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Legislative Document

No. 1559

H.P. 1017

House of Representatives, April 10, 2025

An Act to Authorize Medical Cannabis Farmers' Markets

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CHAPMAN of Auburn.
Cosponsored by Senator BICKFORD of Androscoggin and
Representatives: BISHOP of Bucksport, BOYER of Poland, EDER of Waterboro,
FREDERICKS of Sanford, LANCE of Paris, SUPICA of Bangor, Senator: HICKMAN of
Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2423-G** is enacted to read:

3 **§2423-G. Medical cannabis farmers' markets**

4 Notwithstanding any provision of this chapter to the contrary and in accordance with
5 the requirements of this section, the office may issue a license authorizing a person to hold
6 a medical cannabis farmers' market.

7 **1. Definition.** As used in this section, "medical cannabis farmers' market" or "farmers'
8 market" means a building, structure or place, used by one or more registered caregivers or
9 registered dispensaries and licensed by the office in accordance with this section, for the
10 direct sale of harvested cannabis and cannabis products to qualifying patients and for the
11 consumption of harvested cannabis and cannabis products purchased by qualifying patients
12 from the registered caregivers or registered dispensaries.

13 **2. Licensing and operational requirements for medical cannabis farmers'**
14 **markets; rules.** In accordance with rules adopted by the office pursuant to this subsection,
15 one or more registered caregivers or registered dispensaries may collectively apply to the
16 office for a license to hold a medical cannabis farmers' market. The office shall adopt by
17 rule criteria for issuance of a medical cannabis farmers' market license. The rules must
18 include, but are not limited to:

19 A. Provisions regarding the application process and application requirements for
20 issuance of a medical cannabis farmers' market license, including, but not limited to:

21 (1) Information regarding the proposed date or dates, times and location of the
22 farmers' market; and

23 (2) Demonstration by the applicant of the applicant's valid registry identification
24 card issued by the office, if the applicant is a registered caregiver, or the applicant's
25 valid registration certificate issued by the office, if the applicant is a registered
26 dispensary;

27 B. Provisions establishing criteria for issuance of a medical cannabis farmers' market
28 license, including, but not limited to:

29 (1) Demonstration of compliance with all other applicable provisions of this
30 chapter and the rules adopted under this chapter regarding the sale of harvested
31 cannabis and cannabis products to qualifying patients;

32 (2) Demonstration of security measures to be implemented at the farmers' market
33 sufficient to prevent unauthorized access by persons who are not registered
34 caregivers or registered dispensaries participating in the farmers' market or who
35 are not qualifying patients attending the farmers' market; and

36 (3) Demonstration of sufficient procedures for the verification of registry
37 identification cards of qualifying patients entering the farmers' market; and

38 C. Provisions establishing operational requirements for the conduct of a medical
39 cannabis farmers' market, including, but not limited to:

40 (1) Requirements for clear separation of the areas within the farmers' market
41 within which harvested cannabis and cannabis products may be sold to qualifying
42 patients from the areas within which the harvested cannabis and cannabis products

1 purchased may be consumed by qualifying patients, as well as additional
2 requirements regarding the clear separation of those areas from any other areas
3 within or adjacent to the farmers' market within which products that are not
4 harvested cannabis or cannabis products are sold by persons that are not registered
5 caregivers and registered dispensaries and purchased by persons who are not
6 qualifying patients;

7 (2) Requirements regarding the allowable consumption of harvested cannabis and
8 cannabis products purchased at the farmers' market by qualifying patients;

9 (3) Requirements regarding compliance with any applicable local ordinances or
10 regulations adopted pursuant to subsection 3, including requirements that a medical
11 cannabis farmers' market receive municipal approval;

12 (4) Requirements regarding allowable sales of products that are not harvested
13 cannabis or cannabis products by persons that are not registered caregivers or
14 registered dispensaries within or adjacent to the farmers' market;

15 (5) Requirements regarding the collection of applicable sales taxes by registered
16 caregivers and registered dispensaries selling harvested cannabis and cannabis
17 products at the farmers' market and requirements regarding compliance with other
18 applicable record-keeping requirements directed by the office; and

19 (6) Provisions regarding fines, suspensions or other penalties that may be imposed
20 by the office as a result of a violation of the requirements of this section or the rules
21 adopted pursuant to this section and any necessary provisions for the
22 administration and enforcement by the office of this section and the adopted rules.

23 Rules adopted by the office pursuant to this subsection are major substantive rules as
24 defined in Title 5, chapter 375, subchapter 2-A.

25 **3. Local regulation of medical cannabis farmers' markets.** Consistent with the
26 same requirements as under section 2429-D, a municipality may regulate or prohibit the
27 holding of medical cannabis farmers' markets within the municipality and may adopt or
28 amend an ordinance or approve a warrant article authorizing farmers' markets and establish
29 provisions regarding the issuance of municipal approval for a farmers' market.

30 **Sec. 2. Office of Cannabis Policy rules.** The Department of Administrative and
31 Financial Services, Office of Cannabis Policy shall initiate rulemaking in accordance with
32 the Maine Revised Statutes, Title 22, section 2423-G, subsection 2 regarding the licensure,
33 operation and administration of medical cannabis farmers' markets and, not later than
34 January 9, 2026, provisionally adopt and submit those rules for legislative review in
35 accordance with Title 5, chapter 375, subchapter 2-A.

36 **SUMMARY**

37 This bill amends the Maine Medical Use of Cannabis Act to provide for the licensure
38 of medical cannabis farmers' markets. The bill defines "medical cannabis farmers' market"
39 as a building, structure or place, used by one or more registered caregivers or registered
40 dispensaries and licensed by the Department of Administrative and Financial Services,
41 Office of Cannabis Policy, for the direct sale of harvested cannabis and cannabis products
42 to qualifying patients and for the consumption of harvested cannabis and cannabis products
43 purchased by qualifying patients from the registered caregivers or registered dispensaries.

1 The office is directed to provisionally adopt major substantive rules regarding the licensure,
2 operation and administration of medical cannabis farmers' markets and to submit those
3 rules for legislative review by January 9, 2026.