

HOUSE BILL 39

J1
HB 1648/17 – HRU

EMERGENCY BILL
(PRE-FILED)

8lr1240

By: **Delegate Angel**

Requested: November 15, 2017

Introduced and read first time: January 10, 2018

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Natalie M. LaPrade Medical Cannabis Commission – Diversity**

3 FOR the purpose of requiring that, to the extent practicable, the members of the Natalie
4 M. LaPrade Medical Cannabis Commission reflect the racial, ethnic, cultural, and
5 gender diversity of the State; making this Act an emergency measure; and generally
6 relating to the Natalie M. LaPrade Medical Cannabis Commission.

7 BY repealing and reenacting, with amendments,

8 Article – Health – General

9 Section 13–3303

10 Annotated Code of Maryland

11 (2015 Replacement Volume and 2017 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Health – General**

15 13–3303.

16 (a) The Commission consists of the following 16 members:

17 (1) The Secretary of Health, or the Secretary’s designee; and

18 (2) The following 15 members, appointed by the Governor:

19 (i) Two members of the public who support the use of cannabis for
20 medical purposes and who are or were patients who found relief from the use of medical
21 cannabis;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) One member of the public designated by the Maryland Chapter
2 of the National Council on Alcoholism and Drug Dependence;

3 (iii) Three physicians licensed in the State;

4 (iv) One nurse licensed in the State who has experience in hospice
5 care, nominated by a State research institution or trade association;

6 (v) One pharmacist licensed in the State, nominated by a State
7 research institution or trade association;

8 (vi) One scientist who has experience in the science of cannabis,
9 nominated by a State research institution;

10 (vii) One representative of the Maryland State's Attorneys'
11 Association;

12 (viii) One representative of law enforcement;

13 (ix) An attorney who is knowledgeable about medical cannabis laws
14 in the United States;

15 (x) An individual with experience in horticulture, recommended by
16 the Department of Agriculture;

17 (xi) One representative of the University of Maryland Extension; and

18 (xii) One representative of the Office of the Comptroller.

19 **(B) TO THE EXTENT PRACTICABLE, THE MEMBERS OF THE COMMISSION**
20 **SHALL REFLECT THE RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY OF THE**
21 **STATE.**

22 **[(b)] (C)** (1) The term of a member is 4 years.

23 (2) The terms of the members are staggered as required by the terms
24 provided for members on October 1, 2013.

25 (3) At the end of a term, a member continues to serve until a successor is
26 appointed and qualifies.

27 (4) A member may not serve more than three consecutive full terms.

28 (5) A member who is appointed after a term has begun serves only for the
29 rest of the term and until a successor is appointed and qualifies.

30 **[(c)] (D)** The Governor shall designate the chair from among the members of the

1 Commission.

2 **[(d)] (E)** A majority of the full authorized membership of the Commission is a
3 quorum.

4 **[(e)] (F)** A member of the Commission:

5 (1) May not receive compensation as a member of the Commission; but

6 (2) Is entitled to reimbursement for expenses under the Standard State
7 Travel Regulations, as provided in the State budget.

8 **[(f)] (G)** The Commission may employ a staff, including contractual staff, in
9 accordance with the State budget.

10 **[(g)] (H)** The Commission may set reasonable fees to cover the costs of operating
11 the Commission.

12 **[(h)] (I)** (1) There is a Natalie M. LaPrade Medical Cannabis Commission
13 Fund.

14 (2) The Commission shall administer the Fund.

15 (3) The Fund is a special continuing, nonlapsing fund that is not subject to
16 § 7–302 of the State Finance and Procurement Article.

17 (4) The State Treasurer shall hold the Fund separately, and the
18 Comptroller shall account for the Fund.

19 (5) The Fund shall be invested and reinvested in the same manner as other
20 State funds, and any investment earnings shall be retained to the credit of the Fund.

21 (6) The Fund shall be subject to an audit by the Office of Legislative Audits
22 as provided for in § 2–1220 of the State Government Article.

23 (7) The Comptroller shall pay out money from the Fund as directed by the
24 Commission.

25 (8) The Fund consists of:

26 (i) Any money appropriated in the State budget to the Fund;

27 (ii) Any other money from any other source accepted for the benefit
28 of the Fund, in accordance with any conditions adopted by the Commission for the
29 acceptance of donations or gifts to the Fund; and

30 (iii) Any fees collected by the Commission under this subtitle.

- 1 (9) No part of the Fund may revert or be credited to:
- 2 (i) The General Fund of the State; or
- 3 (ii) Any other special fund of the State.
- 4 (10) Expenditures from the Fund may be made only in accordance with the
- 5 State budget.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency

7 measure, is necessary for the immediate preservation of the public health or safety, has

8 been passed by a ye and nay vote supported by three-fifths of all the members elected to

9 each of the two Houses of the General Assembly, and shall take effect from the date it is

10 enacted.