

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1820

H.P. 1218

House of Representatives, April 29, 2025

An Act to Simplify Regulation of the Adult Use Cannabis Industry

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

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

ROBERT B. HUNT
Clerk

Presented by Representative CHAPMAN of Auburn.

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

2 **Sec. 1. 28-B MRSA §106**, as amended by PL 2023, c. 679, Pt. B, §14, is repealed.

3 **Sec. 2. 28-B MRSA §115** is enacted to read:

4 **§115. Forms; waiver of rights**

5 The office may not require a licensee to sign a form or agreement developed by the
6 office that waives the licensee's rights regarding the release of information that would
7 otherwise be protected from disclosure by any constitutional, statutory or common law
8 privilege.

9 **Sec. 3. 28-B MRSA §204, sub-§6**, as amended by PL 2023, c. 679, Pt. B, §30, is
10 further amended to read:

11 **6. Use of criminal history record information.** State and national criminal history
12 record information obtained by the office under this section may be used only for the
13 purpose of screening an applicant for a license or a licensee under this chapter ~~or as~~
14 ~~necessary for the issuance of an individual identification card under section 106.~~

15 **Sec. 4. 28-B MRSA §213**, as amended by PL 2023, c. 679, Pt. B, §45, is further
16 amended to read:

17 **§213. Notice of new principal**

18 Before any proposed new principal may own, manage, work for or otherwise associate
19 with a licensee, the licensee shall notify the office in writing of the name, address and date
20 of birth of the proposed new principal. The proposed new principal shall submit to a
21 criminal history record check pursuant to section 204, ~~obtain an individual identification~~
22 ~~card pursuant to section 106 and~~, in the case of a new principal or other person assuming
23 an equity ownership interest or a partial equity ownership interest in the license, obtain
24 approval for the transfer of ownership interests pursuant to section 210, unless the transfer
25 of ownership interests is otherwise exempt from prior approval under section 210,
26 subsection 1-A.

27 **Sec. 5. 28-B MRSA §502, sub-§1-A**, as enacted by PL 2023, c. 679, Pt. B, §68, is
28 amended to read:

29 **1-A. Manufacture of products not containing cannabis.** Notwithstanding
30 subsection 1, a products manufacturing facility licensee that also has a license issued from
31 the Department of Agriculture, Conservation and Forestry pursuant to subsection 10 may
32 manufacture for sale or distribution any products that the facility is authorized to
33 manufacture or distribute pursuant to the provisions of that license, including products that
34 do not contain cannabis, ~~except that a products manufacturing facility licensee is prohibited~~
35 ~~from extracting hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D or~~
36 ~~manufacturing products that contain hemp or ingredients derived from hemp that do not~~
37 ~~also contain cannabis. Nothing in this~~ This subsection may not be construed to prohibit a
38 products manufacturing facility licensee from using ingredients derived from hemp in the
39 manufacture of cannabis products.

40 A. A products manufacturing facility licensee that manufactures adult use cannabis
41 and adult use cannabis products within the same facility in which the licensee also
42 manufactures products that do not contain cannabis must comply with all applicable

1 requirements of this chapter and the rules adopted pursuant to this chapter concerning
2 the operation of products manufacturing facilities.

3 B. The following items or areas within the facility may be shared for both the
4 manufacturing of adult use cannabis and adult use cannabis products and the
5 manufacturing of products that do not contain cannabis:

6 (1) Manufacturing-related and nonmanufacturing-related equipment and supplies,
7 except that manufacturing-related equipment and supplies may not be
8 simultaneously used for the manufacturing of adult use cannabis and adult use
9 cannabis products and the manufacturing of products that do not contain cannabis;

10 (2) Manufacturing-related and nonmanufacturing-related supplies or products that
11 do not contain cannabis or cannabis products and the storage areas for those
12 supplies or products; and

13 (3) General office space, bathrooms, entryways and walkways.

14 C. A products manufacturing facility licensee must ensure that:

15 (1) Manufacturing-related equipment and supplies are not simultaneously used for
16 the manufacturing of cannabis and cannabis products and the manufacturing of
17 products that do not contain cannabis;

18 (2) Manufacturing-related equipment is sanitized between the manufacturing of
19 cannabis and cannabis products and the manufacturing of products that do not
20 contain cannabis;

21 (3) Cannabis and cannabis products are kept separate from products that do not
22 contain cannabis;

23 (4) Cannabis and cannabis products are packaged and labeled accurately pursuant
24 to the requirements of this chapter and the rules adopted pursuant to this chapter;
25 and

26 (5) Products that do not contain cannabis are packaged and labeled accurately
27 pursuant to the provisions of the license issued by another department to
28 manufacture products that do not contain cannabis; ~~and,~~

29 ~~(6) Any person manufacturing products that do not contain cannabis in a licensed~~
30 ~~manufacturing facility obtains an individual identification card from the office~~
31 ~~pursuant to section 106, except that the person is not required to submit to a~~
32 ~~criminal history record check.~~

33 **Sec. 6. 28-B MRSA §504, sub-§9, ¶D** is enacted to read:

34 D. The office may not adopt a rule that requires a cannabis store, cultivation facility
35 or products manufacturing facility to video record all transactions conducted through
36 a delivery service pursuant to this subsection.

