

MAINE STATE LEGISLATURE

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Report A

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L.D. 1827

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Date: 4/8/22

(Filing No. H-961)

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Report A
VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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130TH LEGISLATURE

8

SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1360, L.D. 1827, "An Act To Permit Limited Delivery of Adult Use Marijuana"

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Amend the bill by striking out the title and substituting the following:

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'An Act To Permit Curbside Pickup and Limited Delivery of Adult Use Marijuana'

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

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'Sec. 1. 28-B MRSA §504, sub-§2, ¶C, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

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C. Sell adult use marijuana, adult use marijuana products or marijuana plants using:

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(1) An automated dispensing or vending machine;

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(2) A drive-through sales window, except as provided by subsection 10;

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(3) An Internet-based sales platform; or

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(4) A delivery service, except as provided by subsection 9; or

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Sec. 2. 28-B MRSA §504, sub-§4, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

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4. **Verification of purchaser's age.** A person must be 21 years of age or older to make a purchase ~~in~~ from a marijuana store. A marijuana store may not sell any item to a person under 21 years of age.

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A. Prior to initiating a sale in a marijuana store, an employee of the marijuana store licensee shall verify that the purchaser has a valid government-issued photographic identification card, or other acceptable photographic identification, demonstrating that the purchaser is 21 years of age or older.

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A-1. Prior to concluding a sale by delivery under subsection 9 or curbside pickup under subsection 10, an employee of the marijuana store licensee shall verify that the purchaser has a valid government-issued photographic identification card, or other

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COMMITTEE AMENDMENT

1 acceptable photographic identification, demonstrating that the purchaser is 21 years of
 2 age or older.

3 B. The department shall by rule determine the forms of photographic identification
 4 that a marijuana store licensee may accept when verifying a purchaser's age.

5 **Sec. 3. 28-B MRSA §504, sub-§9** is enacted to read:

6 **9. Limited delivery service.** A marijuana store may operate a limited delivery service
 7 for the delivery of immature marijuana plants, seedlings, adult use marijuana and adult use
 8 marijuana products in accordance with the requirements of this subsection. A marijuana
 9 store may not deliver adult use marijuana or an immature marijuana plant, seedling or adult
 10 use marijuana product to a person under 21 years of age.

11 A. A marijuana store operating a limited delivery service shall ensure that marijuana
 12 store employees engaging in delivery have received training, prescribed by the
 13 department by rule, on how to properly verify the age of a person making a purchase
 14 for delivery and how to ensure that no deliveries are made to a person under 21 years
 15 of age.

16 B. A marijuana store operating a limited delivery service may deliver only to a
 17 residential dwelling and may not deliver to any residential dwelling located within a
 18 safe zone designated by a municipality under Title 30-A, section 3253. A marijuana
 19 store operating a limited delivery service may deliver to a residential dwelling in any
 20 municipality in the State regardless of whether the municipality has approved the
 21 operation of marijuana stores.

22 The department shall adopt rules to implement this subsection. Rules adopted pursuant to
 23 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter
 24 2-A.

25 **Sec. 4. 28-B MRSA §504, sub-§10** is enacted to read:

26 **10. Curbside pickup.** A marijuana store may allow curbside pickup of immature
 27 marijuana plants, seedlings, adult use marijuana and adult use marijuana products at a
 28 designated location outside of the marijuana store in accordance with the requirements of
 29 this subsection and any additional requirements imposed by the department by rule.

30 A. A marijuana store that allows curbside pickup of immature marijuana plants,
 31 seedlings, adult use marijuana or adult use marijuana products shall designate a
 32 curbside pickup location outside of the marijuana store and near the entrance to the
 33 marijuana store and mark the location in a manner designated by the department by
 34 rule.

35 B. A marijuana store that allows curbside pickup of immature marijuana plants,
 36 seedlings, adult use marijuana or adult use marijuana products shall implement security
 37 and record-keeping requirements for all sales concluded by curbside pickup as
 38 established by the department by rule.

39 The department shall adopt rules to implement this subsection, including, but not limited
 40 to, rules establishing security and record-keeping requirements for sales concluded by
 41 curbside pickup. Rules adopted pursuant to this subsection are routine technical rules as
 42 defined in Title 5, chapter 375, subchapter 2-A.

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Sec. 5. 28-B MRSA §505, as enacted by PL 2017, c. 409, Pt. A, §6, is amended by enacting at the end a new paragraph to read:

A marijuana store licensee and its employees may also transport adult use marijuana or adult use marijuana products between the licensed premises of the licensee and the location of a delivery conducted under section 504, subsection 9.

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 replaces the bill and does the following.

- 1. It allows a marijuana store to deliver immature marijuana plants, seedlings, adult use marijuana and adult use marijuana products to residential dwellings.
- 2. It prohibits a marijuana store from delivering immature marijuana plants, seedlings, adult use marijuana or adult use marijuana products to a safe zone designated by a municipality.
- 3. It allows a marijuana store to sell immature marijuana plants, seedlings, adult use marijuana or adult use marijuana products at a location marked for curbside pickup.

FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 1827

LR 2479(02)

An Act To Permit Limited Delivery of Adult Use Marijuana

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-961)

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 from the provisions in this bill are expected to be minor and can be absorbed within existing budgeted resources.