

1.1 **Senator McEwen from the Committee on Labor, to which was re-referred**

1.2 **S.F. No. 73:** A bill for an act relating to cannabis; establishing the Office of Cannabis
 1.3 Management; establishing advisory councils; requiring reports relating to cannabis use and
 1.4 sales; legalizing and limiting the possession and use of cannabis by adults; providing for
 1.5 the licensing, inspection, and regulation of cannabis businesses; requiring testing of cannabis
 1.6 flower and cannabinoid products; requiring labeling of cannabis flower and cannabinoid
 1.7 products; limiting the advertisement of cannabis flower, cannabinoid products, and cannabis
 1.8 businesses; providing for the cultivation of cannabis in private residences; transferring
 1.9 regulatory authority for the medical cannabis program; allowing Tribal medical cannabis
 1.10 program manufacturers to distribute medical cannabis to Tribal medical cannabis program
 1.11 patients; providing for transportation of medical cannabis by Tribal medical cannabis
 1.12 manufacturers; taxing the sale of adult-use cannabis; establishing grant and loan programs;
 1.13 amending criminal penalties; prohibiting the use or possession of cannabis flower and
 1.14 cannabinoid products on a street or highway; establishing expungement procedures for
 1.15 certain individuals; establishing labor standards for the use of cannabis by employees and
 1.16 testing of employees; providing for the temporary regulation of certain edible cannabinoid
 1.17 products; providing for professional licensing protections; amending the scheduling of
 1.18 marijuana and tetrahydrocannabinols; classifying data; making miscellaneous
 1.19 cannabis-related changes and additions; making clarifying and technical changes;
 1.20 appropriating money; amending Minnesota Statutes 2022, sections 13.411, by adding a
 1.21 subdivision; 13.871, by adding a subdivision; 16B.2975, subdivision 8; 34A.01, subdivision
 1.22 4; 144.99, subdivision 1; 151.72; 152.01, by adding subdivisions; 152.02, subdivisions 2,
 1.23 4; 152.021, subdivision 2; 152.022, subdivisions 1, 2; 152.023, subdivisions 1, 2; 152.024,
 1.24 subdivision 1; 152.025, subdivisions 1, 2; 152.22, by adding subdivisions; 152.29, subdivision
 1.25 4, by adding a subdivision; 152.30; 152.32; 152.33, subdivision 1; 181.938, subdivision 2;
 1.26 181.950, subdivisions 2, 4, 5, 8, 13, by adding a subdivision; 181.951, by adding subdivisions;
 1.27 181.952, by adding a subdivision; 181.953; 181.954; 181.955; 181.957, subdivision 1;
 1.28 244.05, subdivision 2; 245C.08, subdivision 1; 256.01, subdivision 18c; 256B.0625,
 1.29 subdivision 13d; 256D.024, subdivisions 1, 3; 256J.26, subdivisions 1, 3; 273.13, subdivision
 1.30 24; 275.025, subdivision 2; 290.0132, subdivision 29; 290.0134, subdivision 19; 297A.61,
 1.31 subdivision 3; 297A.67, subdivisions 2, 7; 297A.70, subdivisions 2, 18; 297A.99, by adding
 1.32 a subdivision; 297D.01; 297D.04; 297D.06; 297D.07; 297D.08; 297D.085; 297D.09,
 1.33 subdivision 1a; 297D.10; 297D.11; 340A.412, subdivision 14; 609.135, subdivision 1;
 1.34 609.5311, subdivision 1; 609.5314, subdivision 1; 609.5316, subdivision 2; 609A.01;
 1.35 609A.03, subdivisions 5, 9; 609B.425, subdivision 2; 609B.435, subdivision 2; 624.712,
 1.36 by adding subdivisions; 624.713, subdivision 1; 624.714, subdivision 6; 624.7142,
 1.37 subdivision 1; 624.7151; proposing coding for new law in Minnesota Statutes, chapters 3;
 1.38 116J; 116L; 120B; 144; 152; 169A; 289A; 295; 340A; 609A; 624; proposing coding for
 1.39 new law as Minnesota Statutes, chapter 342; repealing Minnesota Statutes 2022, sections
 1.40 151.72; 152.027, subdivisions 3, 4; 152.21; 152.22, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 6, 7,
 1.41 8, 9, 10, 11, 12, 13, 14; 152.23; 152.24; 152.25, subdivisions 1, 1a, 1b, 1c, 2, 3, 4; 152.26;
 1.42 152.261; 152.27, subdivisions 1, 2, 3, 4, 5, 6, 7; 152.28, subdivisions 1, 2, 3; 152.29,
 1.43 subdivisions 1, 2, 3, 3a, 4; 152.30; 152.31; 152.32, subdivisions 1, 2, 3; 152.33, subdivisions
 1.44 1, 1a, 2, 3, 4, 5, 6; 152.34; 152.35; 152.36, subdivisions 1, 1a, 2, 3, 4, 5; 152.37; Minnesota
 1.45 Rules, parts 4770.0100; 4770.0200; 4770.0300; 4770.0400; 4770.0500; 4770.0600;
 1.46 4770.0800; 4770.0900; 4770.1000; 4770.1100; 4770.1200; 4770.1300; 4770.1400;
 1.47 4770.1460; 4770.1500; 4770.1600; 4770.1700; 4770.1800; 4770.1900; 4770.2000;
 1.48 4770.2100; 4770.2200; 4770.2300; 4770.2400; 4770.2700; 4770.2800; 4770.4000;
 1.49 4770.4002; 4770.4003; 4770.4004; 4770.4005; 4770.4007; 4770.4008; 4770.4009;
 1.50 4770.4010; 4770.4012; 4770.4013; 4770.4014; 4770.4015; 4770.4016; 4770.4017;
 1.51 4770.4018; 4770.4030.