37 **Sec. 7. 28-B MRSA §504, sub-§9, ¶E** is enacted to read:

38 E. The office shall adopt rules allowing a cannabis store, cultivation facility or
39 products manufacturing facility that operates a delivery service pursuant to this
40 subsection to record delivery transactions through the tracking system implemented
41 pursuant to section 105.

1 **Sec. 8. 28-B MRSA §504, sub-§12**, as enacted by PL 2023, c. 679, Pt. B, §94, is
2 amended by amending the first blocked paragraph to read:

3 A cannabis store shall package and label samples in accordance with the applicable
4 provisions of this chapter and the rules adopted pursuant to this chapter. A cannabis store
5 may not provide samples to a person who is visibly intoxicated. ~~The total amount of~~
6 ~~samples, adult use cannabis and adult use cannabis products given or sold to a person in~~
7 ~~any one 24-hour period may not exceed the maximum amount of adult use cannabis or~~
8 ~~adult use cannabis products allowed under section 1501, subsection 1, paragraph F.~~

9 **Sec. 9. 28-B MRSA §504-A, sub-§4, ¶E**, as amended by PL 2023, c. 679, Pt. B,
10 §100, is repealed.

11 **Sec. 10. 28-B MRSA §504-A, sub-§8** is enacted to read:

12 **8. Tracking system.** The office shall adopt rules allowing sales of adult use cannabis
13 and adult use cannabis products under a specified event permit to be recorded through the
14 tracking system implemented pursuant to section 105. Adult use cannabis and adult use
15 cannabis products offered for sale at a specified event and the location of the specified
16 event must be recorded in the system pursuant to the rules adopted under this subsection.

17 **Sec. 11. 28-B MRSA §505**, as amended by PL 2023, c. 679, Pt. B, §103, is further
18 amended by enacting at the end a new paragraph to read:

19 The office shall establish a generic transport manifest for deliveries made pursuant to
20 this section to be provided to a law enforcement officer in the case of a traffic stop or other
21 relevant event. The generic transport manifest may not require the recording of customer
22 data or tracking identification of the products being transported.

23 **Sec. 12. 28-B MRSA §507**, as repealed and replaced by PL 2023, c. 679, Pt. B,
24 §105, is amended to read:

25 **§507. Entry into cannabis establishment by minors**

26 A minor may not enter the licensed premises of a cannabis store unless accompanied
27 by the minor's parent, legal guardian or custodian, as defined in Title 22, section 4002,
28 subsection 5. An individual ~~identification card holder~~ who is the parent, legal guardian or
29 custodian of a minor may bring that minor into the licensed premises of a cultivation
30 facility, products manufacturing facility or cannabis testing facility in an emergency.

31 **Sec. 13. 28-B MRSA §510**, as amended by PL 2023, c. 679, Pt. B, §108, is further
32 amended to read:

33 **§510. Limited access areas**

34 ~~Except as provided in subsection 1, a person may not enter or remain in any limited~~
35 ~~access area unless the person displays an individual identification card issued by the office~~
36 ~~pursuant to section 106.~~

37 **1. Contractors.** A licensee may allow a person to enter or remain in any limited
38 access area ~~without displaying an individual identification card~~ if the person is a contractor
39 of the licensee, including, but not limited to, an electrician, a plumber, an engineer or an
40 alarm technician, whose scope of work will not involve the handling of cannabis or
41 cannabis products and the person signs a visitor entry log provided and maintained by the
42 licensee and is issued a visitor identification badge by the licensee.

1 **1-A. Visitors.** A licensee may allow a visitor who is not a minor to enter or remain in
2 any limited access area ~~without displaying an individual identification card~~ if the visitor
3 signs a visitor entry log provided and maintained by the licensee, the visitor is issued a
4 visitor identification badge by the licensee and, if the visitor is visiting in a limited access
5 area with immediate access to cannabis or cannabis products, the visitor is accompanied at
6 all times by the licensee or an employee of the licensee.

7 **2. Licensee compliance Conspicuously marked.** A licensee shall ensure that all
8 areas of ingress to and egress from limited access areas within its licensed premises are
9 conspicuously marked ~~and that a person is not allowed to enter or remain in any limited~~
10 ~~access area without displaying the person's individual identification card issued by the~~
11 ~~office pursuant to section 106.~~

12 **Sec. 14. 28-B MRSA §512**, as amended by PL 2023, c. 679, Pt. B, §110, is further
13 amended by amending the section headnote to read:

14 **§512. ~~Inspection of licensed premises; testing~~ Testing and sampling for product**
15 **quality control**

16 **Sec. 15. 28-B MRSA §512, sub-§1**, as amended by PL 2023, c. 679, Pt. B, §110,
17 is repealed.

