

Date:

(Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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

COMMITTEE AMENDMENT “ ” to H.P. 1218, L.D. 1820, “An Act to Simplify Regulation of the Adult Use Cannabis Industry”

Amend the bill in section 7 in paragraph E in the last line (page 2, line 41 in L.D.) by inserting after the following: "105" the following: 'in the same manner as transactions conducted within a cannabis store'

Amend the bill by striking out all of section 8.

Amend the bill in section 10 in subsection 8 in the 3rd line (page 3, line 14 in L.D.) by inserting after the following: "105" the following: 'in the same manner as transactions conducted within a cannabis store'

Amend the bill in section 12 in §507 in the first indented paragraph in the 3rd line (page 3, line 28 in L.D.) by striking out the following: "An individual ~~identification card holder~~" and inserting the following: 'An individual ~~identification card holder~~ A natural person licensed under this chapter and a principal, contractor, employee or other support staff of the licensee'

Amend the bill by striking out all of sections 14 and 15 and inserting the following:

'Sec. 14. 28-B MRSA §512, sub-§1, as amended by PL 2023, c. 679, Pt. B, §110, is further amended to read:

1. Inspections. A licensee shall submit to an inspection of its licensed premises, including, but not limited to, any places of storage and any locked areas, upon demand and without notice during the licensee's business hours by the office, ~~a criminal justice agency~~ or an official authorized by the municipality in which the licensed premises are located. Notwithstanding any provision of law to the contrary, a law enforcement officer may enter any part of a licensed premises that is not open to the public only when:

A. The licensee voluntarily allows the law enforcement officer to enter the part of the premises that is not open to the public;

B. The law enforcement officer's entry is authorized pursuant to a warrant issued by a duly authorized justice, judge or justice of the peace; or

C. The law enforcement officer's entry is authorized in accordance with a recognized exception to the warrant requirement, including, but not limited to, exigent circumstances.

For the purposes of this subsection, "municipality" has the same meaning as in section 212.'

Amend the bill by striking out all of sections 19 to 28 and inserting the following:

'Sec. 19. 28-B MRSA §802-A, sub-§2, ¶A, as enacted by PL 2023, c. 679, Pt. B, §134, is amended by amending subparagraph (6) to read:

(6) Three or more instances of a licensee failing to have on the premises at all times during business hours ~~an individual identification card holder~~ a natural person licensed under this chapter or a principal, contractor, employee or other support staff of the licensee who is authorized to allow and cooperate with the office requests to inspect the premises;

Sec. 20. 28-B MRSA §802-A, sub-§2, ¶C, as enacted by PL 2023, c. 679, Pt. B, §134, is amended by amending subparagraph (9) to read:

(9) Failing to have on the licensed premises at all times during business hours ~~an individual identification card holder~~ a natural person licensed under this chapter or a principal, contractor, employee or other support staff of the licensee who is authorized to allow inspection and cooperate when the office requests to inspect the premises;

Sec. 21. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Adult Use Cannabis Public Health and Safety and Municipal Opt-in Fund Z263

Initiative: Provides funding for law enforcement training program.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$0	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$50,000

Adult Use Cannabis Regulatory Coordination Fund Z264

Initiative: Provides one-time funding to integrate 3rd-party point of sale systems with the State's inventory tracking system and development costs of integrating general transport manifest.

GENERAL FUND	2025-26	2026-27
All Other	\$0	\$350,000
GENERAL FUND TOTAL	\$0	\$350,000

Adult Use Cannabis Regulatory Coordination Fund Z264

Initiative: Provides funding for one OCP Chief Licensing Investigator position, 2 OCP Licensing Analyst positions and associated All Other position costs.

GENERAL FUND	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	3.000	3.000

1	Personal Services	\$333,790	\$360,852
2	All Other	\$35,000	\$35,000
3			
4	GENERAL FUND TOTAL	<u>\$368,790</u>	<u>\$395,852</u>

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6 **ADMINISTRATIVE AND FINANCIAL**

7 **SERVICES, DEPARTMENT OF**

8 **DEPARTMENT TOTALS**

9		2025-26	2026-27
10	GENERAL FUND	\$368,790	\$745,852
11	OTHER SPECIAL REVENUE FUNDS	\$0	\$50,000
12			
13	DEPARTMENT TOTAL - ALL FUNDS	<u>\$368,790</u>	<u>\$795,852</u>

14

15 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section

16 number to read consecutively.

17 **SUMMARY**

18 This amendment makes the following changes to the bill.

19 1. It clarifies the provisions regarding cannabis delivery transactions and specified

20 events to allow licensees to use the tracking system established by the Department of

21 Administrative and Financial Services, Office of Cannabis Policy to track delivery

22 transactions and sales at specified events in the same manner as transactions conducted

23 within a cannabis store.

24 2. It removes the provisions of the bill that eliminate cannabis purchase limits.

25 3. It clarifies that a natural person licensed under the Maine Revised Statutes, Title

26 28-B or a principal, contractor, employee or other support staff of the licensee must be on

27 the licensee's premises at all times.

28 4. It changes, rather than eliminates, requirements regarding the inspection of licensed

29 premises. The amendment retains the existing provisions in law regarding inspections by

30 the office and by an official authorized by the municipality, but it removes the ability for a

31 criminal justice agency to inspect any part of a licensed premises that is not open to the

32 public, except when the licensee has voluntarily allowed the law enforcement officer to

33 enter, entry is authorized by a warrant issued by a duly authorized justice, judge or justice

34 of the peace or entry is authorized in accordance with a recognized exception to the warrant

35 requirement.

36 5. It removes the provisions that would allow advertising, marketing, labeling or

37 packaging to contain qualifying patients' testimonial of how cannabis for medical use has

38 provided palliative or therapeutic effects for the patients' conditions.

39 6. It removes the provisions related to excise tax laws as they apply to cannabis

40 biomass.

41 **FISCAL NOTE REQUIRED**

42 **(See attached)**