

1.1 **Senator Wiklund from the Committee on Health and Human Services, to which**
 1.2 **was re-referred**

1.3 **S.F. No. 73:** A bill for an act relating to cannabis; establishing the Office of Cannabis
 1.4 Management; establishing advisory councils; requiring reports relating to cannabis use and
 1.5 sales; legalizing and limiting the possession and use of cannabis by adults; providing for
 1.6 the licensing, inspection, and regulation of cannabis businesses; requiring testing of cannabis
 1.7 flower and cannabinoid products; requiring labeling of cannabis flower and cannabinoid
 1.8 products; limiting the advertisement of cannabis flower, cannabinoid products, and cannabis
 1.9 businesses; providing for the cultivation of cannabis in private residences; transferring
 1.10 regulatory authority for the medical cannabis program; taxing the sale of adult-use cannabis;
 1.11 establishing grant and loan programs; amending criminal penalties; prohibiting the use or
 1.12 possession of cannabis flower and cannabinoid products on a street or highway; establishing
 1.13 expungement procedures for certain individuals; establishing labor standards for the use of
 1.14 cannabis by employees and testing of employees; providing for the temporary regulation
 1.15 of certain edible cannabinoid products; providing for professional licensing protections;
 1.16 amending the scheduling of marijuana and tetrahydrocannabinols; classifying data; making
 1.17 miscellaneous cannabis-related changes and additions; making clarifying and technical
 1.18 changes; appropriating money; amending Minnesota Statutes 2022, sections 13.411, by
 1.19 adding a subdivision; 13.871, by adding a subdivision; 16B.2975, subdivision 8; 34A.01,
 1.20 subdivision 4; 144.99, subdivision 1; 151.72; 152.01, by adding subdivisions; 152.02,
 1.21 subdivisions 2, 4; 152.021, subdivision 2; 152.022, subdivisions 1, 2; 152.023, subdivisions
 1.22 1, 2; 152.024, subdivision 1; 152.025, subdivisions 1, 2; 181.938, subdivision 2; 181.950,
 1.23 subdivisions 2, 4, 5, 8, 13, by adding a subdivision; 181.951, by adding subdivisions;
 1.24 181.952, by adding a subdivision; 181.953; 181.954; 181.955; 181.957, subdivision 1;
 1.25 244.05, subdivision 2; 245C.08, subdivision 1; 256.01, subdivision 18c; 256B.0625,
 1.26 subdivision 13d; 256D.024, subdivisions 1, 3; 256J.26, subdivisions 1, 3; 273.13, subdivision
 1.27 24; 275.025, subdivision 2; 290.0132, subdivision 29; 290.0134, subdivision 19; 297A.61,
 1.28 subdivision 3; 297A.67, subdivisions 2, 7; 297A.70, subdivisions 2, 18; 297A.99, by adding
 1.29 a subdivision; 297D.01; 297D.04; 297D.06; 297D.07; 297D.08; 297D.085; 297D.09,
 1.30 subdivision 1a; 297D.10; 297D.11; 340A.412, subdivision 14; 609.135, subdivision 1;
 1.31 609.5311, subdivision 1; 609.5314, subdivision 1; 609.5316, subdivision 2; 609A.01;
 1.32 609A.03, subdivisions 5, 9; 609B.425, subdivision 2; 609B.435, subdivision 2; 624.712,
 1.33 by adding subdivisions; 624.713, subdivision 1; 624.714, subdivision 6; 624.7142,
 1.34 subdivision 1; 624.7151; proposing coding for new law in Minnesota Statutes, chapters 3;
 1.35 116J; 116L; 120B; 144; 152; 169A; 289A; 295; 340A; 609A; 624; proposing coding for
 1.36 new law as Minnesota Statutes, chapter 342; repealing Minnesota Statutes 2022, sections
 1.37 151.72; 152.027, subdivisions 3, 4; 152.21; 152.22, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 6, 7,
 1.38 8, 9, 10, 11, 12, 13, 14; 152.23; 152.24; 152.25, subdivisions 1, 1a, 1b, 1c, 2, 3, 4; 152.26;
 1.39 152.261; 152.27, subdivisions 1, 2, 3, 4, 5, 6, 7; 152.28, subdivisions 1, 2, 3; 152.29,
 1.40 subdivisions 1, 2, 3, 3a, 4; 152.30; 152.31; 152.32, subdivisions 1, 2, 3; 152.33, subdivisions
 1.41 1, 1a, 2, 3, 4, 5, 6; 152.34; 152.35; 152.36, subdivisions 1, 1a, 2, 3, 4, 5; 152.37; Minnesota
 1.42 Rules, parts 4770.0100; 4770.0200; 4770.0300; 4770.0400; 4770.0500; 4770.0600;
 1.43 4770.0800; 4770.0900; 4770.1000; 4770.1100; 4770.1200; 4770.1300; 4770.1400;
 1.44 4770.1460; 4770.1500; 4770.1600; 4770.1700; 4770.1800; 4770.1900; 4770.2000;
 1.45 4770.2100; 4770.2200; 4770.2300; 4770.2400; 4770.2700; 4770.2800; 4770.4000;
 1.46 4770.4002; 4770.4003; 4770.4004; 4770.4005; 4770.4007; 4770.4008; 4770.4009;
 1.47 4770.4010; 4770.4012; 4770.4013; 4770.4014; 4770.4015; 4770.4016; 4770.4017;
 1.48 4770.4018; 4770.4030.

