's not the same schedule as you would have in the other types of license structures. So, obviously, we want to make 2022 as effective as possible. We want to make sure that there is enough in play for there to be an actual market in that year. And we can really only do so through this bill. Now, mind you, this bill is only through the Rules Committee right now. It hasn't been put to the floor. It's one that I think is being discussed, though. And what's interesting about this is, will this give a benefit to hemp operators? I think the answer is "yes," especially because if you're going to have an opportunity to be a cultivator by June of 2022, you have to already have the infrastructure in place to be able to harvest by that time.

I don't necessarily see new indoor cultivators being able to do that right away. Same goes with empty outdoor grows that might not have the security, might not have the team in place or the money, and so hemp operators as they currently stand, they have the infrastructure, they've been lobbying this point that they're ready to go, ready to get seeds in the ground. And so if this bill does get passed, I think that hemp is going to have a big leg up. But we'll keep you posted.

But for now, this is what we're hearing. We've had a great season, 24 episodes. I've really enjoyed starting this podcast and talking with you guys, and we'll tune in for the next season. Thanks for listening.

The Cannabis Counselor podcast is available on YouTube, LinkedIn, Apple Podcast, Spotify, and Google Play. Like, follow, share and continue to listen. Thanks.

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