

The Impact of Cannabis Legalization

Saint Paul - Ramsey County Public Health Position Paper

April 20, 2023

INTRODUCTION

Minnesotans asked the Legislature to [legalize adult-use cannabis safely and responsibly](#). H.F. No. 100 was introduced with the intent to establish a system of responsible regulation, promote responsible consumption, and begin to repair the legacy of racial injustice created by the prohibition of cannabis. (house.gov.mn website)

This document provides an overview of considerations for regulating a new legal cannabis market that effectively addresses racial equity and protects the public's health and outlines key public health priorities for the county:

- Addressing public health implications
- Promoting equity and justice
- Prioritizing safety
- Engaging stakeholders
- Ensuring adequate funding and appropriations to address program costs

ROLE OF LOCAL GOVERNMENTS IN ADULT USE CANNABIS

Regardless of how a law may be ultimately structured in the Minnesota Legislature, counties will be on the front lines of implementation and public health education. Cannabis legalization will impact county services such as planning, education, water management, solid waste management, human services, and tax collection.

As the Minnesota legislature considers legalizing adult-use cannabis, it is critical that it protects public health and safety, advances race and health equity, and provides adequate funding at state and local levels to cover all costs associated with legalization.

Guiding Principles for policy makers to consider in relation to local units of government

- Create a strong regulatory framework ensuring safe and legal operations.
- Establish a shared revenue source that reimburses local governments for implementation, public education, and ongoing oversight.
- Support public health education about the impacts of cannabis use to protect public health and promote safe consumption.
- Include county representatives in all official legalization discussions such as workgroups, rulemaking bodies, and advisory boards.

Addressing Unintended Consequences

Legalization of an adult-use cannabis industry inherently presents risk that this industry may seek to drive up demand, use predatory tactics to increase profit, and exert powerful influence over the regulatory environment as other industries have done, most notably, commercial tobacco. Protecting public health requires that cannabis markets be well controlled and designed in a careful and deliberate manner that meets, but does not promote or expand, consumer demand for cannabis products. Monitoring for adverse effects of legalization needs to be part of a comprehensive policy.

Policy Support

Ramsey County supports commonsense state and local cannabis legislation and regulatory frameworks. Policy must address cannabis and THC health risks by including standards for safe clear packaging, monitoring of product safety, conducting regular inspections, preventing access to minors, educating about surrounding safe consumption, and oversight. Comprehensive policy also supports dedication of cannabis-related tax and fee revenues for public health prevention activities.

KEY PUBLIC HEALTH PRIORITIES

Address public health implications

- Establish an educational framework for community safe consumption practices.
- Research, data collection, and community programs are used to minimize and mitigate negative health impacts on vulnerable populations including children, pregnant people, elderly, and historically marginalized and underserved communities.
- Sound environmental stewardship of product from growth to end market minimizes environmental impact of the new industry.

Promote equity and justice

- Restore unjust legacy of war on drugs by expedited expungement of cannabis related criminal records.
- Invest in historically over criminalized communities by addressing key social determinants of health.
- Ensure equitable access to entrepreneurial and labor aspects of the legal cannabis industry.

Prioritize safety

- Legal cannabis industry complies with the Minnesota Clean Indoor Air Act.
- Comprehensive industry regulation is commonplace from product growth, dosage validity testing, safe packaging, advertising, distribution, and sales.

- Adhere to best practices for product oversight for warning labels, clear dosage demarcation on packaging, and edible production not mimicking children’s candy.
- Support key messaging campaigns such as “start low and go slow” for the consumption of edibles, not operating motor vehicles while under the influence, not mixing cannabis with other drugs or alcohol, and encouraging adults to keep their cannabis products in a lockbox away from pets and children.
- Environmental standards for cannabis production ensure products are free of pesticides or other harmful chemicals.

Engage key stakeholders

- Public health and other multidisciplinary experts are front and center in decisions and rulemaking.
- Establish diverse vendor work groups for business sector buy-in with public health and policy efforts.
- Community health focused groups deliver relevant cultural and language specific messages regarding safe cannabis use to diverse Ramsey County communities.

Ensure adequate funding and appropriations to address all program costs

- Funding to cover strong regulation, public education, substance abuse prevention and treatment, community reinvestment to repair damage caused by disparate enforcement of criminalization of the cannabis market.
- Allow local jurisdictions to impose a cannabis specific tax.

APPENDIX A

Policy Recommendations (adapted from the Network for Public Health Law Summary and Analysis of Minnesota’s Adult-Use Cannabis Legalization Bill (H.F. 100) for Hennepin County February 2023)

Social Justice and Equity Recommendations

1. Align the cannabis possession crimes that qualify for automatic expungement with the proposed civil use amount to better serve the goal of restorative justice.
2. Create a statutory deadline for the automatic expungement of qualify cannabis offenses.
3. Apply the education, housing, healthcare, and parental rights protections for medical cannabis use to adult-use cannabis.
4. Create concrete social equity licensing goals.
5. Startup loans should be prioritized to social equity applicants. Business ownership in addition to location of businesses must be considered in order not to divert critical financial resources to non-equity applicants.
6. Ensure that state training funds support the efforts of social equity applicants by requiring that a specific portion of these funds be allocated to support equity applicants.
7. Provide special licensing opportunities for social equity applicants, such as marijuana courier license and marijuana delivery operator license.

