

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1927

H.P. 1434

House of Representatives, January 20, 2022

An Act To Authorize Certain Off-premises Sales of Adult Use Marijuana

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on January 18, 2022. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative DILLINGHAM of Oxford.

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

2 **Sec. 1. 28-B MRSA §504-A** is enacted to read:

3 **§504-A. Off-premises sales**

4 Notwithstanding any provision of law to the contrary, the department may issue a
5 permit to a marijuana store licensee to sell adult use marijuana or adult use marijuana
6 products at a specified event located outside the licensed premises in accordance with the
7 requirements of this section. Transportation of adult use marijuana and adult use marijuana
8 products between the licensed premises and the specified event is subject to the
9 requirements of section 505.

10 **1. Limitations on off-premises sales.** A permit issued by the department under this
11 section for a specified event may not authorize:

12 A. Sales at the specified event for a period greater than 3 days;

13 B. Sales anywhere other than the specified event; or

14 C. The consumption of adult use marijuana or adult use marijuana products at the
15 location of sale at the specified event.

16 **2. Municipal approval.** A marijuana store licensee applying for a permit under this
17 section must obtain approval from the municipality in which the specified event is located
18 to sell adult use marijuana or adult use marijuana products at the specified event before the
19 department may issue a permit under this section.

20 **3. Guidance.** The department shall develop guidance documents to assist marijuana
21 store licensees in applying for and complying with permits under this section and lawfully
22 engaging in the off-premises sale of adult use marijuana or adult use marijuana products.

23 **4. Rulemaking.** The department shall adopt rules to administer this section. Rules
24 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
25 375, subchapter 2-A.

26 **Sec. 2. 28-B MRSA §505**, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to
27 read:

28 **§505. Transportation of adult use marijuana and adult use marijuana products**

29 A licensee and its employees may transport adult use marijuana and adult use marijuana
30 products between the licensed premises of the licensee and the licensed premises of any
31 other marijuana establishment and may transport adult use marijuana and adult use
32 marijuana products between the licensed premises of the licensee and the location at which
33 the licensee is authorized to sell adult use marijuana and adult use marijuana products under
34 a permit issued under section 504-A. All transportation of adult use marijuana and adult
35 use marijuana products must be documented by the licensee or an employee of the licensee
36 in accordance with rules adopted by the department. The department shall adopt rules
37 regarding the transportation of adult use marijuana and adult use marijuana products by
38 licensees under this chapter.

SUMMARY

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This bill authorizes the Department of Administrative and Financial Services to issue permits to marijuana store licensees for the off-premises sale of adult use marijuana or adult use marijuana products and provides certain limitations on those permits. The bill also requires the department to develop guidance documents for compliance with such permits and to adopt routine technical rules for the administration of the permits.