



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 365

S.P. 172

In Senate, January 31, 2023

**An Act to Support Compliance and Establish Graduated Sanctions
Under the Maine Medical Use of Cannabis Act**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland.
Cosponsored by Representative RISEMAN of Harrison and
Senator: President JACKSON of Aroostook, Representatives: FAULKINGHAM of Winter
Harbor, PLUECKER of Warren, SUPICA of Bangor, Speaker TALBOT ROSS of Portland,
WILLIAMS of Bar Harbor.

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

2 **Sec. 1. 22 MRSA §2424, sub-§4, ¶A**, as enacted by PL 2017, c. 452, §10 and
3 amended by PL 2021, c. 669, §5, is further amended to read:

4 A. Minimum oversight requirements for dispensaries and registered caregivers and the
5 one permitted additional location at which a dispensary cultivates cannabis plants for
6 medical use by qualifying patients; ~~and~~

7 **Sec. 2. 22 MRSA §2424, sub-§4, ¶B**, as amended by PL 2019, c. 217, §4 and PL
8 2021, c. 669, §5, is further amended to read:

9 B. Minimum security requirements for registered caregivers operating caregiver retail
10 stores pursuant to section 2423-A, subsection 2, paragraph P and registered
11 dispensaries and any additional location at which a dispensary cultivates cannabis
12 plants for medical use by qualifying patients; ~~and~~

13 **Sec. 3. 22 MRSA §2424, sub-§4, ¶C** is enacted to read:

14 C. A graduated enforcement plan for violations of this chapter or rules adopted under
15 this chapter that provides for enforcement actions that are proportional to the
16 seriousness of the violation and reasonable in comparison to similar violations in the
17 State's alcohol industry, including, but not limited to, warnings, plans of correction,
18 finances and suspensions and revocations. The department shall establish a process to
19 solicit input in the development of the enforcement plan under this paragraph from
20 caregivers, registered caregivers, dispensaries and qualifying patients with significant
21 knowledge of and experience in the medical use of cannabis. The department shall
22 publish the enforcement plan and inspection requirements under section 2430-G,
23 subsection 2 in a manner that is easily available to the public, including in an online
24 format.

25 **SUMMARY**

26 This bill directs the Department of Administrative and Financial Services to adopt
27 major substantive rules to develop a graduated enforcement plan for violations of the Maine
28 Medical Use of Cannabis Act or rules adopted under the Act, to include a stakeholder
29 process in the adoption of those rules and to make the enforcement plan publicly available.