

Date:

(Filing No. H-)

VETERANS AND LEGAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 613, L.D. 948, “An Act to Reduce Administrative Burdens and Expand Access in the Laws Governing Cannabis”

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 22 MRSA §2423-F, sub-§8, as repealed and replaced by PL 2019, c. 331, §17 and amended by PL 2021, c. 669, §5, is further amended to read:

8. Registration requirements. This subsection governs registration requirements of a manufacturing facility or a person authorized to engage in cannabis extraction using inherently hazardous substances under subsection 3 and the officer or director or assistant of the facility or person.

A. In accordance with rules adopted under subsection 10, the department shall register and issue a registration certificate with a registry identification number to a manufacturing facility or a person authorized to engage in cannabis extraction within 30 days to the facility or person if the facility or person provides:

- (1) The ~~annual~~ fee required pursuant to section 2425-A, subsection 10;
- (2) The legal name of the facility or person and, if incorporated, evidence of incorporation and evidence that the corporation is in good standing with the Secretary of State;
- (3) The physical address of the facility or person or the physical address where an applicant who is an individual will engage in the activities authorized under this section. If the facility or person changes its physical location, or if a person registered under this subsection changes the location at which the person engages in activities authorized under this section, the facility or person shall notify the department of the new location; and
- (4) The name, address and date of birth of each officer or director of the facility or person.

B. In accordance with rules adopted under subsection 10, the department shall issue registry identification cards to the officer or director or assistant of a registered

1 manufacturing facility or person authorized to engage in cannabis extraction using
2 inherently hazardous substances within 5 business days of approving an application or
3 renewal under this subsection. A registry identification card is required to be issued to
4 an officer or director or assistant of a registered manufacturing facility or person
5 authorized to engage in cannabis extraction using inherently hazardous substances. A
6 registry identification card expires ~~one year~~ 2 years after the date of issuance. A registry
7 identification card issued under this paragraph must contain:

- 8 (1) The name of the cardholder;
9 (2) The date of issuance and expiration date of the registry identification card; and
10 (3) A random identification number that is unique to the cardholder.

11 The department may not issue a registry identification card to an officer or director or
12 assistant of a registered manufacturing facility or person authorized to engage in
13 cannabis extraction using inherently hazardous substances who has been convicted of
14 a disqualifying drug offense. The department shall conduct a criminal history record
15 check of each person, officer or director or assistant subject to this subsection ~~on an~~
16 ~~annual basis~~ every 2 years.

17 If the department determines not to issue a registry identification card for a person,
18 officer or director or assistant, the department shall notify the registered manufacturing
19 facility or person authorized to engage in cannabis extraction using inherently
20 hazardous substances in writing of the reason for denying the registry identification
21 card.'

22 Amend the bill in section 2 in paragraph D in the first line (page 1, line 11 in L.D.) by
23 striking out the following: "registration certificate" and inserting the following: 'registry
24 identification card'

25 Amend the bill by inserting after section 2 the following:

26 '**Sec. 3. 22 MRSA §2425-A, sub-§4**, as amended by PL 2021, c. 662, §22, is further
27 amended by amending the 2nd blocked paragraph to read:

28 In the case of a caregiver's application for renewal of a registry identification card, except
29 for a renewal under paragraph D, upon receipt of a timely filed, complete application
30 submitted by the caregiver, the department shall provide the caregiver with a written
31 statement acknowledging receipt of the application that authorizes the caregiver to continue
32 operating under the caregiver's current card until the application is approved and a renewed
33 card is issued by the department, the application is denied and the current card expires, 90
34 days elapse from the date of the written statement or the current card is suspended or
35 revoked in accordance with this chapter, whichever occurs first. If the department fails to
36 issue or deny a renewal of a registry identification card within 90 days of providing the
37 written statement acknowledging receipt of the application, the renewal is deemed granted
38 and a copy of the application for renewal of the registry identification card is deemed a
39 valid registry identification card.'

40 Amend the bill by inserting after section 3 the following:

41 '**Sec. 4. 22 MRSA §2425-A, sub-§6, ¶A**, as enacted by PL 2017, c. 452, §12, is
42 amended to read:

43 A. The ~~annual~~ fee required pursuant to subsection 10;'

Amend the bill in section 4 in paragraph D in the first line (page 1, line 28 in L.D.) by inserting after the following: "applicant" the following: "holding a valid registration certificate and"

Amend the bill by inserting after section 4 the following:

'Sec. 5. 22 MRSA §2425-A, sub-§7, as amended by PL 2021, c. 662, §27, is further amended by amending the 2nd blocked paragraph to read:

In the case of a registered dispensary's application for renewal of a registration certificate, except for a renewal under paragraph D, upon receipt of a timely filed, complete application submitted by the dispensary, the department shall provide the dispensary with a written statement acknowledging receipt of the application that authorizes the dispensary to continue operating under the dispensary's current certificate until the application is approved and a renewed certificate is issued by the department, the application is denied and the current certificate expires, 90 days elapse from the date of the written statement or the current certificate is suspended or revoked in accordance with this chapter, whichever occurs first. If the department fails to issue or deny a renewal of a registration certificate within 90 days of providing the written statement acknowledging receipt of the application, the renewal is deemed granted and a copy of the application for renewal of the registration certificate is deemed a valid registration certificate.'

Amend the bill by inserting after section 7 the following:

'Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Adult Use Cannabis Regulatory Coordination Fund Z264

Initiative: Provides funding for one Office Associate II position, one Office Specialist I position, 3 OCP Licensing Analyst positions, one OCP Chief Licensing Investigator position, 5 OCP Compliance Inspector positions and one Field Investigator Supervisor position and All Other associated position costs.

GENERAL FUND	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$503,044	\$543,089
GENERAL FUND TOTAL	\$503,044	\$543,089

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$48,261	\$48,261
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,261	\$48,261

Medical Use of Cannabis Fund Z265

Initiative: Provides funding for one Office Associate II position, one Office Specialist I position, 3 OCP Licensing Analyst positions, one OCP Chief Licensing Investigator position, 5 OCP Compliance Inspector positions and one Field Investigator Supervisor position and All Other associated position costs.

GENERAL FUND	2025-26	2026-27
Personal Services	\$754,570	\$814,635
GENERAL FUND TOTAL	\$754,570	\$814,635
OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$72,391	\$72,391
OTHER SPECIAL REVENUE FUNDS TOTAL	\$72,391	\$72,391
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2025-26	2026-27
GENERAL FUND	\$1,257,614	\$1,357,724
OTHER SPECIAL REVENUE FUNDS	\$120,652	\$120,652
DEPARTMENT TOTAL - ALL FUNDS	\$1,378,266	\$1,478,376

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment removes the provision of the bill that increases the current limit under the medical cannabis laws to allow a caregiver to cultivate up to 60 mature cannabis plants, up to 120 immature cannabis plants, up to 1,000 square feet of mature plant canopy and up to 2,000 square feet of immature plant canopy. The amendment also extends the registration period for manufacturing facilities and for persons authorized to engage in cannabis extraction using inherently hazardous substances from one year to 2 years. The amendment updates the requirement for the Department of Administrative and Financial Services to conduct criminal history record checks for an officer or director or assistant of a registered manufacturing facility or person authorized to engage in cannabis extraction using inherently hazardous substances from annually to every 2 years and makes other necessary technical changes. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)