

MAINE STATE LEGISLATURE

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Date:

4/8/22

(Filing No. H- 966)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

130TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1350, L.D. 1817, "An Act To Allow the State's Adult Use Marijuana Tracking System To Track Plants and Products by Group"

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

'Sec. 1. 28-B MRSA §105, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

§105. Tracking system

The department shall implement and administer a system, referred to in this section as "the tracking system," for the tracking of marijuana plants, adult use marijuana and adult use marijuana products from immature marijuana plant to the point of retail sale, disposal or destruction. The tracking system must allow for marijuana plants at the stage of cultivation and upon transfer from the stage of cultivation to another licensee to be tracked by group. The department may implement a tracking system that allows adult use marijuana or adult use marijuana products to be tracked by group.

The department shall ensure that the system implemented and administered under this section, whether tracking individually or by group, maintains a detailed record at every stage from immature marijuana plant to the point of retail sale, disposal or destruction.

1. Data submission requirements. The tracking system must allow licensees to submit tracking data for adult use marijuana or adult use marijuana products to the department through manual data entry or through the use of tracking system software commonly used within the marijuana industry as determined by the department.

1-A. Group tracking. Marijuana plants at the same stage of growth that are of the same varietal or cultivar of the plant genus cannabis may be tracked by group if they:

A. Are planted in the same specific area at the same time;

B. Are transplanted to the same specific area at the same time; or

COMMITTEE AMENDMENT

1 C. Include marijuana plants that were planted in a specific area and marijuana plants
2 that were transplanted to the same specific area.

3 For marijuana plants that are tracked as a group, a licensee shall designate the square
4 footage of the specific area in which the plants are planted or transplanted. Marijuana
5 plants may not be tracked as a group unless they are intended for harvest as a group.

6 **1-B. Tagging.** A licensee shall affix a tag containing the identifying information
7 required by the department by rule to each group of marijuana plants tracked under this
8 section. The department may not require marijuana plants that are being tracked as a group
9 to be individually affixed with a tag during cultivation or transfer to another licensee.

10 **1-C. Group transfers.** When a group of marijuana plants tracked under this section
11 is transferred to another licensee, the licensee transferring the group of marijuana plants
12 must provide a manifest that lists every marijuana plant within the group and any other
13 relevant information required by the department by rule.

14 **2. Rules.** The department shall adopt rules regarding the implementation and
15 administration of the tracking system and tracking requirements for licensees. Rules
16 adopted under this section must include, but are not limited to, the following:

17 A. Record-keeping requirements for the tracking of marijuana plants when tracked
18 individually and when tracked by group; and

19 B. Record-keeping requirements necessary to ensure the department's ability to
20 implement a recall for reasons related to health and safety when tracking marijuana
21 plants individually or by group.

22 **Sec. 2. Report.** The Department of Administrative and Financial Services, office of
23 marijuana policy shall conduct a review of the adult use marijuana tracking requirements
24 under the Maine Revised Statutes, Title 28-B, section 105 and evaluate whether the current
25 tracking system implemented by the department includes the functionality necessary to
26 track marijuana plants, adult use marijuana and adult use marijuana products from
27 immature marijuana plants to the point of retail sale, disposal or destruction in accordance
28 with Title 28-B, section 105. The department shall also review relevant feedback it has
29 previously received regarding the tracking system implemented for the adult use marijuana
30 program, solicit additional feedback from relevant stakeholders and evaluate whether the
31 current tracking system implemented by the department can be used or streamlined in a
32 way that addresses those concerns. No later than January 1, 2023, the department shall
33 submit a report to the joint standing committee of the Legislature having jurisdiction over
34 adult use marijuana matters summarizing its findings and any recommendations based on
35 the reviews required under this section. The joint standing committee of the Legislature
36 having jurisdiction over adult use marijuana matters may report out legislation to the First
37 Regular Session of the 131st Legislature related to the findings and recommendations in
38 the department's report.'

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

41 SUMMARY

42 This amendment is the unanimous report of the committee. This amendment strikes
43 and replaces the bill and does the following.

1 1. It requires the adult use marijuana tracking system to allow for marijuana plants to
2 be tracked as a group and allows the Department of Administrative and Financial Services
3 to implement a tracking system to allow marijuana and marijuana products to be tracked as
4 a group.

5 2. It designates how marijuana plants may be grouped for the purpose of tracking.

6 3. It specifies tracking tag requirements and restrictions for marijuana plants tracked
7 as a group.

8 4. It requires a manifest to be provided upon transfer when tracking marijuana plants
9 as a group.

10 5. It directs the Department of Administrative and Financial Services, office of
11 marijuana policy to conduct a review of the adult use marijuana tracking requirements and
12 evaluate whether the current tracking system implemented by the department includes the
13 functionality necessary to track marijuana plants, adult use marijuana and adult use
14 marijuana products from immature marijuana plants to the point of retail sale, disposal or
15 destruction. The department is also required to review relevant feedback it has previously
16 received regarding the tracking system implemented for the adult use marijuana program,
17 solicit additional feedback from relevant stakeholders and evaluate whether the current
18 tracking system implemented by the department can be used or streamlined in a way that
19 addresses those concerns. No later than January 1, 2023, the department is required to
20 submit a report to the joint standing committee of the Legislature having jurisdiction over
21 adult use marijuana matters summarizing its findings and any recommendations based on
22 the reviews.

23 **FISCAL NOTE REQUIRED**

24 (See attached)



Approved: 03/29/22 *mac*

130th MAINE LEGISLATURE

LD 1817

LR 2447(03)

An Act To Allow the State's Adult Use Marijuana Tracking System To Track Plants and Products by Group

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-966)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Office of Marijuana Policy within the Department of Administrative and Financial Services as a result of the provisions of this bill are anticipated to be minor and can be absorbed within existing budgeted resources.