

MAINE STATE LEGISLATURE

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L.D. 1840

Date: 6/12/25

(Filing No. S- 374)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 723, L.D. 1840, "An Act to Amend the Maine Medical Use of Cannabis Act"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 22 MRSA §2422-A, as repealed and replaced by PL 2023, c. 365, §1, is amended by amending the section headnote to read:

§2422-A. Administration and enforcement; rulemaking; attestations

Sec. 2. 22 MRSA §2422-A, sub-§3 is enacted to read:

3. Attestations for registration or renewal. Except when explicitly authorized or directed under this chapter, the office may not require a registrant to make any attestations on any forms or documents regarding any conduct authorized pursuant to this chapter or the rules adopted pursuant to this chapter in order to comply with the registration or renewal requirements of this chapter. This subsection may not be construed to prohibit such attestations on any forms or documents subject to any proceedings pursuant to section 2430-I, subsection 9 or attestations on any forms or documents accompanied by a signature that the information contained within the form or document is accurate or complete.

Sec. 3. 22 MRSA §2423-A, sub-§2, ¶O, as enacted by PL 2017, c. 452, §4 and amended by PL 2021, c. 669, §5, is further amended to read:

O. ~~Transport~~ Sell, offer to sell, furnish or transport cannabis plants or harvested cannabis for authorized conduct in accordance with this chapter on the property or premises owned, leased or rented by the caregiver, subject to the terms of any lease or rental agreement; at trade shows or other industry-related events regarding cannabis for medical use; or through delivery to or private arrangement with a qualifying patient or registrant as long as the delivery or private arrangement occurs on property or at premises owned, leased or rented, subject to the terms of any lease or rental agreement, by the caregiver, qualifying patient or registrant or on public property that is not designated as a safe zone by a municipality pursuant to Title 30-A, section 3253 or in

1 any other public space where the sale, furnishing or transport of cannabis plants or
2 harvested cannabis is prohibited in law;

3 **Sec. 4. 22 MRSA §2430-N, sub-§8**, as enacted by PL 2023, c. 365, §25, is amended
4 to read:

5 **8. Sales** ~~Gross sales; sales~~ tax revenue. The gross sales of cannabis for medical use
6 for the current and prior fiscal years and the sales tax revenue from the sale of cannabis for
7 medical use deposited into the General Fund for the current and prior fiscal years.

8 **Sec. 5. Department of Administrative and Financial Services, Office of**
9 **Cannabis Policy; medical cannabis research grant program rulemaking.** On
10 or before January 9, 2026, the Department of Administrative and Financial Services, Office
11 of Cannabis Policy shall provisionally adopt and submit for legislative review rules
12 necessary to implement the medical cannabis research grant program in accordance with
13 the Maine Revised Statutes, Title 22, section 2430, subsection 5. Rules adopted by the
14 office pursuant to this section are major substantive rules as defined in Title 5, chapter 375,
15 subchapter 2-A.

16 **Sec. 6. Department of Administrative and Financial Services, Office of**
17 **Cannabis Policy; availability of medical use of cannabis registration and**
18 **renewal forms.** The Department of Administrative and Financial Services, Office of
19 Cannabis Policy shall as expeditiously as possible make available on the office's publicly
20 accessible website all registration and renewal forms in their entirety as a portable
21 document file or similar file format that does not require the use of independent software,
22 hardware or operating systems. The office shall also make available registration and
23 renewal forms in their entirety in paper form available at the office. This section does not
24 preclude the office from also offering registration and renewal forms through an online
25 registration portal or similar system.

26 **Sec. 7. Appropriations and allocations.** The following appropriations and
27 allocations are made.

28 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**
29 **Medical Use of Cannabis Fund Z265**

30 Initiative: Provides funding for one Office Specialist I position, one OCP Chief Licensing
31 Investigator position and 8 OCP Licensing Analyst positions and associated All Other
32 costs.

33 OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
34 POSITIONS - LEGISLATIVE COUNT	10.000	10.000
35 Personal Services	\$1,075,405	\$1,162,757
36 All Other	\$82,316	\$82,316
37		
38 OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,157,721	\$1,245,073

39
40 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
41 number to read consecutively.

