



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1596

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H.P. 1100

House of Representatives, May 11, 2017

### **An Act To Establish the Cannabis Advisory Commission**

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Submitted by the Department of the Attorney General pursuant to Joint Rule 204.  
Reference to the Joint Select Committee on Marijuana Legalization Implementation  
suggested and ordered printed.

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

ROBERT B. HUNT  
Clerk

Presented by Representative JORGENSEN of Portland.  
Cosponsored by Senator DESCHAMBAULT of York.

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

2 **Sec. 1. 5 MRSA §12004-I, sub-§52-C** is enacted to read:

3 **52-C.**

4 <u>Judiciary:</u>	<u>Cannabis Advisory</u>	<u>Expenses Only</u>	<u>17-A MRSA §1361</u>
5 <u>Cannabis</u>	<u>Commission</u>		

6 **Sec. 2. 17-A MRSA c. 56** is enacted to read:

7 **CHAPTER 56**

8 **CANNABIS ADVISORY COMMISSION**

9 **§1361. Establishment**

10 The Cannabis Advisory Commission, established by Title 5, section 12004-I,  
11 subsection 52-C and referred to in this chapter as "the commission," is created for the  
12 purpose of conducting a continuing study of the laws relating to cannabis.

13 **§1362. Membership; terms; vacancies**

14 **1. The commission consists of 15 members:**

15 A. The Director of the Bureau of Alcoholic Beverages and Lottery Operations within  
16 the Department of Administrative and Financial Services or the director's designee;

17 B. The Commissioner of Health and Human Services or the commissioner's  
18 designee;

19 C. The Commissioner of Professional and Financial Regulation or the  
20 commissioner's designee;

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

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

24 F. A representative of proponents of the Marijuana Legalization Act appointed by  
25 the Attorney General;

26 G. A representative of a statewide municipal association appointed by the Attorney  
27 General;

28 H. A representative of a statewide medical association appointed by the Attorney  
29 General;

30 I. A representative of a statewide organization representing the medical marijuana  
31 industry appointed by the Attorney General;

32 J. Two members of the public appointed by the Attorney General;

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

4           L. Two members of the House of Representatives appointed by the Speaker of the  
5           House, including members from each of the 2 parties holding the largest number of  
6           seats in the Legislature.

7           2. Public members of the commission serve for a term of 2 years and may be  
8           reappointed. Members of the commission who are Legislators serve during the term of  
9           office for which they were elected.

10          3. In the event of the death or resignation of a public member, the vacancy for the  
11          member's unexpired term must be filled through an appointment by the Attorney General.

12          4. A quorum of the commission consists of 8 members.

13          **§1363. Duties**

14          1. The commission shall review laws and rules pertaining to the use, possession,  
15          transportation and consumption of cannabis as defined by Title 7, section 2422 and any  
16          other provision of law or rule pertaining to cannabis, including but not limited to laws and  
17          rules regarding public health, public safety, juvenile and adult criminal and civil offenses,  
18          workplace drug testing, workplace safety, motor vehicles, alcohol, landlords and tenants,  
19          the medical use of marijuana and taxes.

20          2. The commission shall submit to the Legislature such changes to the laws as it  
21          considers appropriate to preserve the public safety and well-being of the citizens of the  
22          State and the intent of citizens as expressed in passage of the Marijuana Legalization Act.

23          3. The commission may hold public hearings at such times and at such places as the  
24          commission considers appropriate in order to take testimony concerning the use,  
25          possession and distribution of cannabis and the agreement of the Marijuana Legalization  
26          Act with other provisions of law.

27          4. The commission shall issue a report of its findings and concerns to the Legislative  
28          Council by January 15th annually.

29          **§1364. Organization; staff**

30          1. The Legislative Council shall provide staffing services to the commission, except  
31          that the Legislative Council staff support is not authorized when the Legislature is in  
32          regular or special session. The Executive Director of the Legislative Council shall notify  
33          all members of the commission of the time and place of the first meeting. At that time  
34          the commission shall organize, elect a chair, vice-chair and secretary-treasurer and adopt  
35          policies as to the administration of the commission and its affairs.

36          2. Within the limits of its budget, the commission may contract with and employ  
37          staff members, who need not be residents of this State, to assist in legal research and  
38          drafting required in connection with the duties of the commission.

