*** § 665. Savings clause.** If any provision of this article or the application thereof to any person, employer, occupation or circumstance is held invalid, the remainder of the article and the application of such provision to other persons, employees, occupations, or circumstances shall not be affected thereby.

* NB Effective until January 31, 2027

* § 665. Cannabis industry wage board. 1. The commissioner shall hereby convene a cannabis industry wage board. The wage board shall be comprised of three members: one representative of the New York state licensed cannabis industry; one representative of the New York state AFL-CIO; and one member appointed by the commissioner, who shall be selected from the general public and designated as chairperson. The wage board shall hold its first hearing no later than March first, two thousand twenty-seven. The members of the board shall not receive a salary or other compensation but shall be paid actual and necessary traveling expenses while engaged in the performance of their duties.

2. Two-thirds of the members of the board shall constitute a quorum. The chairperson may from time to time formulate rules governing the manner in which the wage board shall function and perform its duties under this article.

3. The wage board shall have power to conduct public hearings. The board may also consult with cannabis employers, cannabis workers, and their respective representatives, in the occupation or occupations involved, and with such other persons, as it shall determine. The board shall also have power to administer oaths and to require by subpoena the attendance and testimony of witnesses, and the production of all books, records, and other evidence relative to any matters under inquiry. Such subpoenas shall be signed and issued by the chairperson of the board and shall be served and have the same effect as if issued out of the supreme court. The board shall have power to cause depositions of witnesses residing within or without the state to be taken in the manner prescribed for like depositions in civil actions in the supreme court. The board shall not be bound by common law or statutory rules of procedure or evidence.

4. The wage board shall only meet within the state and must hold at least three hearings at which the public will be afforded an opportunity to provide comments. At least one Spanish language interpreter shall be present at each public hearing to interpret oral testimony delivered in Spanish. Where a witness reveals the need for an interpreter in a language other than Spanish, to the extent practicable, an interpreter in that language shall be provided. Any materials advertising such hearings shall be bilingual in English and Spanish. Any written materials disbursed at the hearing or subsequent to the hearing, including written testimony and hearing transcripts, shall be available in English, Spanish, and, to the extent practicable, any other language upon request.

5. The wage board shall make a report to the governor and the legislature, including, but not limited to, its recommendations as to minimum hourly wages. The report shall recommend prospective wage increases in the same manner as minimum wage increases pursuant to subdivision 1-b of section six hundred fifty-two of this article. The report shall include specific recommendations for workers in each of the following areas: cultivation; processing and packaging; distribution; and retail and delivery. The board shall have the discretion to include specific recommendations for additional classifications of cannabis industry worker, and an industry-wide minimum wage for workers not captured within any specific classification, and shall have the discretion to determine that wages in the industry are adequate. The report and recommendations of the board shall be submitted only after a vote of not less than a majority of all its members in support of such report and recommendations. Such report shall be submitted no later than December thirty-first, two thousand twenty-seven.

6. Nothing contained in the wage board's report or recommendations shall diminish or limit any rights, protections, benefits or entitlements currently enjoyed by and/or available to any cannabis worker in the state.

7. The commissioner shall comply with section six hundred fifty-six of this article upon receipt of the wage board's recommendations. The

commissioner may reconvene the same wage board or appoint a new wage board in compliance with section six hundred fifty-nine of this article.

* NB Effective January 31, 2027