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

1.53 Page 16, line 7, before "The" insert "(a)"

2.1 Page 16, after line 10, insert:

2.2 "(b) State employees shall not be displaced by the transfer of duties from the Department
 2.3 of Health medical cannabis program to the Office of Cannabis Management under this
 2.4 subdivision. Any employees transferred under this section to the Office of Cannabis
 2.5 Management shall retain their current seniority and benefit accrual rates."

2.6 Page 195, after line 32, insert:

2.7 "Sec. 21. Minnesota Statutes 2022, section 175.45, subdivision 1, is amended to read:

2.8 Subdivision 1. **Duties; goal.** The commissioner of labor and industry shall convene
 2.9 industry representatives, identify occupational competency standards, and provide technical
 2.10 assistance to develop dual-training programs. The competency standards shall be identified
 2.11 for employment in occupations in advanced manufacturing, health care services, information
 2.12 technology, ~~and~~ agriculture, and the legal cannabis industry. Competency standards are not
 2.13 rules and are exempt from the rulemaking provisions of chapter 14, and the provisions in
 2.14 section 14.386 concerning exempt rules do not apply."

2.15 Page 196, line 15, before the period, insert ", or if a failure to do so would violate federal
 2.16 or state law or regulations or cause an employer to lose a monetary or licensing-related
 2.17 benefit under federal law or regulations"

2.18 Page 197, after line 16, insert:

2.19 "Sec. 29. Minnesota Statutes 2022, section 181.951, subdivision 4, is amended to read:

2.20 Subd. 4. **Random testing.** An employer may request or require employees to undergo
 2.21 cannabis testing or drug and alcohol testing on a random selection basis only if (1) they are
 2.22 employed in safety-sensitive positions, or (2) they are employed as professional athletes if
 2.23 the professional athlete is subject to a collective bargaining agreement permitting random
 2.24 testing but only to the extent consistent with the collective bargaining agreement."

2.25 Page 197, line 20, delete "or drug and alcohol testing"

2.26 Page 197, line 24, delete everything after "test"

2.27 Page 197, line 25, delete everything before "authorized"

2.28 Page 197, line 28, delete "or on a random selection basis"

2.29 Page 199, line 10, after "may" insert "only"


2.30 Page 205, line 14, after "testing" insert "or cannabis testing"

3.1 Renumber the sections in sequence

3.2 Amend the title numbers accordingly

3.3 And when so amended the bill do pass and be re-referred to the Committee on State and

3.4 Local Government and Veterans. Amendments adopted. Report adopted.

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3.6 (Committee Chair)

3.7 March 2, 2023.....
3.8 (Date of Committee recommendation)