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## Adult Use Cannabis Program Rulemaking – Executive Summary

The Office of Cannabis Policy (OCP) is engaging in major substantive and routine technical rulemaking to implement public laws passed by the First Regular and Special Sessions of the 131<sup>st</sup> Legislature. This rulemaking implements statutory changes made to the Cannabis Legalization Act, 28-B MRS, ch.1, specifically PL 2023, ch. 6, Emergency (Signed March 15, 2023); PL 2023, ch. 408; and PL 2023, ch. 396; which impact delivery, returns, marketing and advertising, as well as the requirements for specified event permits. These changes also incorporate guidance OCP previously issued and reorganize the rules to make them easier to understand.

To help adult use program participants and stakeholders better navigate the program requirements, OCP has reorganized the rules by dividing them into four chapters instead of one. The updated chapters include:

### ***Rules for the Administration of the Adult Use Cannabis Program, 18-691 CMR, Chapter 10***

This **major substantive** rulemaking updates the definitions, fees, and other administrative requirements of the Adult Use Cannabis Program.

### ***Rules for the Licensure of Adult Use Cannabis Establishments, 18-691 CMR, Chapter 20***

This **major substantive** rulemaking updates the licensing requirements of the Adult Use Cannabis Program.

### ***Compliance Rules for Adult Use Cannabis Establishments, 18-691 CMR, Chapter 30***

This **major substantive** rulemaking updates the compliance requirements of the Adult Use Cannabis Program.

### ***Rules for the Testing of Adult Use Cannabis, 18-691 CMR, Chapter 40***

This **routine technical** rulemaking updates the requirements for the testing of adult use cannabis and cannabis products sold to consumers through the Adult Use Cannabis Program.

## Participating in Rulemaking

The major substantive and routine technical rules are available for public review and comment as of **August 15, 2023**. Each chapter has a separate “Rulemaking Public Comment Form” that can be accessed [here](#), that can be used by interested parties to provide written public comments. Please ensure you are commenting on the correct chapter and form and be specific in your comments. Additional instructions are available [here](#). All public comments must be submitted to OCP by **September 17, 2023, at 11:59 p.m.**

OCP is also hosting an in-person public hearing on **September 6, 2023**, as another opportunity to solicit public comments and address questions about the rules. The hearing will take place at 19 Union Street (Room 325), Augusta, Maine beginning at 10:00 a.m.

### Major Substantive Rulemaking Timeline

Once the process of collecting public comments is complete, OCP will consider the feedback received and make appropriate revisions to each rule. Then, OCP will provisionally adopt the major substantive rules (Chapters 10, 20, and 30). “Provisional adoption” is a legal term appearing in the Maine Administrative Procedure Act (MAPA) to describe the process whereby a regulatory agency completes its work on major substantive regulations and submits them to the Maine Legislature for review and consideration.

The resolve permitting the final adoption of a rule goes into effect 90 days after the legislature adjourns *sine die*. Agencies must finally adopt the major substantive rules within 60 days of that legislation going into effect. Those rules then become effective 30 days after final adoption. OCP will provide additional information regarding the implementation of those authorized activities closer to the effective date of the rules.

A complete timeline for this major substantive rulemaking process appears below.

Proposed rules posted online	Public hearing in Augusta	Public comment period ends	Rules <i>provisionally</i> adopted by OCP	Rules <i>finally</i> adopted by OCP	Rules become effective
Aug. 15, 2023	Sept. 6, 2023	Sept. 17, 2023	Fall/Winter 2023	Likely Fall 2024	30 days after final adoption

### Routine Technical Rulemaking Timeline

Following the public comment period, OCP will also make any appropriate revisions to the routine technical rules (Chapter 40). OCP will then adopt these rules. Routine technical rules become effective 5 days after they are adopted by the agency and do not require legislative review before final adoption.

A complete timeline for this routine technical rulemaking process appears below.

Proposed rules posted online	Public hearing in Augusta	Public comment period ends	Rules <i>finally</i> adopted by OCP	Rules become effective
Aug. 15, 2023	Sept. 6, 2023	Sept. 17, 2023	Fall/Winter 2023	5 days after final adoption