

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

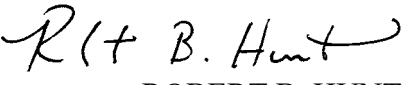
No. 1831

H.P. 1226

House of Representatives, April 30, 2025

An Act to Support Small Adult Use Cannabis Businesses by Establishing a Micro Cannabis Facility License

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


ROBERT B. HUNT
Clerk

Presented by Representative BOYER of Poland.

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

2 **Sec. 1. 28-B MRSA §102-A, sub-§10**, as enacted by PL 2023, c. 679, Pt. B, §3, is
3 amended to read:

4 **10. Cannabis establishment.** "Cannabis establishment" means a cultivation facility,
5 a products manufacturing facility, a testing facility, a cannabis store ~~or~~, a sample collector
6 or a micro cannabis facility licensed under this chapter.

7 **Sec. 2. 28-B MRSA §102-A, sub-§41-A** is enacted to read:

8 **41-A. Micro cannabis facility.** "Micro cannabis facility" means a facility licensed
9 under this chapter to cultivate adult use cannabis, manufacture adult use cannabis and adult
10 use cannabis products and sell adult use cannabis and adult use cannabis products and other
11 products to consumers in accordance with section 504-B.

12 **Sec. 3. 28-B MRSA §201, sub-§4**, as amended by PL 2019, c. 676, §5 and PL
13 2021, c. 669, §5, is further amended to read:

14 **4. Cannabis store.** ~~Consistent with the restrictions of section 205, subsection 2,~~
15 ~~paragraph C, a~~ A cannabis store license; or

16 **Sec. 4. 28-B MRSA §201, sub-§5**, as enacted by PL 2019, c. 676, §5, is amended
17 to read:

18 **5. Sample collector.** ~~Consistent with the requirements and restrictions of section 205,~~
19 ~~subsection 2, paragraph B and section 503-A, a sample collector license; or~~

20 **Sec. 5. 28-B MRSA §201, sub-§6** is enacted to read:

21 **6. Micro cannabis facility.** Consistent with the requirements and restrictions of
22 section 504-B, a micro cannabis facility license.

23 **Sec. 6. 28-B MRSA §207, sub-§3-B** is enacted to read:

24 **3-B. Fees for micro cannabis facilities.** For a micro cannabis facility license, the
25 office shall require payment of an application fee of \$500 and a license fee of not more
26 than \$2,500.

27 **Sec. 7. 28-B MRSA §504-B** is enacted to read:

28 **§504-B. Operation of micro cannabis facilities**

29 A micro cannabis facility must be operated in accordance with the provisions of this
30 section and the rules adopted pursuant to this chapter.

31 **1. Cultivation of adult use cannabis, immature cannabis plants and seedlings.**
32 Notwithstanding any provision of this chapter to the contrary, a micro cannabis facility
33 license allows for cultivation of not more than 1,000 square feet of plant canopy. A micro
34 cannabis facility may, without obtaining a separate cultivation facility license or nursery
35 cultivation facility license:

36 A. Sell and distribute cultivated adult use cannabis to products manufacturing
37 facilities, cannabis stores, cultivation facilities and other micro cannabis facilities
38 subject to the same requirements and restrictions applicable to cultivation facilities
39 pursuant to section 501 and the rules adopted pursuant to this chapter regarding the
40 operation of cultivation facilities;

1 B. Sell cultivated immature cannabis plants and seedlings to consumers subject to the
2 same requirements and restrictions applicable to nursery cultivation facilities pursuant
3 to section 501, subsection 3 and the rules adopted pursuant to this chapter regarding
4 the operation of nursery cultivation facilities; and

5 C. Sell cultivated adult use cannabis, immature cannabis plants and seedlings to
6 consumers subject to the same requirements and restrictions applicable to cannabis
7 stores pursuant to section 504 and the rules adopted pursuant to this chapter regarding
8 the operation of cannabis stores.

9 **2. Manufacture of adult use cannabis and adult use cannabis products.**

10 Notwithstanding any provision of this chapter to the contrary, a micro cannabis facility
11 may, without obtaining a separate products manufacturing facility license, manufacture
12 adult use cannabis and adult use cannabis products for:

13 A. Sale and distribution to cannabis stores, products manufacturing facilities and other
14 micro cannabis facilities subject to the same requirements and restrictions applicable
15 to products manufacturing facilities pursuant to section 502 and the rules adopted
16 pursuant to this chapter regarding the operation of products manufacturing facilities;
17 and

18 B. Sale to consumers subject to the same requirements and restrictions applicable to
19 cannabis stores pursuant to section 504 and the rules adopted pursuant to this chapter
20 regarding the operation of cannabis stores.