1.49 Reports the same back with the recommendation that the bill be amended as follows:

1.50 Page 2, line 26, delete "artificially" and insert "synthetically"

1.51 Page 3, line 1, delete "Artificially" and insert "Synthetically" and delete "Artificially"
 1.52 and insert "Synthetically"

- 2.1 Page 3, line 4, delete "Artificially" and insert "Synthetically"
- 2.2 Page 3, lines 13, 21, and 32, delete "artificially" and insert "synthetically"
- 2.3 Page 4, lines 5, 8, and 14, delete "artificially" and insert "synthetically"
- 2.4 Page 5, line 9, delete "artificially" and insert "synthetically"
- 2.5 Page 6, line 8, delete "artificially" and insert "synthetically"
- 2.6 Page 6, line 27, delete "an artificially" and insert "a synthetically"
- 2.7 Page 7, lines 13 and 21, delete "artificially" and insert "synthetically"
- 2.8 Page 8, line 18, delete "an artificially" and insert "a synthetically"
- 2.9 Page 9, lines 14 and 23, delete "an artificially" and insert "a synthetically"
- 2.10 Page 10, line 1, delete "(a)"
- 2.11 Page 10, delete line 15
- 2.12 Page 11, line 3, delete "artificially" and insert "synthetically"
- 2.13 Page 11, line 23, delete everything after "cancer" and insert a semicolon
- 2.14 Page 11, delete lines 24 to 26
- 2.15 Page 12, line 12, delete everything after "illness" and insert "; or"
- 2.16 Page 12, delete lines 13 to 16
- 2.17 Page 13, line 13, delete "Synthetic" and insert "Artificial" and delete "Synthetic" and
- 2.18 insert "Artificial"
- 2.19 Page 15, after line 13, insert:
- 2.20 "(15) to develop a warning label regarding the effects of the use of cannabis flower and
- 2.21 cannabinoid products by persons 25 years of age or younger;"
- 2.22 Page 17, after line 12, insert:
- 2.23 "(5) the commissioner of human services or a designee;"
- 2.24 Page 18, line 8, delete "the" and delete "and" and insert a comma and delete "of" and
- 2.25 insert ", and recovery related to"
- 2.26 Page 18, after line 17, insert:
- 2.27 "(32) an expert in toxicology appointed by the governor;
- 2.28 (33) an expert in pediatric medicine appointed by the governor;

3.1 (34) an expert in adult medicine appointed by the governor;"

3.2 Page 18, line 19, delete everything after "one" and insert "who is a patient or caregiver
3.3 of a parent in the medical cannabis program;"

3.4 Page 18, delete line 20 and insert:

3.5 "(36) two licensed mental health professionals appointed by the governor;"

3.6 Page 20, delete lines 18 to 30 and insert:

3.7 "(e) The office shall collect existing data from the Department of Human Services,
3.8 Department of Health, Minnesota state courts, and hospitals licensed under chapter 144 on
3.9 the utilization of mental health and substance use disorder services, emergency room visits,
3.10 and commitments to identify any increase in the services provided or any increase in the
3.11 number of visits or commitments. The office shall also obtain summary data from existing
3.12 first episode psychosis programs on the number of persons served by the programs and
3.13 number of persons on the waiting list. All information collected by the office under this
3.14 paragraph shall be included in the report required under paragraph (f)."

