1. Working group name:

*Consumer Safety, Education and Health*

1. Individual sponsor(s):

*Linda Lang, Director, Nevada Statewide Coalition Partnership*

*Shannon Ernst, Director, Churchill County Social Services*

*Jen Solas, Wellness Education Cannabis Advocates of Nevada*

*With input from the Retail Working Group*

1. Describe the recommendation:

*Currently in the medical marijuana regulations, training requirements are outlined for persons who are to be employed as agents of the establishments. Training must be provided before that person begins work or volunteers in the establishment.*

*For the retail marijuana industry in Nevada, which will greatly expand the work force of agents, it is suggested that the current training be built upon to ensure the health, safety and wellbeing of the consumers of the product.*

*The following regulations were taken directly from the medical marijuana training for agents and modified to reflect recreational marijuana training needs.*

*1. The Department will issue marijuana establishment agent registration cards for each of the following categories:*

*(a) An independent testing laboratory;*

*(b) A cultivation facility;*

*(c) A facility for the production of edible marijuana products or marijuana-infused products;*

*(d) A marijuana retail store;*

*(e) A marijuana distributor*

*2. Each marijuana establishment agent registration card issued pursuant NRS 453D must indicate the applicable category. The person to whom the marijuana establishment registration card is issued may only be employed by or volunteer at the type of marijuana establishment for which he or she is registered.*

*3.   A marijuana establishment shall ensure that training is provided to a marijuana establishment agent before that person begins to work or volunteer at the marijuana establishment. Such training must include, without limitation:*

*(a) The proper use of security measures and controls that have been adopted by the marijuana establishment for the prevention of diversion, theft or loss of marijuana;*

*(b) Procedures and instructions for responding to an emergency; and*

*(c) State and federal statutes and regulations related to the use of marijuana.*

*4. In addition to the training set forth in subsection 3, a marijuana retail store shall ensure that instruction is provided to a marijuana establishment agent before that person begins to work or volunteer at the marijuana retail store. Such instruction must include, without limitation:*

*(a) The different strains of marijuana;*

*(b) The different methods of using marijuana, edible marijuana products and marijuana- infused products; and*

*(c) Learning to recognize signs of marijuana abuse or instability in the recreational use of marijuana by a consumer.*

*5. In addition to the training set forth in subsection 3, an independent testing laboratory shall ensure that instruction is provided to a marijuana establishment agent before that person begins to work or volunteer at the independent testing laboratory. Such instruction must include, without limitation:*

*(a) The good laboratory practices adopted by the independent testing laboratory; and*

*(b) The standard operating procedures and the quality control and quality assurance programs of the independent testing laboratory.*

*6. In addition to the training set forth in subsection 3, a cultivation facility shall ensure that instruction is provided to a marijuana establishment agent before that person begins to work or volunteer at the cultivation facility. Such instruction must include, without limitation:*

*(a) The methods of cultivation used by the cultivation facility;*

*(b) The methods of fertilization used by the cultivation facility;*

*(c) Methods for recognizing the signs of insect infestation, pathogens and disease in marijuana plants, and the procedures for eradication and the safe disposal of plants so affected;*

*(d) The nutritional requirements of marijuana plants at various growth stages, including, without limitation, proper mixing and dispersal of fertilizer, flushing procedures and procedures for postharvest trimming, drying and curing; and*

*(e) The safe handling of equipment, including, without limitation, high-intensity discharge lamps, electrical ballasts, pumps, fans, cutting implements and other equipment for cultivation.*

*(f) The proper PPE and OSHA requirements for safe use and handling of pesticides.*

*7. In addition to the training set forth in subsection 3, a facility for the production of edible marijuana products or marijuana-infused products shall ensure that instruction is provided to a marijuana establishment agent before that person begins to work or volunteer at the facility for the production of edible marijuana products or marijuana- infused products. Such instruction must include, without limitation:*

*(a) Understanding the difference between topical products, edible marijuana products and marijuana-infused products, as applicable to the operations of the facility for the production of edible marijuana products or marijuana-infused products;*

*(b) The procedures used by the facility for the production of edible marijuana products or marijuana-infused products to create edible marijuana products or marijuana-infused products; and*

