

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 798

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H.P. 578

House of Representatives, March 2, 2017

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### **An Act To Clarify the Intent of the Licensing Provisions in the Marijuana Legalization Act**

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Reference to the Joint Select Committee on Marijuana Legalization Implementation suggested and ordered printed.

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

ROBERT B. HUNT  
Clerk

Presented by Representative HARVELL of Farmington.  
Cosponsored by Senator DION of Cumberland and  
Representatives: AUSTIN of Gray, BICKFORD of Auburn, COREY of Windham, FARRIN of  
Norridgewock, HICKMAN of Winthrop, O'CONNOR of Berwick, PERKINS of Oakland,  
SANDERSON of Chelsea.

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

2 **Sec. 1. 7 MRSA §2448, sub-§1**, as enacted by IB 2015, c. 5, §1, is amended to  
3 read:

4 **1. State licensing authority may issue license; priority.** For the purpose of  
5 regulating the cultivation, manufacture, distribution, sale and testing of retail marijuana  
6 and retail marijuana products, the state licensing authority, in its discretion, upon receipt  
7 of an application in the prescribed form, may issue and grant to the applicant a license  
8 from one or more of the following classes, subject to the provisions and restrictions  
9 provided by this chapter:

10 A. Retail marijuana store license;

11 B. Retail marijuana cultivation facility license. Licenses issued pursuant to this  
12 paragraph must be issued in an equal number between the 2 types of retail marijuana  
13 cultivation facilities specified in section 2447, subsection 6;

14 C. Retail marijuana products manufacturing facility license;

15 D. Retail marijuana testing facility license;

16 E. Retail marijuana social club license; and

17 F. Occupational licenses and registrations for owners, managers, operators,  
18 employees, contractors and other support staff employed at, working in or having  
19 access to restricted access areas of the licensed premises, as determined by the state  
20 licensing authority.

21 Notwithstanding any provision of this chapter to the contrary, the state licensing  
22 authority, in issuing and granting a license pursuant to this chapter, shall give preference  
23 to an applicant who is a resident of this State or is organized or incorporated in this State.

24 **Sec. 2. Effective date.** This Act takes effect February 1, 2018.

25 **SUMMARY**

26 This bill amends the Marijuana Legalization Act to require the state licensing  
27 authority, when issuing a license under the Act, to give preference to individuals who are  
28 residents of this State and to businesses that are organized or incorporated in this State.  
29 This bill also requires any licenses issued for retail marijuana cultivation facilities to be  
30 issued in an equal number between those facilities with 3,000 square feet or less of plant  
31 canopy and those with more than 3,000 square feet of plant canopy.