3.15 Page 21, line 22, after "programs" insert a comma

3.16 Page 21, line 23, delete the first "and" and after "programs" insert ", and child welfare
3.17 workers"

3.18 Page 22, line 18, delete "artificially" and insert "synthetically"

3.19 Page 23, line 9, delete "a synthetic" and insert "an artificial"

3.20 Page 23, line 10, delete "an artificially" and insert "a synthetically"

3.21 Page 27, line 2, delete "or"

3.22 Page 27, line 4, delete the period and insert "; or"

3.23 Page 27, after line 4, insert:

3.24 "(9) vaporize or smoke cannabis flower, cannabinoid products, artificially derived
3.25 cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol,
3.26 or vapor would be inhaled by a minor."

3.27 Page 27, line 13, after the period, insert "Cannabis flower or cannabinoid products must
3.28 be inaccessible to children and stored away from food products."

3.29 Page 38, lines 4, 6, 8, 11, 14, 16, 18, 20, 22, 24, 27, 29, and 32, delete "artificially" and
3.30 insert "synthetically"

- 4.1 Page 39, lines 2, 4, 6, 9, 11, and 15, delete "artificially" and insert "synthetically"
- 4.2 Page 45, line 8, delete "artificially" and insert "synthetically"
- 4.3 Page 47, lines 3, 8, 13, 16, 25, 28, and 31, delete "artificially" and insert "synthetically"
- 4.4 Page 48, line 2, delete "artificially" and insert "synthetically"
- 4.5 Page 51, line 25, delete "artificially" and insert "synthetically"
- 4.6 Page 52, lines 3 and 8, delete "artificially" and insert "synthetically"
- 4.7 Page 53, lines 20, 25, and 29, delete "artificially" and insert "synthetically"
- 4.8 Page 54, lines 8, 25, and 28, delete "artificially" and insert "synthetically"
- 4.9 Page 55, lines 11 and 17, delete "artificially" and insert "synthetically"
- 4.10 Page 58, line 3, delete "artificially" and insert "synthetically"
- 4.11 Page 61, line 16, delete "artificially" and insert "synthetically"
- 4.12 Page 63, line 32, delete "artificially" and insert "synthetically"
- 4.13 Page 65, lines 6, 19, 23, and 29, delete "artificially" and insert "synthetically"
- 4.14 Page 66, lines 2, 6, 10, and 22, delete "artificially" and insert "synthetically"
- 4.15 Page 67, lines 21 and 30, delete "artificially" and insert "synthetically"
- 4.16 Page 70, line 28, delete "artificially" and insert "synthetically"
- 4.17 Page 75, after line 4, insert:
- 4.18 "(e) The cannabis event organizer shall not permit smoking, according to section 144.413,
- 4.19 of adult-use cannabis flower or cannabinoid products at any location where smoking is not
- 4.20 permitted under sections 144.413 to 144.417. Nothing in section 342.37 prohibits a statutory
- 4.21 or home rule charter city or county from enacting and enforcing more stringent measures
- 4.22 to protect individuals from secondhand smoke or involuntary exposure to aerosol or vapor
- 4.23 form electronic delivery devices."
- 4.24 Page 79, line 20, delete "an artificially" and insert "a synthetically"
- 4.25 Page 82, line 1, delete "(a)"
- 4.26 Page 82, delete lines 5 and 6
- 4.27 Page 91, line 7, delete "valid for one year" and insert "permanent"
- 4.28 Page 91, delete lines 8 and 9

- 5.1 Page 96, line 28, after the semicolon, insert "or"
- 5.2 Page 96, line 29, delete "or"
- 5.3 Page 96, delete line 30
- 5.4 Page 97, line 13, after the second "health" insert "or the commissioner of human services"
- 5.5 Page 97, line 18, after "products" insert "on behalf of the patient" and delete the first
5.6 comma and insert "; that a patient store the patient's supply of medical cannabis flower or
5.7 medicinal cannabinoid products in a locked container accessible only to the patient, the
5.8 patient's designated caregiver, or the patient's parent, legal guardian, or spouse;" and delete
5.9 ", and" and insert "; and"
- 5.10 Page 97, line 20, after the period, insert "Nothing in this subdivision requires facilities
5.11 and providers listed in this subdivision to adopt such restrictions."
- 5.12 Page 97, after line 20, insert:
- 5.13 "(b) No facility or provider listed in this subdivision may unreasonably limit a patient's
5.14 access to or use of medical cannabis flower or medical cannabinoid products to the extent
5.15 that such use is authorized under sections 342.42 to 342.56. No facility or provider listed
5.16 in this subdivision may prohibit a patient access to or use of medical cannabis flower or
5.17 medical cannabinoid products due solely to the fact that cannabis is a Schedule I drug
5.18 pursuant to the federal Uniform Controlled Substances Act. If a federal regulatory agency,
5.19 the United States Department of Justice, or the federal Centers for Medicare and Medicaid
5.20 Services takes one of the following actions, a facility or provider may suspend compliance
5.21 with this paragraph until the regulatory agency, the United States Department of Justice, or
5.22 the federal Centers for Medicare and Medicaid Services notifies the facility or provider that
5.23 it may resume permitting the use of medical cannabis flower or medical cannabinoid products
5.24 within the facility or in the provider's service setting:
- 5.25 (1) a federal regulatory agency or the United States Department of Justice initiates
5.26 enforcement action against a facility or provider related to the facility's compliance with
5.27 the medical cannabis program; or
- 5.28 (2) a federal regulatory agency, the United States Department of Justice, or the federal
5.29 Centers for Medicare and Medicaid Services issues a rule or otherwise provides notification
5.30 to the facility or provider that expressly prohibits the use of medical cannabis in health care
5.31 facilities or otherwise prohibits compliance with the medical cannabis program."
- 5.32 Page 97, line 21, delete "(b)" and insert "(c)"

