

# MAINE STATE LEGISLATURE

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Date: 2/7/24

MINORITY

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 714, L.D. 1789, "An Act to Remove All Marijuana-related Provisions from the Maine Criminal Code and Expunge All Convictions Involving Marijuana"

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

'Resolve, to Convene a Stakeholder Group to Review Marijuana-related and Cannabis-related Crimes in the Maine Criminal Code and Other Provisions of the Maine Revised Statutes'

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

'Sec. 1. Convene stakeholder group. Resolved: That the Department of Administrative and Financial Services, office of cannabis policy shall convene a stakeholder group to examine marijuana-related and cannabis-related crimes in the Maine Criminal Code and other relevant provisions of the Maine Revised Statutes to determine whether there are marijuana-related or cannabis-related crimes currently in effect that should be amended or removed. The stakeholder group shall also examine whether there are any existing activities related to marijuana or cannabis for which criminal penalties should be established. The stakeholder group must include, at a minimum, a representative from the Maine Prosecutors Association and a representative from the Department of Public Safety, Maine Drug Enforcement Agency.

'Sec. 2. Report. Resolved: That the Department of Administrative and Financial Services, office of cannabis policy shall, by January 15, 2025, submit a report outlining the stakeholder group's findings and recommendations under section 1, including recommended legislation, to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The committee may report out legislation related to the report to the 132nd Legislature in 2025.

'Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

COMMITTEE AMENDMENT

ROS

**Adult Use Cannabis Regulatory Coordination Fund Z264**

Initiative: Provides one-time funding to hire contracted legal services to examine marijuana-related and cannabis-related crimes in the Maine Criminal Code and relevant provisions of the Maine Revised Statutes.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$200,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$200,000</b>

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

**SUMMARY**

This amendment, which is the minority report of the committee, replaces the bill with a resolve that requires the Department of Administrative and Financial Services, office of cannabis policy to convene a stakeholder group to examine marijuana-related and cannabis-related crimes in the Maine Criminal Code and other relevant provisions of the Maine Revised Statutes to determine whether there are marijuana-related or cannabis-related crimes currently in effect that should be amended or removed. The stakeholder group must also examine whether there are any existing activities related to marijuana or cannabis that should be made criminal. The stakeholder group must include, at a minimum, representatives from the Maine Prosecutors Association and the Department of Public Safety, Maine Drug Enforcement Agency. The office of cannabis policy is required to submit a report outlining the stakeholder group's findings and recommendations, including any recommended legislation, to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by January 15, 2025. The committee may report out legislation related to the report to the 132nd Legislature in 2025.

The amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

(See attached)



# 131st MAINE LEGISLATURE

LD 1789

LR 1274(02)

## An Act to Remove All Marijuana-related Provisions from the Maine Criminal Code and Expunge All Convictions Involving Marijuana

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-520)  
 Committee: Criminal Justice and Public Safety  
 Fiscal Note Required: Yes

### Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$200,000	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$200,000	\$0	\$0

#### Fiscal Detail and Notes

The Office of Cannabis Policy (OCP) within the Department of Administrative and Financial Services has indicated that current staff does not have the necessary criminal law expertise to conduct a review of the relevant sections of the Maine Criminal Code and the Maine Revised Statutes within the timeline required by the bill. The bill includes a one-time General Fund appropriation of \$200,000 to OCP in fiscal year 2024-25 for contracted legal services.

Any additional costs to the Department of Public Safety associated with serving on a stakeholder group can be absorbed within existing budgeted resources.