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Date: (Filing No. H- )

**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1434, L.D. 1927, “An Act To Authorize Certain Off-premises Sales of Adult Use Marijuana”

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

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

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

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

**§504-A. Off-premises sales**

Notwithstanding any provision of law to the contrary, the department may issue a permit to a marijuana store to sell adult use marijuana products at a specified event located outside the licensed premises in accordance with the requirements of this section. Transportation of adult use marijuana products between the licensed premises and the specified event is subject to the requirements of section 505. A marijuana store authorized to sell adult use marijuana products under this section is subject to the provisions of section 504.

**1. Permit application.** At least 30 days prior to a specified event, a marijuana store seeking to sell adult use marijuana products at the specified event shall submit a permit application to the department. The application must include:

- A. Proof of approval from the municipality in which the specified event is located as described in subsection 2 to sell adult use marijuana products at the specified event;
- B. A description of the specified event and the name and description of the organization sponsoring the event; and
- C. If the specified event is being held on private property, the written permission of the property owner for the marijuana store licensee to sell adult use marijuana products on the property.

**COMMITTEE AMENDMENT**

1           **2. Municipal approval.** Proof of municipal approval required under subsection 1,  
2 paragraph A must be in a form approved by the legislative body of the municipality in  
3 which the specified event is located. A marijuana store applying for municipal approval to  
4 sell adult use marijuana products at a specified event must submit a request to the legislative  
5 body of the municipality and include in the request the following information:

6           A. The location of the specified event;

7           B. The name of the organization sponsoring the specified event;

8           C. A description of the adult use marijuana products the marijuana store intends to sell  
9 at the specified event; and

10           D. The dates during which the specified event will take place and the dates during the  
11 specified event that the marijuana store intends to sell adult use marijuana products at  
12 the specified event.

13           **3. Limitations on off-premises sales.** A marijuana store issued a permit under this  
14 section may sell adult use marijuana products at a specified event only as authorized under  
15 the permit. A permit issued by the department under this section for a specified event may  
16 not authorize:

17           A. Sales at the specified event for a period greater than the duration of the event;

18           B. Sales anywhere other than the specified event;

19           C. The consumption of adult use marijuana products at the location of sale at the  
20 specified event; or

21           D. Sales of adult use marijuana products that are consumed by smoking. For the  
22 purposes of this paragraph, "smoking" has the same meaning as in Title 22, section  
23 1541, subsection 6.

24           **4. Conditions.** Sales of adult use marijuana products under a permit issued under this  
25 section are subject to the following conditions.

26           A. A marijuana store authorized to sell adult use marijuana products at a specified  
27 event held outdoors shall transact all sales in a tent or similar structure with a single  
28 point of entry that requires entry into the tent or structure in order to view or purchase  
29 adult use marijuana products.

30           B. A marijuana store may not allow a person under 21 years of age to enter a tent or  
31 structure in which sales are conducted and shall verify that a person entering the tent  
32 or structure is at least 21 years of age in the same manner as required under section  
33 504, subsection 4.

34           C. A marijuana store shall provide signs notifying customers that adult use marijuana  
35 products may not be consumed at the location of sale at the specified event.

36           D. A marijuana store shall ensure that all adult use marijuana products are secured  
37 when not under the direct control and supervision of the licensee or an employee of the  
38 licensee.

39           E. A marijuana store shall record all sales conducted at the specified event using a  
40 video recording device in a manner that captures, to the extent practicable, only the  
41 individual making the purchase. The recording must be retained by the marijuana store  
42 in a manner prescribed by the department by rule.

1 **5. Guidance.** The department shall develop guidance documents to assist marijuana  
 2 stores in applying for and complying with permits under this section and lawfully engaging  
 3 in the off-premises sale of adult use marijuana products.

4 **6. Rulemaking.** The department shall adopt rules to administer this section, including  
 5 but not limited to rules that separately apply to indoor specified events and outdoor  
 6 specified events and rules regarding the process by which a marijuana store may apply for  
 7 a permit under subsection 1. The department may by rule set an application fee for a permit  
 8 under this section of not more than \$200. Rules adopted pursuant to this subsection are  
 9 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

10 **Sec. 2. 28-B MRSA §505,** as enacted by PL 2017, c. 409, Pt. A, §6, is amended by  
 11 enacting a new 2nd paragraph to read:

12 A marijuana store and its employees may transport adult use marijuana products  
 13 between the licensed premises of the marijuana store and the location at which the  
 14 marijuana store is authorized to sell adult use marijuana products under a permit issued  
 15 under section 504-A.

16 **Sec. 3. Appropriations and allocations.** The following appropriations and  
 17 allocations are made.

18 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**  
 19 **Adult Use Marijuana Regulatory Coordination Fund Z264**

20 Initiative: Provides ongoing funding for anticipated overtime expenses.

21 <b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
22 Personal Services	\$0	\$53,748
23		
24 GENERAL FUND TOTAL	\$0	\$53,748

25 **Adult Use Marijuana Regulatory Coordination Fund Z264**

26 Initiative: Provides one-time funding for the cost of updating the licensing system.

27 <b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
28 All Other	\$0	\$13,000
29		
30 GENERAL FUND TOTAL	\$0	\$13,000

31 **Adult Use Marijuana Regulatory Coordination Fund Z264**

32 Initiative: Provides funding for one Field Investigator position and one Office Specialist I  
 33 position and associated All Other costs.

34 <b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
35 POSITIONS - LEGISLATIVE COUNT	0.000	2.000
36 Personal Services	\$0	\$158,666
37 All Other	\$0	\$20,331
38		
39 GENERAL FUND TOTAL	\$0	\$178,997

40

1	<b>ADMINISTRATIVE AND FINANCIAL</b>		
2	<b>SERVICES, DEPARTMENT OF</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2021-22</b>	<b>2022-23</b>
4			
5	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$245,745</b>
6			
7	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$245,745</b>

8

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

11

### SUMMARY

12 This amendment replaces the bill and describes contents of an application a marijuana  
13 store is required to submit to the Department of Administrative and Financial Services to  
14 obtain a permit to sell adult use marijuana products at a specified event located outside the  
15 licensed premises of the marijuana store. It requires that a permit application be submitted  
16 at least 30 days prior to the specified event and include proof of municipal approval. The  
17 amendment specifies the conditions for sales at specified events and requires that all sales  
18 of adult use marijuana products be recorded using a video recording device. Finally, the  
19 amendment provides that adult use marijuana products consumed by smoking may not be  
20 sold under a specified event permit.

21

The amendment also adds an appropriations and allocations section.

22

### FISCAL NOTE REQUIRED

23

(See attached)