- 6.1 Page 97, line 27, delete everything after the period
- 6.2 Page 97, delete lines 28 to 31
- 6.3 Page 97, before line 32, insert:
- 6.4 "Subd. 3. **Child care facilities.** A proprietor of a family or group family day care program
- 6.5 must disclose to parents or guardians of children cared for on the premises of the family or
- 6.6 group family day care program, if the proprietor permits the smoking or use of medical
- 6.7 cannabis on the premises, outside of its hours of operation. Disclosure must include posting
- 6.8 on the premises a conspicuous written notice and orally informing parents or guardians."
- 6.9 Page 102, lines 3, 5, 8, 12, 17, 19, 22, and 30, delete "artificially" and insert
- 6.10 "synthetically"
- 6.11 Page 103, lines 4, 12, 14, 19, and 34, delete "artificially" and insert "synthetically"
- 6.12 Page 104, line 8, delete "artificially" and insert "synthetically"
- 6.13 Page 105, line 4, delete "an artificially" and insert "a synthetically"
- 6.14 Page 106, line 26, delete "artificially" and insert "synthetically"
- 6.15 Page 107, after line 6, insert:
- 6.16 "(10) a warning symbol developed by the office in consultation with the commissioner
- 6.17 of health and the Minnesota Poison Control System that:
- 6.18 (i) is at least three-quarters of an inch tall and six-tenths of an inch wide;
- 6.19 (ii) is in a highly visible color;
- 6.20 (iii) includes a visual element that is commonly understood to mean a person should
- 6.21 stop;
- 6.22 (iv) indicates that the product is not for children; and
- 6.23 (v) includes the phone number of the Minnesota Poison Control System;"
- 6.24 Page 111, line 27, delete "artificially" and insert "synthetically"
- 6.25 Page 115, line 6, delete "DISORDER" and after "TREATMENT" insert ", RECOVERY,"
- 6.26 Page 115, lines 8, 15, and 17, delete "disorder" and after "treatment" insert ", recovery,"
- 6.27 Page 115, line 19, after the second "for" insert "recovery programs and"
- 6.28 Page 115, delete lines 21 and 22

7.1 Page 115, line 23, delete everything before the period and insert "providers to adopt
7.2 evidence-based, culturally informed, and responsive treatment and services. Funds may be
7.3 used to support the expansion of peer and recovery specialists, cover housing costs in sober
7.4 homes for persons with low incomes, expand co-occurring programming for persons with
7.5 mental illnesses and substance use disorders, support first episode psychosis programs,
7.6 provide harm reduction services, and provide start-up funding for culturally specific providers
7.7 of substance use disorder services"

7.8 Page 115, line 30, delete the comma and insert "and"

7.9 Page 115, line 31, delete ", and the Substance Use Disorder Advisory Council"

7.10 Page 116, line 4, delete "disorder"

7.11 Page 116, line 5, after "treatment" insert ", recovery,"

7.12 Page 120, delete section 65

7.13 Page 122, line 8, delete "artificially" and insert "synthetically"

7.14 Page 123, delete section 69

7.15 Page 137, line 23, strike "artificially" and insert "synthetically"

7.16 Page 141, line 22, delete "artificially" and insert "synthetically"

7.17 Page 153, line 11, delete "Artificially" and insert "Synthetically" and delete "Artificially"
7.18 and insert "Synthetically"