18 **Sec. 16. 28-B MRSA §701, sub-§1, ¶J**, as amended by PL 2023, c. 679, Pt. B,
19 §122, is further amended by amending subparagraph (3) to read:

20 (3) A recommended use date or expiration date; and

21 **Sec. 17. 28-B MRSA §701, sub-§1, ¶K**, as enacted by PL 2017, c. 409, Pt. A, §6
22 and amended by PL 2021, c. 669, §5, is further amended to read:

23 K. For edible cannabis products, a nutritional fact panel; ~~and~~

24 **Sec. 18. 28-B MRSA §701, sub-§1, ¶L**, as amended by PL 2023, c. 679, Pt. B,
25 §122, is repealed.

26 **Sec. 19. 28-B MRSA §702, sub-§2, ¶A**, as enacted by PL 2017, c. 409, Pt. A, §6
27 and amended by PL 2021, c. 669, §5, is further amended to read:

28 A. A prohibition on health or physical benefit claims in advertising or marketing,
29 including, but not limited to, health or physical benefit claims on the label or packaging
30 of adult use cannabis or an adult use cannabis product, except that advertising,
31 marketing, labeling or packaging may contain qualifying patients' testimonials of how
32 cannabis for medical use has provided palliative or therapeutic effects for the patients'
33 conditions. All testimonials must contain the following disclaimer: "This statement
34 has not been evaluated by the United States Food and Drug Administration. This
35 product is not intended to diagnose, treat, cure or prevent any disease.";

36 **Sec. 20. 28-B MRSA §802-A, sub-§2, ¶A**, as enacted by PL 2023, c. 679, Pt. B,
37 §134, is amended by repealing subparagraph (6).

38 **Sec. 21. 28-B MRSA §802-A, sub-§2, ¶C**, as enacted by PL 2023, c. 679, Pt. B,
39 §134, is amended by repealing subparagraph (7).

40 **Sec. 22. 28-B MRSA §802-A, sub-§2, ¶C**, as enacted by PL 2023, c. 679, Pt. B,
41 §134, is amended by repealing subparagraph (9).

Sec. 23. 28-B MRSA §1501, sub-§1, ¶D, as enacted by PL 2017, c. 409, Pt. A, §6 and amended by PL 2021, c. 669, §5, is further amended to read:

D. Transfer or furnish, without remuneration, to a person 21 years of age or older up to 6 immature cannabis plants or seedlings; and

Sec. 24. 28-B MRSA §1501, sub-§1, ¶E, as amended by PL 2023, c. 220, §1, is further amended to read:

E. Subject to the requirements and restrictions of section 1502, possess, cultivate or transport at any one time up to 6 mature cannabis plants, 12 immature cannabis plants and an unlimited number of seedlings and possess all the cannabis produced by such plants at the person's place of residence or at the location where the cannabis was cultivated;

Sec. 25. 28-B MRSA §1501, sub-§1, ¶F, as amended by PL 2023, c. 396, §22, is repealed.

Sec. 26. 28-B MRSA §1501, sub-§1, ¶G, as enacted by PL 2017, c. 409, Pt. A, §6 and amended by PL 2021, c. 669, §5, is repealed.

Sec. 27. 36 MRSA §4921, sub-§4-A is enacted to read:

4-A. Cannabis biomass. "Cannabis biomass" means any part of a cannabis plant, whether processed or unprocessed, including dried cannabis flower or cannabis seeds, used for extraction and manufactured into concentrate, except that "cannabis biomass" does not include the stalks or roots of the cannabis plant. "Cannabis biomass" does not include any part of a hemp plant as described in Title 7, section 2231, subsection 1-A, paragraph D.

Sec. 28. 36 MRSA §4923, sub-§2, as enacted by PL 2019, c. 231, Pt. B, §7 and amended by PL 2021, c. 669, §5, is further amended to read:

2. Excise tax on cannabis trim and biomass. A cultivation facility licensee shall pay an excise tax of \$94 per pound or fraction thereof of cannabis trim or biomass sold to other licensees in the State.

SUMMARY

This bill amends the Cannabis Legalization Act and the laws governing personal adult use of cannabis by eliminating the individual identification card requirement for licensees, eliminating cannabis purchase limits, eliminating certain requirements regarding the inspection of licensed premises and eliminating certain cannabis and cannabis product labeling requirements. The bill amends certain provisions regarding cannabis delivery transactions, including allowing licensees to use the tracking system established by the Department of Administrative and Financial Services, Office of Cannabis Policy to track delivery transactions and sales at specified events. The bill prohibits the Office of Cannabis Policy from requiring licensees to sign forms that require the licensees to waive certain rights protected under constitutional, statutory or common law privilege. The bill also clarifies excise tax laws as they apply to cannabis biomass.