Local Authority Recommendations

1. The new Cannabis Advisory Council should include a local public health representative.
2. Each year, appropriate \$2.5 million for local health departments to support their public education efforts regarding cannabis.
3. Allow local jurisdictions to impose a cannabis specific tax to help them address potential increased costs related to regulating cannabis businesses and increases in public health and safety issues.

Consumer Safety Recommendations

1. Use a specialized business model for cannabis retailers (such as no food, tobacco, alcohol or other product sales).
2. Set an earlier due date for the required report on mental health and substance abuse. With a due date of 2027, it will not be completed before the state’s adult-use market is in operation.

Youth Exposure Recommendations

1. Set clear parameters for the plain packaging for cannabis products.
2. Use a more protective standard to determine if a cannabis advertisement targets a youth audience.

APPENDIX B

Public health priorities in the proposed Minnesota legislation to legalize recreational/commercialization/adult-Use cannabis (HF 100, as introduced) from Public Health Law Center and Getting it Right from the Start (for Hennepin County February 2023)

Staff from Public Health Institute and Public Health Law Center analyzed HF 100 as introduced and created this list of public health priorities in the proposed legislation to legalize recreational/adult-use cannabis. The Public Health Institute has also developed an “Evaluation Checklist for Minnesota’s Adult-Use Cannabis Bill, HF100” and PHI and PHLC collaborated on a section-by-section analysis of the legislation. These priorities were selected based on Minnesota’s specific experience with regulation of commercial tobacco and areas that are most impactful to protect public health and equity.

Ramsey County supports the following findings and recommendations from these organizations.

Summary of Key Public Health Priorities:

- I. Preserve local control to ensure local governments can innovate and regulate cannabis according to their unique community needs.
- II. Assure that legislative purpose and intent in all aspects of the legislation prioritizes public health above all else. Cannabis, like commercial tobacco, is a harmful product that should likewise be regulated under public health authority.
- III. Regulate and assure robust regulatory authority over the potency, design, packaging, labeling, marketing, and availability of cannabis products. Fold the regulations for so-called “low-potency edibles” into a unified regulatory system that treats all intoxicating products the same.
- IV. Promote social justice through criminal justice reform, expungements, pardons, and economic equity, and redistribution of tax revenues.
- V. Taxation should be sufficient and structured to discourage an increase in consumption, abuse, and further escalation of product potency, while not encouraging an illicit market. Revenues generated should first cover costs created by the emerging industry, including strong regulation and enforcement, substance abuse prevention and treatment, education, and community reinvestment.
- VI. Protect smoke-free air by not allowing on-site consumption or public indoor and outdoor events and clarify that medical cannabis consumption should reflect use limitations in current law.
- VII. Promote a nonprofit or public utility monopoly model to reduce the profit motive driving up consumption and predatory behavior of an increasingly powerful cannabis industry.

APPENDIX C

The Impact of Cannabis Legalization on Saint Paul Ramsey County Public Health (adapted from [Association of Minnesota Counties](#))

Public Health & the Environment

Research is still needed on the long-term social and health impacts of adult use cannabis. Cannabis, like alcohol and tobacco, is an addictive substance that should not be treated as an ordinary commercial commodity. Similar to other products that are consumed, cannabis needs to be inspected for product quality and safety. Local public health departments are an essential partner in protecting the health and safety of the state's residents and will play an important role in educating the public if adult use cannabis legislation is enacted.

Adolescent Use Prevention

Studies show cannabis use is harmful for adolescents and youth today view cannabis as less dangerous than alcohol and tobacco. Regardless of Minnesota's decision on the legalization of adult use cannabis, local public health departments need to start education campaigns to address the health impacts of cannabis. With neighboring jurisdictions of Canada, Michigan, and Illinois legalizing adult use cannabis, more products will be entering Minnesota counties. It's essential that the state initiates public health education campaigns to inform adolescents and parents about the health consequences of cannabis.

Safe Use Education

Nationwide, cannabis vape users have been hospitalized with severe and sometimes fatal respiratory illnesses that public health officials suspect was caused by contaminated products. With the growing variety of cannabis products and evolution of potency, local public health offices can provide the public with accurate information to prevent dangerous use.

Product and Facility Inspections

Cannabis cultivation facilities need to be inspected to protect the health of industry employees and ensure safe products. In addition, edible cannabis manufacturing facilities must be inspected for safe food handling practices. Local public health professionals can provide valuable input on inspections and environmental health to protect consumers and cannabis industry employees.

Data Collection and Monitoring

The long-term impact of legalizing cannabis on families and communities is largely unknown so it's essential that public health data is collected and analyzed to inform future policy development.

Substance Use Disorder Treatment

Counties provide substance use disorder services such as completing assessments, arranging for or providing treatment, and managing care. Counties also provide resources to support children whose parents cannot care for them due to chemical use. These services may be impacted by the increased availability of cannabis in Minnesota's communities and may require additional state financial support.

Managing Solid and Hazardous Wastes

Most counties are responsible for local water management plans and solid waste management. Every sector of the cannabis industry generates waste that must be properly disposed to protect public and environmental health. Counties may require the support of state partners to study proper disposal methods and finance new services.