*(c) The proper procedures for handling edible marijuana products or marijuana-infused products, including, without limitation, the procedures used to prepare, produce, package and store such products as required by the provisions of this chapter and chapter 453D of NRS.*

*8. In addition to the training set forth in subsection 3, a facility for the distribution of edible marijuana products or marijuana-infused products shall ensure that instruction is provided to a marijuana establishment agent before that person begins to work or volunteer at the facility for the distribution of edible marijuana products or marijuana- infused products. Such instruction must include, without limitation:*

    (a)  *The proper procedures for handling or marijuana, edible marijuana products or marijuana-infused products;*

*(b) The procedures for proper transportation and storage of marijuana, edible marijuana products or marijuana infused products;*

*(c) Maintain the proper Nevada state driver’s license for the expected loads*

*The recommendation is also that any agent of a recreational marijuana establishment will be required to take an additional marijuana education course in order to obtain a marijuana agent card. This course should meet the minimum standard requirements as determined by the Department, and be a minimum of 2.5 hours of training. Proof of successful completion must be submitted to the Department before an agent begins unsupervised employment.*

*A responsible marijuana agent training will ensure that establishments who are in the business of marijuana understand the marijuana laws in their State and that they will distribute and sell marijuana and marijuana products responsibly.*

*A consistent and responsible marijuana agent training program will significantly reduce the risk and liability associated with marijuana sales for the State.*

*Recommended requirements and policies are based on best practices used in other states and Nevada’s responsible alcohol vendor training requirements. The administration of this additional training will be offered through an outside vendor that has been approved by the Department. This system will model the current training required by those that sell or give away alcohol.*

*The additional training could include the following:*

* *Clinical effects of marijuana on the human body*
* *How marijuana affects the consumer*
* *Required warning and literature*
* *Methods of identifying impairment*
* *Methods of refusing entry or sales to intoxicated persons*
  + *Verifying ID and using age verification device*
  + *Education of the use of recreational marijuana and those under 21*
  + *Understanding law enforcement’s role and compliance checks*
  + *Recognition of false or altered identification*
* *Applicable state and local laws regarding marijuana*
* *Preventing unlawful consumption, open and public consumption laws*
* *Preventing use of marijuana by minors, laws and penalties*
* *How to prevent and deal with disturbances*
* *Agent responsibility and strategies for preventing diversion*

*At the conclusion of the course, the agent will be tested on their knowledge of the learning objectives and content. Upon successfully passing the exam with a minimum of 70%, the agent will be issued a course certificate document (or permit), after which they would be allowed to receive their agent card.*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 1 – Promote the health, safety, and well being of Nevada’s communities*

*Guiding Principle 3 – Ensure that youth are protected from the risks associated with marijuana, including preventing the diversion of marijuana to anyone under the age of 21*

*Guiding Principle 6 – Establish regulations that are clear and practical, so that interactions between law enforcement (at the local, state and federal levels), consumers, and licensees are predictable and understandable*

1. What provision(s) of Question 2 does this recommendation apply to?

*Sec. 2.    Preamble.   In the interest of the public health and public safety, and in order to better focus state and local law enforcement resources on crimes involving violence and personal property, the People of the State of Nevada find and declare that the use of marijuana should be legal for persons 21 years of age or older, and its cultivation and sale should be regulated similar to other legal businesses.*

*(d) Selling or giving marijuana to persons under 21 years of age shall remain illegal;*

*(e) Individuals will have to be 21 years of age or older to purchase marijuana;*

1. What issue(s) does the recommendation resolve?

*This recommendation established training requirements for the recreational marijuana industry and resolves access to anyone under 21 years of age.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*Not known.*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*Regulations regarding training and personnel will need to be modified to apply to the retail establishments.*

1. Additional information (cost of implementation, priority according to the recommendations, etc.).

*The Department shall be tasked with maintaining a list of certified marijuana agent trainers. Companies wishing to train marijuana agents may submit an application including curriculum, instructor qualifications, background investigation on all instructors and an application fee. (Recommend $500 to align with Alcohol Awareness Certification. Fees collected will cover the Division’s expense of qualifying trainers and maintaining integrity of the programs.) If this is too much of a burden on the Department of Taxation, this could be managed by Postsecondary Education, similar to the management of the alcohol beverage server training.*