



# New York City Cannabis Industry Association And Hudson Valley Cannabis Industry Association

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## Policy Prospectus

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**March 18, 2021**

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The New York City Cannabis Industry Association (NYCCIA) and Hudson Valley Cannabis Industry Association (HVCIA) proudly present this Policy Prospectus, presenting key positions aimed at ensuring that New York's new legal adult marketplace has the best practices and greatest opportunity for success. Part of the Associations' joint mission is to bring together all stakeholders in this new industry interested in helping build a nationally leading, sustainable cannabis market. Critical to that goal is ensuring that the rules strike the appropriate balance between the need to prevent overregulation that would make it too hard or unaffordable for the market to operate efficiently and the need to satisfy legitimate community concerns, such as the time, place and manner in which cannabis businesses will operate.

This Prospectus reflects the joint committee work by each Association's members and special advisors aimed at striking that balance, focusing on social and economic justice and equity, the need for personal cultivation to be part of a successful state program, hemp regulation, taxation and e-commerce. We also include a statement we issued in 2020 relating to the proposed Marijuana Regulation and Taxation Act (MRTA) which remains instructive in that many of the key policy proposals we emphasized then are still priority issues as the legislature aims to accomplish legalization in 2021.

The Associations have also carefully analyzed this year's iteration of the MRTA as compared against the latest amended version of the Cannabis Regulation and Taxation Act (CRTA) which is again part of the governor's budget proposal. Like other organizations who advocate for effective cannabis regulation, the Associations submit that the MRTA's approach is far more likely to result in New York implementing an equitable and sustainable cannabis market.

However, there are still several key issues that still need be addressed to achieve that goal. In that respect, while the MRTA in many ways presents a good start, it is essential that either through amendment or through the enabling regulations that will follow, the Legislature should take steps to ensure that the policy goals articulated in both the CRTA and MRTA translate into concrete action. Our presentation on social and economic justice and equity lays out specific steps and emphasizes why it is critical that social equity applicants in this new marketplace, including legacy market operators, are given licensing priority on Day One if New York is to be successful and avoid pitfalls encountered by other legalized states.

In addition to the subject areas covered by each policy statement in the Prospectus, there also many key other policy objectives that we submit must be satisfied in the state's law and implementing regulations.

For example, the decision to opt-out of allowing the adult use market in a particular jurisdiction should be made at the local level. As between allowing for a county-level vs.



local-level opt-out provision, a local opt-out is far more conducive to a successful market. It is also important to bear in mind that even in those communities that do opt out, its residents will still be able to possess and use cannabis. The primary distinction between those communities that opt-in compared to those that opt-out will be that those who opt-in will be able to enjoy comparatively greater local economic benefits from direct tax revenues, as well as from cannabis related jobs and additional revenues from ancillary businesses. Consider that every dispensary will likely need to hire contractors, electricians, HVAC specialists and real estate brokers and to pay for equipment. All of that helps grow ancillary businesses, and local governments should be the ones to decide their own destiny and enjoy the palpable benefits for their own jurisdictions, particularly as community views on whether to allow cannabis businesses are not one-size-fits-all, which is the essence of the less desirable CRTA county-level opt-out.

We also believe that the people's representatives should have a say in appointing those who oversee the market, not just the governor under the CRTA. In that regard, we strongly favor the MRTA's approach that ensures that the legislature has a say in who will be selected to serve on boards charged with overseeing the state's program, and that allows for state commissioners to participate in the oversight process. The more democratized the representation of those who are overseeing the market, the more likely it is that regulation will strike the right balance between industry and community needs and priorities.

As the state's program unfolds, the NYCCIA and HVCIA will continue to provide input into these and other critical policy issues, so that all stakeholders and decisionmakers can have the benefit of our analyses to help shape a leading, sustainable New York marketplace that sets the example for the nation and rest of the world as the industry's evolution rapidly unfolds and grows. We are glad to make ourselves available to engage in dialogue on all topics that can help New York to achieve this goal. For more information, we invite you to call NYCCIA President David Holland at (212) 842-2480 or HVCIA President Andrew Schriever at (917) 568-5400, or go to our website at [www.nyccia.org](http://www.nyccia.org) or [www.hvcia.org](http://www.hvcia.org).

Respectfully submitted,

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