

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

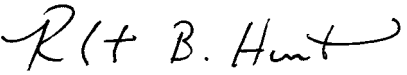
No. 555

H.P. 360

House of Representatives, February 9, 2023

An Act to Increase the Number of Mature Plants Allowed for the Home Cultivation of Cannabis

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative BOYER of Poland.
Cosponsored by Senator HARRINGTON of York and
Representatives: ANDREWS of Paris, COLLINGS of Portland, HYMES of Waldo,
RUDNICKI of Fairfield, SUPICA of Bangor, Senators: BAILEY of York, BRENNER of
Cumberland, HICKMAN of Kennebec.

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

2 **Sec. 1. 28-B MRSA §1501, sub-§1, ¶E**, as enacted by PL 2017, c. 409, Pt. A, §6
3 and amended by PL 2021, c. 669, §5, is amended to read:

4 E. Subject to the requirements and restrictions of section 1502, possess, cultivate or
5 transport at any one time up to 3 6 mature cannabis plants, 12 immature cannabis plants
6 and an unlimited number of seedlings and possess all the cannabis produced by such
7 plants at the person's place of residence or at the location where the cannabis was
8 cultivated;

9 **Sec. 2. 28-B MRSA §1502, sub-§1**, as enacted by PL 2017, c. 409, Pt. A, §6 and
10 amended by PL 2021, c. 669, §5, is further amended to read:

11 **1. Cultivation of up to 3 6 mature cannabis plants per person for personal adult**
12 **use authorized.** Subject to the applicable requirements and restrictions of subsections 2,
13 3 and 4, a person 21 years of age or older may cultivate up to 3 6 mature cannabis plants,
14 up to 12 immature cannabis plants and an unlimited number of seedlings for personal adult
15 use:

16 A. On a parcel or tract of land on which the person is domiciled;

17 B. On a parcel or tract of land owned by the person on which the person is not
18 domiciled; or

19 C. On a parcel or tract of land not owned by the person and on which the person is not
20 domiciled so long as the owner of the parcel or tract of land by written agreement
21 permits the cultivation and care of the cannabis plants on the parcel or tract of land by
22 that person.

23 A person may cultivate the cannabis plants and seedlings authorized under this subsection
24 at multiple locations so long as such cultivation activities otherwise meet all requirements
25 and restrictions of this section.

26 **Sec. 3. 28-B MRSA §1502, sub-§3, ¶A**, as enacted by PL 2017, c. 409, Pt. A, §6
27 and amended by PL 2021, c. 669, §5, is further amended to read:

28 A. A municipality may adopt an ordinance or other regulation limiting the total number
29 of mature cannabis plants that may be cultivated on any one parcel or tract of land
30 within the municipality so long as that ordinance or regulation allows for the cultivation
31 of 3 6 mature cannabis plants, 12 immature cannabis plants and an unlimited number
32 of seedlings by each person 21 years of age or older who is domiciled on a parcel or
33 tract of land.

34 **Sec. 4. 28-B MRSA §1502, sub-§4, ¶A**, as enacted by PL 2017, c. 409, Pt. A, §6
35 and amended by PL 2021, c. 669, §5, is further amended to read:

36 A. The Maine Land Use Planning Commission may limit the total number of mature
37 cannabis plants that may be cultivated on any one parcel or tract of land within a town,
38 plantation or township in the unorganized and deorganized areas so long as that
39 limitation allows for the cultivation of 3 6 mature cannabis plants, 12 immature
40 cannabis plants and an unlimited number of seedlings by each person 21 years of age
41 or older who is domiciled on a parcel or tract of land.

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SUMMARY

This bill increases the number of mature cannabis plants allowed for home cultivation from 3 to 6.