

HENNEPIN COUNTY

BOARD OF COMMISSIONERS

May 3, 2023

Chair Lindsey Port
Minnesota Senate
3213 Minnesota Senate Bldg.
St. Paul, MN 55155

Chair Zack Stephenson
Minnesota House of
Representatives
449 State Office Building
St. Paul, MN 55155

RE: SF73/HF100 Adult Use Cannabis Legalization

Dear Chair Port and Chair Stephenson,

On behalf of Hennepin County, we thank you for the hard work and time you put into legislation to legalize adult use recreational cannabis. We share the same values around ensuring a safe and equitable market, strengthening the role of local public health, protecting youth, and addressing expungement and justice reform retroactively and proactively. We look forward to the opportunities final legislation will bring. As the largest local public health agency in Minnesota, our work around these goals has statewide implications.

Counties are obligated to ensure that products like cannabis are safe and cause no health harms. With all regulated projects (e.g., cigarettes, alcohol, prescription drugs), local public health must ensure proper and safe use and provide supports for those with, or at risk of, substance use disorder. As the current system is underfunded, we are grateful for the revenue provisions that address this, and we welcome more as this funding will underwrite county operations post-legalization. This revenue (especially if increased) will best position local governments to mitigate harm and illicit use and sales.

Protecting Public Health

The care and precision of your work on SF 73/HF 100 showcases that the safety of Minnesotans is your highest priority. Therefore, we ask that the final bill includes provisions that:

- Limit the amount and potency of THC in cannabis products by requiring standard serving sizes, specific warning labels, advertising restrictions, and packaging and labeling restrictions
- Require packaging to include label markers that distinguish between low potency and high potency products
- Limit sales to cannabis-only retailers where alcohol sales are prohibited
- Decrease THC allotment in products



These measures will help limit accidental child exposure and protect residents from accidental overconsumption. As you continue to prioritize the safety of Minnesotans, we thank you for the funding inclusion to support the Minnesota Poison Control. The Poison Control Center, which is owned by our hospital and serves our state and the Dakotas, saw double digit increases in cases stemming from last year's THC reforms. The bill's one time appropriation of \$910,000 and \$810,000 in ongoing funding will mitigate harm and save lives.

Robust regulatory framework and rule-making authority

We applaud design of, and investment in, the Office of Cannabis Management. We encourage you, either through bill provisions or through strong oversight, to ensure the following:

- The Office selects leadership and staff with strong professional public health and substance use training, education, and experience
- Bolstering harm reduction strategies through safeguarding community health

We also appreciate your inclusion of the provision appointing a Local Public Health Association (LPHA) representative to the Cannabis Advisory Council and allocated funding to support collaborative MDH educational planning. Please do also consider adding a representative with a local health background, along with a community member, to the council.

We gently remind you both of the existing local financial share counties pay into Minnesota's substance use disorder prevention, treatment, and recovery system. In lean years, Hennepin regularly pays \$4 million in annual treatment costs through our property taxes. The overreliance on county property taxes leads to a chronic underfunding of the services continuum. And based on our experience in the opioid epidemic and in the general increase of drug use, we anticipate increased system demands with the legalization of cannabis. We ask that you consider increasing funding to counties to pay for chemical health supports for our communities.

Social justice and equity

We strongly support the provisions on expungement. We ask that you consider strengthening this area further by:

- Ensuring that the process is immediate, automatic, and extends to housing- all with the consideration of a completion deadline.
- Mandating that expungement occur for impacted persons as soon as practicable (other states show that this is key to successful legalization).
- Clarifying the definition of a 'social equity applicant' to create uniformity and fairness in the expungement process.



- Remove criminal sanctions for underage purchase, use, and possession penalties.
- Expanding the CanRenew grant program so that it includes more training of service providers, including those working in our schools.
- Protect unhoused persons from being criminalized for use by ensuring outdoor cannabis use isn't a pretext for targeted enforcement.

The need to protect residents' public health, establish a strong regulatory framework and rule-making authority, correct historical wrongs and fortify social justice and equity, and the need for adequate funding are all paramount to a successful recreational market in our state. Thank you for all the work that you do.



Irene Fernando, Chair
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