21 **3. Retail sale of adult use cannabis and adult use cannabis products.**

22 Notwithstanding any provision of this chapter to the contrary, a micro cannabis facility
23 may, without obtaining a separate cannabis store license, sell adult use cannabis, immature
24 cannabis plants, seedlings and adult use cannabis products to consumers subject to the same
25 requirements and restrictions applicable to cannabis stores pursuant to section 504 and the
26 rules adopted pursuant to this chapter regarding the operation of cannabis stores.

27 **4. Tracking.** In accordance with the requirements of section 105, a micro cannabis
28 facility licensee shall track:

29 A. All adult use cannabis the licensee cultivates from immature cannabis plant to the
30 point at which the cannabis plant or the cannabis produced by the cannabis plant is
31 delivered or transferred by the licensee to a cultivation facility, a products
32 manufacturing facility, a testing facility, a cannabis store or another micro cannabis
33 facility, is sold directly to a consumer or is disposed of or destroyed;

34 B. All adult use cannabis the licensee uses in the licensee's manufacturing processes
35 from the point at which the cannabis is delivered or transferred to the micro cannabis
36 facility, if applicable, by a cultivation facility or another micro cannabis facility to the
37 point at which the cannabis or cannabis concentrate or an adult use cannabis product
38 produced using the cannabis or cannabis concentrate is delivered or transferred to a
39 products manufacturing facility, a testing facility, a cannabis store or another micro
40 cannabis facility, is sold directly to a consumer or is disposed of or destroyed; and

41 C. All adult use cannabis and adult use cannabis products from the point at which the
42 cannabis or cannabis products are delivered or transferred to the micro cannabis
43 facility, if applicable, by a cultivation facility, a products manufacturing facility or
44 another micro cannabis facility to the point at which the cannabis or cannabis products

are sold to a consumer, are delivered or transferred to a testing facility, are returned to a cultivation facility, a products manufacturing facility or another micro cannabis facility from which the cannabis or cannabis products were received or are disposed of or destroyed.

If a micro cannabis facility licensee receives a return of a cannabis plant, cannabis flower, cannabis trim or an adult use cannabis product from a cultivation facility, a products manufacturing facility, a cannabis store or another micro cannabis facility, the licensee shall track the returned cannabis plant, cannabis flower, cannabis trim or adult use cannabis product to the point at which the return is transferred to a cultivation facility, a products manufacturing facility, a testing facility, a cannabis store or another micro cannabis facility, is sold directly to a consumer or is disposed of or destroyed.

5. Excise tax; sales tax. Notwithstanding Title 36, chapter 723 or any other provision of law to the contrary, adult use cannabis sold by a micro cannabis facility licensee that cultivates and sells adult use cannabis pursuant to subsection 1 is not subject to the tax imposed on the sale of adult use cannabis pursuant to Title 36, chapter 723. A micro cannabis facility licensee that sells adult use cannabis and adult use cannabis products to a consumer pursuant to subsection 3 shall ensure that the tax imposed on the sale of adult use cannabis and adult use cannabis products to a consumer pursuant to Title 36, section 1811 is collected and remitted in accordance with the requirements of Title 36, Part 3 and the rules adopted pursuant to Title 36, Part 3.

6. Rules. The office shall adopt rules regulating the licensure and operation of micro cannabis facilities under this chapter. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill amends the Cannabis Legalization Act to establish the micro cannabis facility license, which is a new category of cannabis establishment license. A micro cannabis facility licensee may cultivate up to 1,000 square feet of plant canopy and may sell cultivated adult use cannabis subject to the same requirements and restrictions applicable to cultivation facilities; may manufacture and sell adult use cannabis and adult use cannabis products subject to the same requirements and restrictions applicable to products manufacturing facilities; and may sell adult use cannabis and adult use cannabis products to consumers subject to the same requirements and restrictions applicable to cannabis stores.

The application fee for a micro cannabis facility license is \$500 and the annual license fee is not more than \$2,500. Adult use cannabis cultivated and sold by a micro cannabis facility is not subject to the otherwise applicable excise tax on adult use cannabis. A micro cannabis facility that sells adult use cannabis and adult use cannabis products to consumers must collect and pay to the State Tax Assessor the applicable sales tax on adult use cannabis and adult use cannabis products. The Department of Administrative and Financial Services, Office of Cannabis Policy is directed to adopt major substantive rules regulating the licensure, operation and oversight of micro cannabis facilities.