

Legislative Report

Date: January 24, 2025

To: Senator Gary Dahms, Chair, Commerce and Consumer Protection Committee; Senator Matt Klein, Chair, Commerce and Consumer Protection Committee; Senator Paul Utke, Chair, Health and Human Services Committee; Senator Melissa Wiklund, Chair, Health and Human Services Committee; Senator Justin Eichorn, Chair, Environment, Climate, and Legacy Committee; Senator Fong Hawj, Chair, Environment, Climate, and Legacy Committee; Senator Andrew Lang, Chair, State and Local Government Committee; Senator Tou Xiong, Chair, State and Local Government Committee; Representative Tim O’Driscoll, Commerce and Finance Policy Committee; Representative Kaohly Vang Her, Commerce Finance and Policy Committee; Representative Jeff Backer, Health Finance and Policy Committee; Representative Robert Bierman, Health Finance and Policy Committee; Representative Patty Acomb, Climate and Energy Finance and Policy Committee; Representative Chris Swedzinski, Climate and Energy Finance and Policy Committee; Representative Jim Nash, State Government Finance and Policy Committee; Representative Ginny Klevorn, State Government Finance and Policy Committee

From: William Reynaga, Interim General Counsel, Office of Cannabis Management

Subject: Minnesota Office of Cannabis Management Annual Rulemaking Docket Notice to the Legislature pursuant to Minnesota Statutes § 14.116(a)

Dear Legislators:

Pursuant to Minnesota Statutes § 14.116(a), this letter serves as the Office of Cannabis Management’s (OCM) notice of its rulemaking docket maintained under section 14.266, and the official rulemaking record required under section 14.265 for any rule adopted during the preceding calendar year.

RULEMAKING DOCKET

The Minnesota Office of Cannabis Management maintains a rulemaking docket on our public website at <https://mn.gov/ocm/laws/rulemaking.jsp>.

The current rulemaking docket is:

Minnesota Adult-Use Cannabis

The Office of Cannabis Management (OCM) is using the expedited rulemaking process as authorized under [Minnesota Statutes, section 342.02, subdivision 5](#), to adopt rules governing the adult-use cannabis industry in Minnesota. On Jan. 13, 2025, OCM published a notice of intent to adopt expedited rules for Minnesota’s new cannabis industry. Members of the public can submit comment on those proposed rules until Feb. 12, 2025 to the [Office of Administrative Hearings \(OAH\) website](#).

Areas addressed through rulemaking

- Licensing – license limits, disqualifying offenses, appeal procedure or disqualification.
- Products – new product petition, product recall, packaging and labeling.
- Business operations – workers, product samples, product storage, environmental standards, storage, track and trace, security.
- Testing – laboratory approval, sampling, protocols, and standards.
- Local governments – expedited complaint process, business registration.
- Medical cannabis – patient registry, caregiver enrollment, consultant program, healthcare practitioner duties, medical cannabis combination business.

Public Input

OCM has been and will continue to gather input through surveys and public feedback to ensure the rulemaking process is accessible to the widest possible range of community members, advocates, and partners who want to help shape how the rules are drafted. The comments may be accessed through the [OCM Rulemaking webpage](#). Here is schedule of the past, current, and upcoming comment periods:

- Survey #1. Available Oct. 30-Nov. 30, 2023: cannabis cultivation, processing, and manufacturing.
- Survey #2. Available Dec. 1-Dec. 14, 2023: Testing (laboratory approval, sampling, protocols, and standards); environmental controls (water, energy, waste, and odor); and use of pesticides and fertilizers.
- Survey #3. Available Dec. 15-Dec. 28, 2023: Retail business operations; retail sanitary standards (facilities and handling); and expedited complaint process for local governments.
- Survey #4. Available Dec. 29-Jan. 12, 2024: Packaging and labeling; and integrated cannabis tracking, inventory, and verification system.
- Survey #5. Available Jan. 13-Jan. 26, 2024: Licensing; and social equity considerations.
- Survey #6. Available Jan. 29-Feb. 11, 2024: Laboratory standards; and edible products standards.
- Survey #7. Available Feb. 12-26, 2024: Medical cannabis and patient registry program.
- Survey #8. Available April 9-April 19, 2024: License type and social equity status sought by potential applicants.
- Public Feedback #1: Jul. 31-Aug. 30, 2024: Public feedback on first draft of proposed rules.
- Cannabis Advisory Council discussion and feedback on rules at quarterly advisory council meeting: Aug. 12, 2024.
- Official comment period on Notice of Intent to Adopt Expedited Rules without a Hearing: Jan. 13-Feb. 12, 2025.

OCM used public feedback received through the above outreach efforts and consulted with experts at other state agencies to inform the proposed rules.

Anticipated timeline

OCM expects to adopt rules by the first quarter of 2025. OCM will post timeline updates on the [OCM Rulemaking webpage](#). OCM also maintains a listserv for [rulemaking email alerts](#).

For questions about the rulemaking process, please email cannabis.rulemaking@state.mn.us.