

# Attachment B

When Minnesota's new law allowing hemp-derived THC edibles kicked in July 1, a lot of people were surprised, including local leaders across the state. The law sets the rules for maximum legal dosages for edibles and beverages, packaging, warning labels and the age of purchase. But the law is mostly silent on the issue of how and where those products can be sold and under what circumstances.

Patricia Beety works for the General Counsel for the League of Minnesota Cities, which is an advocacy organization that offers supports to local governments. She joined host Cathy Wurzer to dissect exactly what the THC rules mean for Minnesota cities.

*The following transcript has been edited for length and clarity. Use the audio player above to listen to the full conversation. **Subscribe to the Minnesota Now podcast on Apple Podcasts, Google Podcasts, Spotify or wherever you get your podcasts.***

**This came out of the blue, it seemed to surprise many people, was it on your radar?**

We were not included at the table, that we being the League of Minnesota Cities and our city members when it was passed. And so we did not have input on the local implications.

**Who have you heard from since July the first?**

Well, we have been working with a number of our members. And just to give you a little bit of what the landscape is, the League of Minnesota Cities has 98 percent of the cities in Minnesota as our members from Minneapolis and St. Paul to the smallest of cities, you know, cities like Orr who have a population of about 211 people. And so we have heard from a few cities, but mostly we are working with those who are at the local level in their communities studying the law trying to consider what local

regulations might be possible that are available in the interim before there's any further state regulation to see what local communities can do with these products.

### **What are the issues facing cities and counties with this new law?**

I think there might be some public safety enforcement issues for the counties, but our cities are looking at what they can do in the way of the sales, as you said in terms of who and how the sales might be occurring in their communities. There are no restrictions under the statute right now as to the limits on how they can be sold, or how many can be sold. And so some of our cities are looking at things such as point of sale, they're looking at where these products might be, are they behind the counter? Are they excluded from any self checkout, how do they enforce the 21 age requirement? Things like that.

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### **So really anybody who can get a hold of delta 9 product can sell it right away?**

Yes, within the statutory framework and then local governments will need to look at that and decide whether or not they want to go further. The statutory framework does talk about packaging and warning labels, and again, the age and how these products must be derived, from a certain process of certified hemp, that sort of thing. There certainly are regulations in the statute but

there are some things that are left unanswered for our local communities, for our cities. And that's what various cities across the state again, are studying the law trying to figure out.

### **Are there difficulties for smaller cities?**

It is too soon to predict. I think some of the smaller cities may not see this on their radar and may wait until the state puts in further regulations. I don't know if there's any particular regulation or particular concerns for the smaller cities versus the larger cities. And again, it's something that individual cities and individual communities are going to need to look at and decide on an individual basis whether this is a priority or an issue for their community.

**Zoning is an area where local governments are empowered to establish some rules such as requiring businesses are not located within a certain distance of schools, that kind of thing. Are you seeing some cities go in that direction when it comes to zoning?**

At this point, again, this is a very new, the law went into effect just July 1 and cities were not necessarily ready out the gate to decide is it going to be zoning or is it going to be a licensing framework or something else. But all those things are on the table. And right now, what we are doing with our members is just trying to vet some of these things to provide some reliable information and resources as to what the options might be for communities and zoning is one of those.

**Sounds like you might be recommending to follow the rules already set up for other substances like alcohol and tobacco?**

I think some cities are considering that, there's already a framework in place and their ordinances and adding this as part

of that framework seems like would be a clear way to go. But the league is not going to be making any particular recommendations other than helping guide cities. Again, until their statewide regulation, this is going to be an individual community's decision. And they may do something different than fitting it within the framework of the licensing for tobacco.

**Sounds like it could an interesting few weeks and months for you.**

You know, it's going to be, a little bit of of yes, 'roll up your sleeves and let's figure this out' but I am confident in our cities. At the local level, they're very nimble units of government and they'll be busy. I know a number of our our cities, mostly the ones that have already been out there in the news, the larger suburbs are meeting with their city council's again, rolling up their sleeves trying to figure this out.

**Do you expect cleanup legislation next session?**

That is our understanding. And we certainly want our local governments, our cities, to be at the table for those future discussions at the legislature. Our anticipation is yes, there will be discussions and hopefully some better guidance from the state.

**Do you see this as a step toward full legalization? And if so, what's the league planning on doing about that?**

I don't have an opinion on that Cathy, actually, we don't have a policy or opinion on the legalization of marijuana recreational use. And so we don't know where that's going to go. Certainly, again, if it's impacting our cities, our 800 plus cities in Minnesota, we want to be there so we have a voice and that we can be prepared to address it for whatever the cities' role might be.

**As far as you know, which are the larger cities that are moving towards some kind of regulation?**

I don't have the full list in front of me. And I think again, this is a work in progress. So more and more as we are in contact with our members, we'll hear more but I know that Golden Valley, St. Louis Park, Edina, Bloomington and Stillwater were some of the ones that already have sessions scheduled with their their city council's and have talked about addressing this sooner rather than later.

**Have you had an opportunity to maybe chat with some of your colleagues in other states who have maybe a similar law?**

You know, I'm not sure there's a similar law out there Cathy. There's nothing that looks exactly like this, or even really that close, but we are looking at other state's regulatory frameworks. Colorado has had recreational use for a long time and they have a lot of local government regulations. We are looking at other states for examples, for ideas, and vetting them with our cities and our communities and seeing what might fit or what might work. But this statute is very much a unique statute.