

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1608

H.P. 1062

House of Representatives, April 15, 2025

An Act to Counter Unlawful Cannabis Cultivation

Received by the Clerk of the House on April 11, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PERKINS of Dover-Foxcroft.
Cosponsored by Senator HARRINGTON of York and
Representatives: ADAMS of Lebanon, ARDELL of Monticello, EDER of Waterboro,
FOSTER of Dexter, FREDERICKS of Sanford, MCINTYRE of Lowell, WHITE of Guilford,
Senator: CYRWAY of Kennebec.

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

2 **Sec. 1. 22 MRSA §2422-B** is enacted to read:

3 **§2422-B. Prohibited locations; registration not issued**

4 The department may not register and issue a registry identification card or a registration
5 certificate to any person that would be authorized under that registry identification card or
6 registration certificate to cultivate cannabis at a geographical location that has been the site
7 of repeated violations under this chapter or under Title 28-B, chapter 1, the rules adopted
8 pursuant to this chapter or Title 28-B, chapter 1 or any other applicable state or local law,
9 rule or regulation. The department may place a moratorium for a period not to exceed 10
10 years on any such geographical location for the purpose of the cultivation of cannabis under
11 this chapter by a person issued a registry identification card or a registration certificate.

12 **Sec. 2. 28-B MRSA §203, sub-§4** is enacted to read:

13 **4. Geographical location; cultivation facility.** An applicant for a cultivation facility
14 license shall submit information regarding the proposed geographical location for the
15 cultivation facility.

16 **Sec. 3. 28-B MRSA §203-B** is enacted to read:

17 **§203-B. Moratorium on geographical location**

18 The office may place a moratorium for a period not to exceed 10 years on any
19 geographical location that has been the site of repeated violations under this chapter or
20 under Title 22, chapter 558-C, the rules adopted pursuant to this chapter or Title 22, chapter
21 558-C or any other applicable state or local law, rule or regulation for the purpose of issuing
22 licenses under this chapter.

23 **Sec. 4. 28-B MRSA §206, sub-§2**, as amended by PL 2023, c. 679, Pt. B, §38, is
24 further amended to read:

25 **2. Good cause defined.** As used in this section, "good cause" means a finding by the
26 office that:

27 A. An applicant or licensee has violated, does not meet or has failed to comply with
28 any of the provisions of this chapter, the rules adopted pursuant to this chapter or any
29 other applicable state or local law, rule or regulation; ~~or~~

30 B. An applicant or licensee has failed to comply with any special terms, consent decree
31 or conditions placed upon the previously issued license pursuant to an order of the
32 office; the municipality in which the licensed premises are located; the town or
33 plantation in the unorganized and deorganized areas in which the licensed premises are
34 located; in the case of a township in the unorganized and deorganized areas in which
35 the licensed premises are located, the county commissioners of the county in which the
36 township is located; or, in the case of a cannabis establishment located in the
37 unorganized and deorganized areas, the Maine Land Use Planning Commission; ~~or~~

38 C. An applicant for a cultivation facility license or a cultivation facility licensee is
39 proposing to operate or operating a cultivation facility at a geographical location
40 subject to a moratorium pursuant to section 203-B or that has repeatedly violated, does
41 not meet or has failed to comply with any of the provisions of this chapter or Title 22,

chapter 558-C, the rules adopted pursuant to this chapter or Title 22, chapter 558-C or any other applicable state or local law, rule or regulation.

Sec. 5. 28-B MRSA §211, sub-§1-A is enacted to read:

1-A. Relocation prohibited; cultivation facility. A licensee may not relocate a licensed cultivation facility to a geographical location subject to a moratorium pursuant to section 203-B or that has been the site of repeated violations under this chapter or Title 22, chapter 558-C, the rules adopted pursuant to this chapter or Title 22, chapter 558-C or any other applicable state or local law, rule or regulation.

SUMMARY

This bill allows the Department of Administrative and Financial Services to deny a registry identification card or registration certificate to any person who would be authorized under that registration to cultivate cannabis at a geographical location that has been the site of repeated violations under the Maine Medical Use of Cannabis Act or the Cannabis Legalization Act. It allows the department to place a moratorium not to exceed 10 years on such geographical locations for the purpose of issuing or renewing a registration.

It also allows the Office of Cannabis Policy within the Department of Administrative and Financial Services to place a moratorium not to exceed 10 years on any geographical location that has been the site of repeated violations under the Maine Medical Use of Cannabis Act or the Cannabis Legalization Act for the purposes of issuing or renewing licenses under the Cannabis Legalization Act.