

MAINE STATE LEGISLATURE

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Date: 6-8-21

(Filing No. H-468)

MAJORITY
VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 695, L.D. 939, "An Act To Support Maine's Medical Marijuana Program and Ensure Patient Access"

Amend the bill in section 3 in paragraph K-1 in the 7th line (page 1, line 18 in L.D.) by striking out the following: "an unlimited amount of the" and inserting the following: 'of the'

Amend the bill by striking out all of section 13 and inserting the following:

Sec. 13. 22 MRSA §2428, sub-§1-A, ¶F, as repealed and replaced by PL 2019, c. 331, §24 and c. 354, §7, is further amended by repealing subparagraph (4) and enacting the following in its place:

(4) Transfer to and accept from a registered caregiver or another dispensary marijuana plants and harvested marijuana in a wholesale transaction in accordance with this paragraph. A dispensary may transfer in wholesale transactions for reasonable compensation or for no remuneration an unlimited amount of the mature marijuana plants grown by the dispensary over the course of a calendar year, including any marijuana products or marijuana concentrate manufactured from mature marijuana plants grown by the dispensary. A dispensary may transfer to or accept from registered caregivers and dispensaries in wholesale transactions an unlimited amount of immature marijuana plants and seedlings. A dispensary that acquires mature marijuana plants, marijuana products or marijuana concentrate in a wholesale transaction under this subparagraph may not resell the mature marijuana plants, marijuana products or marijuana concentrate except to a qualifying patient or to a caregiver or dispensary to assist a qualifying patient.'

Amend the bill by striking out all of sections 15, 16 and 17.

Amend the bill in section 19 in subparagraph (2) in the 2nd line (page 4, line 4 in L.D.) by striking out the following: "2" and inserting the following: '4'

Amend the bill in section 19 in subparagraph (2) in the last line (page 4, line 5 in L.D.) by striking out the following: "and"

COMMITTEE AMENDMENT

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Amend the bill by striking out all of section 20 and inserting the following:

Sec. 20. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Medical Use of Marijuana Fund Z265

Initiative: Provides funding for 2 Field Investigator positions to ensure timely inspection of records kept by program participants.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$163,054	\$168,272
All Other	\$10,693	\$10,693
OTHER SPECIAL REVENUE FUNDS TOTAL	\$173,747	\$178,965

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

SUMMARY

This amendment is the majority report of the committee. The amendment makes the following changes to the bill.

1. It clarifies the provision allowing registered caregivers and dispensaries to transfer to and accept from another registered caregiver or a dispensary an unlimited amount of their marijuana plants and harvested marijuana in a wholesale transaction.
2. It removes provisions adding a fee structure for a caregiver cultivating based upon plant canopy.
3. It removes provisions repealing the prohibition on marketing marijuana plants or harvested marijuana to any adult use marijuana market within the same sign, advertisement or marketing material.
4. It changes the period of time registered caregivers, registered dispensaries, marijuana testing facilities and manufacturing facilities must keep records from 7 years to 4 years, instead of 2 years as proposed in the bill.
5. It removes provisions repealing the requirement that registered caregivers, registered dispensaries, marijuana testing facilities and manufacturing facilities have annual audits by an independent 3rd party.
6. It adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 939

LR 1473(02)

An Act To Support Maine's Medical Marijuana Program and Ensure Patient Access

Fiscal Note for Bill as Amended by Committee Amendment *Am (H-468)*
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Appropriations/Allocations				
Other Special Revenue Funds	\$173,747	\$178,965	\$184,349	\$189,906

Fiscal Detail and Notes

The bill includes Other Special Revenue Funds allocations to the Department of Administrative and Financial Services of \$173,747 in fiscal year 2021-22 and \$178,965 in fiscal year 2022-23 for 2 Field Investigator positions to ensure timely inspection of records kept by program participants.