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SUMMARY

This amendment replaces the bill. The amendment makes the following changes to the Maine Medical Use of Cannabis Act.

1. It provides that, except when explicitly authorized or directed under the Maine Medical Use of Cannabis Act, the Department of Administrative and Financial Services, Office of Cannabis Policy may not require a registrant to make any attestations on any forms or documents regarding any conduct authorized pursuant to the Maine Medical Use of Cannabis Act or the rules adopted pursuant to the Maine Medical Use of Cannabis Act, except as may be required under the Maine Administrative Procedure Act regarding administrative penalties.

2. It provides that a caregiver is authorized to sell, offer to sell, furnish or transport cannabis plants or harvested cannabis on property or premises owned, leased or rented, subject to the terms of any lease or rental agreement, by the caregiver; at trade shows or other industry-related events regarding cannabis for medical use; or through delivery to or private arrangement with a qualifying patient or registrant as long as the delivery or private arrangement occurs on property or at premises owned, leased or rented by the caregiver, subject to the terms of any lease or rental agreement qualifying patient or registrant or on public property that is not designated as a safe zone by a municipality or in any other public space where the sale, furnishing or transport of cannabis plants or harvested cannabis is prohibited by law.

3. It provides that the Department of Administrative and Financial Services, in its annual report to the Legislature regarding the medical use of cannabis, must include information regarding the gross sales of cannabis for medical use for the current and prior fiscal years.

4. It directs the Department of Administrative and Financial Services, Office of Cannabis Policy, on or before January 9, 2026, to provisionally adopt and submit for legislative review major substantive rules necessary to implement the medical cannabis research grant program in accordance with the Maine Revised Statutes, Title 22, section 2430, subsection 5.

5. It directs the Department of Administrative and Financial Services, Office of Cannabis Policy to, as expeditiously as possible, make available on the office's publicly accessible website all registration and renewal forms in their entirety as a portable document file or similar file format that does not require the use of independent software, hardware or operating systems. It also directs the office to make those forms available at the office on paper. It does not prohibit the office from also offering registration and renewal forms through an online registration portal or similar system.

FISCAL NOTE REQUIRED

(See attached)

**132nd MAINE LEGISLATURE****LD 1840****LR 989(02)****An Act to Amend the Maine Medical Use of Cannabis Act**

Fiscal Note for Bill as Amended by Committee Amendment "A" (5-374)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Appropriations/Allocations				
Other Special Revenue Funds	\$1,157,721	\$1,245,073	\$1,290,421	\$1,337,536

Fiscal Detail and Notes

This bill prohibits the Office of Cannabis Policy (OCP) within the Department of Administrative and Financial Services from requiring registrants to make attestations on registration and renewal forms regarding conduct authorized under the Medical Use of Cannabis Act, except where explicitly authorized by law. It expands the authorized venues where caregivers may sell or transfer medical cannabis to include trade shows and other industry-related events. The bill also requires annual reporting to include data on gross sales and sales tax revenue from medical cannabis.

Under current statute, OCP is required to issue or deny a completed registration application within 30 days of receipt. OCP has indicated that the prohibition on the use of attestations will require licensing staff to manually review and verify certain information that was previously attested to by applicants. OCP has indicated that this additional workload cannot be absorbed within existing staffing, and additional staff would be required to ensure that applications or renewals continue to be processed within statutorily required deadlines. The bill includes ongoing Other Special Revenue Funds allocations of \$1,157,721 to OCP beginning in fiscal year 2025-26 for one OCP Chief Licensing Investigator position, one Office Specialist I position and 8 OCP Licensing Analyst positions and associated All Other costs.

In addition, OCP has indicated that the bill's provisions allowing sales and transfers of cannabis at trade shows and other industry-related events may require compliance staff to attend such events in person to assess regulatory compliance. Because some of these events may occur outside normal business hours, OCP anticipates a need for additional staffing to support after-hours enforcement. Although the number of qualifying events is currently unknown, if a significant number do occur, the agency has indicated it would require additional allocations to fund one Field Investigator Supervisor, four Compliance Inspectors, and associated costs.