



131st MAINE LEGISLATURE

LD 1686

LR 1720(02)

An Act to Eliminate Unconstitutional Restrictions on Access to Cannabis by Removing Certain Restrictions on Medical Use and Personal Use and to Recognize Cannabis and Hemp as Food Protected as a Right Under the Constitution of Maine

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

Current biennium savings - General Fund (Corrections)
Potential current biennium cost increase - General Fund (Attorney General)
Potential current biennium revenue decrease - General Fund
Potential current biennium revenue decrease - Other Special Revenue Funds

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Revenue				
Other Special Revenue Funds	\$0	(\$10,000)	(\$10,000)	(\$10,000)

Correctional and Judicial Impact Statements

Eliminates Class A, B, C, D and E crimes by removing marijuana related provisions from the Maine Criminal Code. The current average cost of incarcerating one individual for a single year is \$55,203.

There may be a minor reduction of workload associated with the minimal number of cases that will no longer be filed in the court system. Reductions in the collection of fines will decrease General Fund or other dedicated revenue by minor amounts.

Fiscal Detail and Notes

This bill removes restrictions on the number of cannabis plants or seedlings a person may transfer or furnish without remuneration, the number of cannabis plants and seedlings a person may possess, cultivate, or transport, and the amount of cannabis produced by cannabis plants and seedlings permitted at a person's place of residence or at the location where the cannabis was cultivated. It also removes limitations on the amount of cannabis a qualifying patient may possess, cultivate or harvest for that patient's medical use under the Maine Medical Use of Cannabis Act.

By allowing individuals to possess more cannabis for personal use, they may opt to purchase fewer cannabis products from retail stores. That could decrease revenue to the General Fund and Other Special Revenue Funds due to the reduction in sales and excise taxes. No estimate of the reduction is made at this time.

Provisions of this bill regarding hemp could result in the State's hemp program becoming non-compliant with federal laws governing hemp. The Department of Agriculture, Conservation and Forestry estimates a loss of roughly 20% of the current hemp acreage if the State's program is no longer federally compliant. This would reduce Other Special Revenue Funds revenue by \$10,000 annually beginning in fiscal year 2024-25.

Provisions of this bill may conflict with current federal guidance on how individual states approach regulation of medical cannabis programs. This may result in additional enforcement actions by the federal government and litigation costs to the Office of the Attorney General.