



COMMON COUNCIL MEETING

FINANCE, ASSESSMENT AND TAXATION Sonia Frederick, Chair

HUMAN RESOURCES AND HUMAN RIGHTS Jahmel Robinson, Chair

DATE: **Monday, May 13, 2024**

TIME: **5:30 PM**

LOCATION: **Council Chambers-2nd Floor. City Hall**

PUBLIC COMMENT PERIOD: **YES**

TOPIC(S) OF DISCUSSION:

- **Local Law I of 2022**

A LOCAL LAW CREATING A COMMUNITY COMMISSION TO STUDY THE ENACTMENT OF REPARATIONS REMEDIES RELATED TO THE SALE OF CANNABIS IN THE CITY OF ALBANY

Included are the following:

1. Local Law I of 2022 – Current form of the legislation held in the joint Finance, Assessment and Taxation & Human Resources and Human Rights committee
2. Local Law I of 2022 (Pending amendment 5/20/24) – Draft revisions to the legislation, pending amendment

Council Members Romero and Anane introduced the following:

LOCAL LAW I OF 2022

A LOCAL LAW CREATING A COMMUNITY COMMISSION TO STUDY THE ENACTMENT OF REPARATIONS REMEDIES RELATED TO THE SALE OF CANNABIS IN THE CITY OF ALBANY

Be it enacted, by the Common Council of the City of Albany, as follows::

Section 1. Legislative Intent

For decades, Albany residents have been severely punished for the sale of cannabis during the War on Drugs. The criminalized use of cannabis has long been a source of wealth for communities who have been kept in poverty due to the lingering effects of slavery, redlining, and other forms of systemic racism. The Albany Community Commission on Cannabis Reparations will study how to repair some of this past harm now that it is legal to possess, display, purchase, obtain, or transport cannabis in New York State.

Section 2. Establishment, purpose, and duties of the Commission

- A. There is hereby established the Albany Community Commission on Cannabis Reparations.
- B. The Commission shall have the following duties:
 - 1) To examine municipal, state, and federal policies and institutions involved in the criminalization and disproportionate punishment of people of color involved in the sale of cannabis in the City of Albany;
 - 2) To analyze what extent, if any, the City of Albany and its various departments, charter, laws, policies, general orders, practices, and regulations furthered the criminalization and disproportionate punishment of people of color engaged in the sale of cannabis, whether or not such effects, if any, may have been the intention of such departments, charter, laws, policies, general orders, practices and/or regulations;
 - 3) To examine lingering practices, if any, in the public and private sectors within the City of Albany that continue to punish people of color who were or are engaged in the possession, display, or consumption of cannabis, and to further examine the impact such practices, if they exist, whether intentional or not ;
 - 4) To recommend effective ways to educate City of Albany residents about the Commission's findings;

- 5) To recommend policies to implement reparations remedies, if the Commission deems such remedies to be warranted, to people of color who were punished for the sale, possess, and consumption of cannabis. If the Commission determines that reparations remedies are warranted, it shall include the sales tax revenue from the legal sale of cannabis in the City of Albany in its recommendation for how reparations remedies will be funded. The Commission may suggest other funding mechanisms as it sees fit. If the Commission determines that reparations remedies are appropriate, it shall determine the form of reparations compensation, the amount of compensation, and who shall be eligible for such compensation in the City of Albany.

C. The Commission shall submit a written report of its findings and recommendations to the Common Council, the Mayor, the Treasurer, and the Chief City Auditor of the City of Albany no later than six months after the date of the Commission's first meeting.

Section 3. Membership and Meetings

- A. The Commission shall be composed of nine members who shall be designated within 60 days after the effective date of this local law. One member each shall be designated by the Mayor; the President of the Common Council, the President Pro Tempore of the Common Council, the Majority Leader of the Common Council, the Chair of the Albany Common Council Black and Hispanic Caucus, the Albany Center for Law and Justice, the Albany chapter of the NAACP, Avillage; and the African American Cultural Center of the Capital Region.
- B. All members of the Commission shall be individuals who are especially qualified to serve on the Commission by virtue of their education, training, and/or experience, particularly in the fields of indigent legal services, mental hygiene, history, and racial studies.
- C. The Commission shall elect a Chair and a Vice-Chair from among its membership.
- D. Five members of the Commission shall constitute a quorum, but a lesser number may hold hearings. The Commission may create any number of sub-committees it deems appropriate.
- E. The members of the Commission shall receive no compensation for their service as members.
- F. The Chair shall call the first meeting of the Commission within 90 days after the effective date of this local law. The Commission shall convene at least one meeting each month.

Section 4. Powers of the Commission

- A. The Commission may, for the purpose of carrying out the provisions of this local law, hold public hearings as the Commission deems appropriate.

- B. Any subcommittee or member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.
- C. The Commission may request from the head of any department, agency, or instrumentality of the City available information which the Commission considers useful in the discharge of its duties. All departments, agencies, and instrumentalities of the City should cooperate with the Commission's requests for such information and should furnish all information requested by the Commission to the extent permitted by law. The Commission may request that the Common Council use its subpoena power to compel cooperation under this section when the Commission deems it necessary to do so.

