Title 28-B: ADULT USE MARIJUANA

Chapter 1: MARIJUANA LEGALIZATION ACT

Subchapter 9: MARIJUANA ADVISORY COMMISSION

§901. ESTABLISHMENT

The Marijuana Advisory Commission, established by Title 5, section 12004-I, subsection 52-C and referred to in this subchapter as "the commission," is created for the purpose of conducting a continuing study of the laws relating to marijuana and reporting to the Legislature its findings and recommendations on an annual basis.

§902. MEMBERSHIP; CHAIRS; TERMS; VACANCIES; QUORUM

1. Membership. The commission consists of the following 15 members:

A. Two members of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature, appointed by the President of the Senate;

B. Two members of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature, appointed by the Speaker of the House of Representatives;

C. The Commissioner of Administrative and Financial Services or the commissioner's designee;

D. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee;

E. The Commissioner of Health and Human Services or the commissioner's designee;

F. The Commissioner of Labor or the commissioner's designee;

G. The Commissioner of Public Safety or the commissioner's designee;

H. The following 3 members, appointed by the President of the Senate:

(1) A representative of a statewide association representing prosecutors;

(2) A representative of a statewide association representing the medical marijuana industry; and

(3) A member of the public; and

I. The following 3 members, appointed by the Speaker of the House of Representatives:

(1) A representative of a statewide association representing the adult use marijuana industry;

(2) A member of the public with demonstrated expertise and credentials in public health policy; and

(3) A member of the public.

2. Chairs. The first-named Senate member is the Senate chair and the first-named House member is the House chair of the commission.

3. Terms. Members of the commission who are Legislators serve during the term of office for which they were elected. Other members of the commission serve for a term of 2 years and may be reappointed.

4. Vacancies. In the event of a vacancy on the commission, the member's unexpired term must be filled through an appointment by the appointing authority for the vacant seat.

5. Quorum. A quorum of the commission consists of 8 members.

§903. DUTIES

1. Review of laws and rules. The commission shall review laws and rules pertaining to the adult use marijuana and medical marijuana industries in this State and any other provision of law or rule pertaining to marijuana, including, but not limited to, laws and rules regarding public health, public safety, juvenile and adult criminal and civil offenses, workplace drug testing, workplace safety, motor vehicle safety, landlords and tenants, the personal use of marijuana and taxes and fees paid to the State by applicants and registered caregivers and registered dispensaries under the Maine Medical Use of Marijuana Act and applicants and licensees under this Act.

2. Solicitation of public comment regarding law enforcement contacts with citizens. The commission shall, on an annual basis, solicit public comment regarding contacts between law enforcement officers and citizens following the initiation of an adult use marijuana market in the State that involve the personal adult use of marijuana and marijuana products and the home cultivation of marijuana for personal adult use. The public comments solicited under this subsection and any findings or recommendations by the commission relating to those solicited comments must be included in the annual report under subsection 5.

3. Submission of recommendations to Legislature. The commission shall submit to the Legislature such recommended changes to the laws as it considers appropriate to:

A. Preserve the public health and safety and the well-being of the citizens of the State;

B. Preserve the intent of the citizens of the State as expressed in passage of the Marijuana Legalization Act, former Title 7, chapter 417; and

C. Standardize, coordinate or integrate the adult use marijuana and medical marijuana laws, rules and programs in the State, including, but not limited to, recommended changes regarding the standardization, coordination or integration of the laws and rules relating to the testing, labeling and packaging of adult use marijuana and adult use marijuana products and marijuana and marijuana products for medical use.

The commission shall include any recommended changes in its annual report to the Legislature pursuant to subsection 5.

4. Public hearings. The commission may hold public hearings at such times and at such places as the commission considers appropriate in order to take testimony concerning the use, possession and distribution of marijuana, law enforcement contacts with citizens as described in subsection 2, the alignment of this Act with other provisions of law and any other matter relating to the duties of the commission.

5. Report to Legislature. Beginning January 15, 2020, and annually thereafter, the commission shall submit a report containing its findings and recommendations, together with any suggested legislation, to the joint standing committees of the Legislature having jurisdiction over health and human services matters and adult use marijuana matters.

§904. ORGANIZATION; STAFFING; CONSULTATION

1. Organization; staffing. The Legislative Council shall provide staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session. The Executive Director of the Legislative Council shall notify all members of the commission of the time and place of the first meeting.

2. Consultation. Whenever the commission considers it appropriate, it may seek the advice of consultants or experts, including representatives of the legislative and executive branches of State Government, in fields related to its duties.

§905. REIMBURSEMENT OF EXPENSES

Members of the commission must be compensated in accordance with Title 5, chapter 379.