7.19 Page 163, line 5, delete "artificially" and insert "synthetically"

7.20 Page 163, lines 16, 20, and 29, delete "an artificially" and insert "a synthetically"

7.21 Page 164, line 9, delete "an artificially" and insert "a synthetically"

7.22 Page 185, line 12, after "children" insert a comma

7.23 Page 185, line 13, delete the first "and" and after the comma, insert "and persons under
7.24 25 years of age," and after "children" insert a comma and delete the second "and" and after
7.25 the second "adolescents" insert ", and persons under 25 years of age"

7.26 Page 186, line 10, after "older" insert ", and the trends in hospital treated cannabis
7.27 poisoning and adverse events"

7.28 Page 186, line 15, after "state" insert ", and the trends in hospital treated cannabis
7.29 poisoning and adverse events"

8.1 Page 186, line 30, after "older" insert ", and the trends in hospital treated cannabis
8.2 poisoning and adverse events"

8.3 Page 187, line 8, delete "21" and insert "25"

8.4 Page 187, line 13, after "health" insert ", in consultation with the commissioners of
8.5 human services and education,"

8.6 Page 187, line 22, after "programs" insert a comma

8.7 Page 187, line 23, delete the first "and" and after "programs" insert ", and child welfare
8.8 workers"

8.9 Page 215, lines 6 and 9, delete "Artificially" and insert "Synthetically"

8.10 Page 216, line 12, delete "Synthetic" and insert "Artificial"

8.11 Page 217, line 23, delete "artificially" and insert "synthetically"

8.12 Page 220, lines 3, 4, and 5, delete "artificially" and insert "synthetically"

8.13 Page 220, line 7, delete "synthetic" and insert "artificial"

8.14 Page 224, after line 1, insert:

8.15 "Sec. 5. **EDIBLE CANNABINOID PRODUCTS; ENFORCEMENT.**

8.16 (a) The Department of Health shall enforce the provisions of Minnesota Statutes, section
8.17 151.72, and all rules, orders, stipulation agreements, settlements, compliance agreements,
8.18 and registrations related to that section adopted or issued by the Office of Medical Cannabis
8.19 or the Department of Health pursuant to the Health Enforcement Consolidation Act of 1993
8.20 contained in Minnesota Statutes, sections 144.989 to 144.993. The commissioner of health
8.21 may assign enforcement responsibilities to the Office of Medical Cannabis.

8.22 (b) The enforcement authority under paragraph (a) shall transfer to the Office of Cannabis
8.23 Management at any such time that the powers and duties of the Department of Health, with
8.24 respect to the medical cannabis program under Minnesota Statutes 2022, sections 152.22
8.25 to 152.37, are transferred to the Office of Cannabis Management. The director of the Office
8.26 of Cannabis Management may assign enforcement responsibilities to the Division of Medical
8.27 Cannabis.

8.28 (c) This section shall expire on July 1, 2024.

8.29 **EFFECTIVE DATE.** This section is effective the day following final enactment."

8.30 Page 235, line 1, strike "Synthetic" and insert "Artificial"

9.1 Page 244, line 16, strike "synthetic" and insert "artificial"

9.2 Page 244, lines 20, 21, 28, and 30, delete "synthetic" and insert "artificial"

9.3 Page 245, line 18, delete "disorder" and after "treatment" insert ", recovery,"

9.4 Page 247, after line 8, insert:

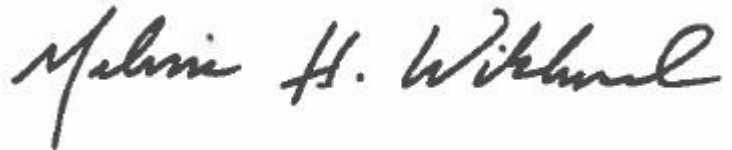
9.5 "Subd. 9. Department of Health; Minnesota Poison Control System. \$. in fiscal
9.6 year 2024 and \$. in fiscal year 2025 are appropriated from the general fund to the
9.7 commissioner of health to support the poison control system and award or supplement grants
9.8 pursuant to Minnesota Statutes, section 145.93."

9.9 Page 247, delete lines 19 to 21

9.10 Page 249, lines 22, 23, and 24, delete "disorder" and after "treatment" insert ", recovery,"

9.11 Renumber the clauses, subdivisions, and sections in sequence

9.12 And when so amended the bill do pass and be re-referred to the Committee on Human
9.13 Services. Amendments adopted. Report adopted.



9.14

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(Committee Chair)

9.15

9.16

February 28, 2023.....

9.17

(Date of Committee recommendation)