Section 5. Termination. The Commission shall terminate 30 days after the date upon which the Commission submits the written report of its findings and recommendations.

Section 6. This local law shall take effect upon passage, public hearing, and filing with the Secretary of State, and shall expire and be deemed repealed 30 days after the Commission submits its final report.

**APPROVED AS TO FORM THIS
6TH DAY OF JULY, 2022**

Corporation Counsel

To: **Danielle Gillespie, City Clerk**

From: **Gabriella Romero, Council Member, 6th Ward**

Re: **Common Council Legislation**
Supporting Memorandum

Date: **June 24, 2022**

Sponsors: **Romero, Anane**

LOCAL LAW I OF 2022

TITLE

A LOCAL LAW CREATING A COMMUNITY COMMISSION TO STUDY THE ENACTMENT OF REPARATIONS REMEDIES RELATED TO THE SALE OF CANNABIS IN THE CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION

For decades, Albany residents have been severely punished for the sale of cannabis during the War on Drugs. The criminalized use of cannabis has long been a source of wealth for communities who have been kept in poverty due to the lingering effects of slavery, redlining, and other forms of systemic racism. The Albany Community Commission on Cannabis Reparations will study how to repair some of this past harm now that it is legal to possess, display, purchase, obtain, or transport cannabis in New York State.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

See above.

FISCAL IMPACT

None identified for the creation of the Commission itself.

Council Members Romero and Anane introduced the following:

LOCAL LAW I OF 2022 (Pending Amendment 5/20/24)

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 - 2) To analyze what extent, if any, the City of Albany and its various departments, charter, laws, policies, general orders, practices, and regulations furthered the criminalization and disproportionate punishment of people of color engaged in the sale of cannabis, whether or not such effects, if any, may have been the intention of such departments, charter, laws, policies, general orders, practices and/or regulations;
 - 3) To examine lingering practices, if any, in the public and private sectors within the City of Albany that continue to punish people of color who were or are engaged in the possession, display, or consumption of cannabis, and to further examine the impact such practices, if they exist, whether intentional or not ;
 - 4) To recommend effective ways to educate City of Albany residents about the Commission's findings;

- 5) To recommend policies to implement reparations remedies, if the Commission deems such remedies to be warranted, to people of color who were punished for the sale, possess, and consumption of cannabis. If the Commission determines that reparations remedies are warranted, it shall include the sales tax revenue from the legal sale of cannabis in the City of Albany in its recommendation for how reparations remedies will be funded. The Commission may suggest other funding mechanisms as it sees fit. If the Commission determines that reparations remedies are appropriate, it shall determine the form of reparations compensation, the amount of compensation, and who shall be eligible for such compensation in the City of Albany.

C. The Commission shall submit a written report of its findings and recommendations to the Common Council, the Mayor, the Treasurer, and the Chief City Auditor of the City of Albany no later than six months after the date of the Commission's first meeting.

Section 3. Membership and Meetings

- A. The Commission shall be composed of nine members, all of whom shall be residents of the City of Albany, and who shall be designated within 60 days after the effective date of this local law. One member each shall be designated by the Mayor; the President of the Common Council, , the Chair of the Albany Common Council Black and Hispanic Caucus, the Albany Center for Law and Justice, the Albany chapter of the NAACP, Avillage; and the Alice Moore Black Arts and Cultural Center. Three members will be designated by the Common Council.
- B. All members of the Commission shall be individuals who are especially qualified to serve on the Commission by virtue of their education, training, and/or experience, particularly in the fields of indigent legal services, mental hygiene, history, and racial studies. Special consideration shall be given to prospective member who reside in communities that have been disproportionately negatively impacted by redlining and the war on drugs or have personally been negatively impacted by the war on drugs.
- C. The Commission shall elect a Chair and a Vice-Chair from among its membership.
- D. Five members of the Commission shall constitute a quorum. The Commission may create any number of sub-committees it deems appropriate.
- E. The members of the Commission shall receive no compensation for their service as members.
- F. The Chair shall call the first meeting of the Commission within 90 days after the effective date of this local law. The Commission shall convene at least one meeting each month.

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- B. Any subcommittee or member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.
- C. The Commission may request from the head of any department, agency, or instrumentality of the City available information which the Commission considers useful in the discharge of its duties. All departments, agencies, and instrumentalities of the City should cooperate with the Commission's requests for such information and should furnish all information requested by the Commission to the extent permitted by law. The Commission may request that the Common Council use its subpoena power to compel cooperation under this section when the Commission deems it necessary to do so.

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**APPROVED AS TO FORM THIS
XTH DAY OF XX, 2024**

Corporation Counsel

To: **Shaniqua Jackson, City Clerk**

From: **Gabriella Romero, Council Member, 6th Ward**

Re: **Common Council Legislation**
Supporting Memorandum

Date: **May 2, 2024**

Sponsors: **Romero, Anane**

LOCAL LAW I OF 2022 (Pending Amendment 5/20/24)

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