



131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1757

S.P. 703

In Senate, April 20, 2023

An Act to Amend the Laws Governing the Reporting and Tracking of Adult Use Cannabis

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

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator HICKMAN of Kennebec.
Cosponsored by Representative PERRY of Bangor and
Representatives: BOYER of Poland, COLLINGS of Portland, RIELLY of Westbrook,
SUPICA of Bangor.

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

2 **Sec. 1. 28-B MRSA §105**, as corrected by RR 2021, c. 2, Pt. A, §106, is repealed.

3 **Sec. 2. 28-B MRSA §105-A** is enacted to read:

4 **§105-A. Electronic portal for records submission and tracking**

5 **1. Development of electronic portal.** The department shall develop and implement
6 a statewide electronic portal through which licensees may submit to the department the
7 records required under section 511 and the label information required pursuant to
8 subsection 2. The department shall adopt rules regarding the process and content of records
9 to be submitted, the frequency with which the records must be submitted and any other
10 requirements necessary to implement this section.

11 **2. Tracking of plants.** A licensee shall accompany all cannabis plants and harvested
12 cannabis being transported pursuant to this chapter with a label that identifies:

13 A. The person transferring the cannabis plants or harvested cannabis, including the
14 person's identification number for each license issued pursuant to this chapter and held
15 by that person;

16 B. The person receiving the cannabis plants or harvested cannabis, including the
17 person's license identification number;

18 C. A description of the cannabis plants or harvested cannabis being transferred,
19 including the amount and form;

20 D. The time and date of the transfer; and

21 E. The destination of the cannabis plants or harvested cannabis.

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

25 **3. Costs to be borne by department.** The department shall absorb the costs of
26 developing and implementing the electronic portal pursuant to subsection 1 and may not
27 require a licensee to pay a fee or other cost for using the electronic portal to provide records
28 or labeling information through the electronic portal.

29 **Sec. 3. 28-B MRSA §501, sub-§10**, as enacted by PL 2017, c. 409, Pt. A, §6 and
30 amended by PL 2021, c. 669, §5, is further amended to read:

31 **10. Tracking.** In accordance with the requirements of section 405 105-A, a cultivation
32 facility licensee shall track the adult use cannabis it cultivates from immature cannabis
33 plant to the point at which the cannabis plant or the cannabis produced by the cannabis
34 plant is delivered or transferred to a products manufacturing facility, a testing facility, a
35 cannabis store or another cultivation facility or is disposed of or destroyed.

36 **Sec. 4. 28-B MRSA §502, sub-§13**, as enacted by PL 2017, c. 409, Pt. A, §6 and
37 amended by PL 2021, c. 669, §5, is further amended to read:

38 **13. Tracking.** In accordance with the requirements of section 405 105-A, a products
39 manufacturing facility licensee shall track the adult use cannabis it uses in its
40 manufacturing processes from the point the cannabis is delivered or transferred to the

1 products manufacturing facility by a cultivation facility to the point the cannabis or
2 cannabis concentrate or an adult use cannabis product produced using the cannabis or
3 cannabis concentrate is delivered or transferred to another products manufacturing facility,
4 a testing facility or a cannabis store or is disposed of or destroyed.

5 **Sec. 5. 28-B MRSA §503, sub-§9**, as enacted by PL 2017, c. 409, Pt. A, §6 and
6 amended by PL 2021, c. 669, §5, is further amended to read:

7 **9. Tracking.** In accordance with the requirements of section ~~405~~ 105-A, a testing
8 facility licensee shall track all adult use cannabis and adult use cannabis products it receives
9 from a licensee for testing purposes from the point at which the cannabis or cannabis
10 products are delivered or transferred to the testing facility to the point at which the cannabis
11 or cannabis products are disposed of or destroyed.

12 **Sec. 6. 28-B MRSA §503-A, sub-§6**, as enacted by PL 2019, c. 676, §13 and
13 amended by PL 2021, c. 669, §5, is further amended to read:

14 **6. Tracking.** In accordance with the requirements of section ~~405~~ 105-A, a sample
15 collector shall track all adult use cannabis and adult use cannabis products it collects from
16 a licensee for testing purposes from the point at which the cannabis or cannabis products
17 are collected from a licensee to the point at which the cannabis or cannabis products are
18 delivered to a testing facility or the cannabis or cannabis products are disposed of or
19 destroyed.

20 **Sec. 7. 28-B MRSA §504, sub-§8**, as enacted by PL 2017, c. 409, Pt. A, §6 and
21 amended by PL 2021, c. 669, §5, is further amended to read:

22 **8. Tracking.** In accordance with the requirements of section ~~405~~ 105-A, a cannabis
23 store licensee shall track all adult use cannabis and adult use cannabis products from the
24 point at which the cannabis or cannabis products are delivered or transferred to the cannabis
25 store by a cultivation facility or a products manufacturing facility to the point at which the
26 cannabis or cannabis products are sold to a consumer, delivered or transferred to a testing
27 facility or disposed of or destroyed.

28 **Sec. 8. Cancellation of contract for tracking of cannabis.** The Department of
29 Administrative and Financial Services' office of cannabis policy shall immediately cancel
30 its contract with Metrc, LLC to implement the Maine Cannabis Enforcement Tracking
31 Reporting and Compliance webpage.

32 SUMMARY

33 This bill replaces the tracking system required for adult use cannabis with an electronic
34 portal, similar to that used for medical cannabis. The Department of Administrative and
35 Financial Services is required to develop and implement an electronic portal for use by
36 licensees to submit required records. Licensees are required to accompany all cannabis
37 plants and harvested cannabis being transported with a label that provides specific
38 information about the licensee and the cannabis being transported; that information also
39 may be submitted through the electronic portal. The department is prohibited from
40 charging a fee or other cost to a licensee for using the electronic portal.

41 This bill also requires the department to terminate immediately its contract with Metrc,
42 LLC, the company that is required to administer the tracking system used for adult use
43 cannabis.