

AMENDMENT TO SENATE BILL 833
(First Reading File Bill)

Proposed Amendment
On Page 82, after Line 2 insert:

§ 13-3317. MEDICAL CANNABIS INDUSTRY ADVISORY BOARD

- A. THERE IS A MEDICAL CANNABIS INDUSTRY ADVISORY BOARD.**

§ 13-3318. PURPOSE

- A. THE PURPOSE OF THE MEDICAL CANNABIS ADVISORY BOARD IS TO PROVIDE INPUT AND MAKE RECOMMENDATIONS TO ASSIST THE COMMISSION IN MAKING DECISIONS AS REQUIRED UNDER THIS SUBTITLE.**

§ 13-3318. COMPOSITION OF INDUSTRY ADVISORY BOARD

- A. (1) THE INDUSTRY ADVISORY BOARD CONSISTS OF 8 MEMBERS APPOINTED IN ACCORDANCE WITH THIS SUBSECTION.**

(2) THE GOVERNOR SHALL APPOINT:

- I. TWO LICENSED GROWERS**
- II. TWO LICENSED DISPENSARIES**
- III. TWO LICENSED PROCESSORS**
- IV. ONE LICENSED LABORATORY**
- V. TWO CERTIFIED PATIENTS**

- B. AT LEAST ONE MEMBER APPOINTED UNDER (A)(2)(I) SHALL BE INDEPENDENTLY OWNED AND HAVE NO INTEREST IN A DISPENSARY OR PROCESSOR LICENSE.**
- C. AT LEAST ONE MEMBER APPOINTED UNDER (A)(2)(II) SHALL BE INDEPENDENTLY OWNED AND HAVE NO INTEREST IN A GROWER OR PROCESSOR LICENSE.**
- D. AT LEAST ONE MEMBER APPOINTED UNDER (A)(2)(III) SHALL BE INDEPENDENTLY OWNED AND HAVE NO INTEREST IN A GROWER LICENSE OR DISPENSARY LICENSE.**
- E. THE CHAIR SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.**
- F. THE TERM OF A MEMBER IS 2 YEARS.**
- G. A MEMBER OF THE ADVISORY BOARD:**
- I. MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE ADVISORY BOARD; BUT**
 - II. IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

- H. THE COMMISSION SHALL PROVIDE THE ADVISORY BOARD WITH STAFF AS IS NECESSARY TO CARRY OUT THE DUTIES OF THE BOARD.
- I. THE MEMBERS OF THE ADVISORY BOARD MAY MEET THROUGHOUT EACH YEAR AT THE TIMES AND PLACES SPECIFIED BY A CALL OF THE CHAIR OR A MAJORITY OF ITS MEMBERS. A MAJORITY OF THE MEMBERS OF THE ADVISORY BOARD CONSTITUTES A QUORUM, AND A QUORUM MAY EXERCISE ALL THE POWERS CONFERRED ON THE ADVISORY BOARD.

§ 13-3318. DUTIES

- A. THE MEDICAL CANNABIS INDUSTRY ADVISORY BOARD SHALL:
 - I. UPDATE THE COMMISSION ON INDUSTRY TRENDS, MEDICAL RESEARCH AND MARKET CONDITIONS ON A QUARTERLY BASIS;
 - II. CONSIDER ALL MATTERS SUBMITTED TO IT BY THE COMMISSION;
 - III. RECOMMEND TO THE COMMISSION GUIDELINES, RULES AND REGULATIONS AND ANY CHANGES TO GUIDELINES, RULES AND REGULATIONS THAT THE INDUSTRY ADVISORY BOARD CONSIDERS IMPORTANT OR NECESSARY FOR THE COMMISSION'S REVIEW AND CONSIDERATION; AND
 - IV. ADVISE ON THE PREPARATION OF COMMISSION GUIDELINES, RULES AND REGULATIONS PRIOR TO ANY COMMISSION VOTE OR ANY OFFICIAL NOTIFICATION.
- B. THE COMMISSION SHALL SEND ANY PROPOSED GUIDELINES, RULES AND REGULATIONS TO THE INDUSTRY ADVISORY BOARD FOR ITS CONSIDERATION PRIOR TO ANY COMMISSION VOTE OR ANY OFFICIAL NOTIFICATION.
- C. ANY PROPOSED REGULATION APPROVED BY THE COMMISSION AND SENT TO THE JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE AND LEGISLATIVE REVIEW SHALL INCLUDE A STATEMENT OF POSITION FROM THE INDUSTRY ADVISORY BOARD.

ANY PROPOSED REGULATION APPROVED BY THE COMMISSION AND PUBLISHED IN THE MARYLAND REGISTER SHALL INCLUDE A STATEMENT OF POSITION FROM THE INDUSTRY ADVISORY BOARD.

§ 13-3302. Membership

- (a) In general. -- There is a Natalie M. LaPrade Medical Cannabis Commission.
- (b) Status. -- The Commission is an independent commission that functions within the Department.
- (c) Purpose. -- The purpose of the Commission is to develop policies, procedures, guidelines, and regulations to implement programs to:
 - 1. [m]Make medical cannabis available to qualifying patients in a safe, EFFICIENT and effective manner.

2. ENCOURAGE THE RESEARCH AND DEVELOPMENT MEDICAL CANNABIS FOR THERAPUETIC USES;
3. PROVIDE FOR ADEQUATE ACCESS TO AFFORDABLE MEDICAL CANNABIS; AND
4. ENSURE THAT PROGRAM LICENSEES CAN SAFELY, EFFICIENTLY AND EFFECTIVELY CULTIVATE, PROCESS, DISTRIBUTE AND SELL MEDICAL CANNABIS TO QUALIFYING PATIENTS.

§ 13-3303. Membership

(a) In general. -- The Commission consists of the following 13 members:

(1) The Secretary of Health, or the Secretary's designee;

(2) The following 5 members, appointed by the Governor with the advice and consent of the Senate:

(i) Two licensed noncertified **OR CERTIFIED** providers who are:

1. Physicians;

2. Dentists;

3. Podiatrists;

4. Nurse practitioners;

5. Nurse midwives; or

6. Physician assistants;

(ii) One nurse or other health care provider licensed in the State who has experience in hospice care, nominated by a State hospice trade association;

(iii) One pharmacist licensed in the State, nominated by a State research institution or trade association; and

(iv) One scientist who has experience in the science of cannabis, nominated by a State research institution

(3) Four members appointed by the Governor with the advice and consent of the Senate;

(4) One member appointed by the Governor from a list of three individuals recommended by the President of the Senate;

(5) One member appointed by the Governor from a list of three individuals recommended by the Speaker of the House of Delegates; and

(6) One member appointed by the Governor from either of the two lists described in items (4) and (5) of this subsection.

(b) Requirements; conflict of interests; financial disclosure statements. --

(1) An appointed member of the Commission shall:

(i) Be at least 25 years old;

(ii) Be a resident of the State who has resided in the State for at least the immediately preceding 5 years;

(iii) Be a qualified voter of the State; and

(iv) With respect to a member appointed under subsection (a)(3), (4), (5), or (6) of this section have substantial experience:

1. ONE MEMBER SHALL HAVE SUBSTANTIAL EXPERIENCE as an executive with fiduciary responsibilities for a large organization or foundation;

2. ONE MEMBER SHALL HAVE SUBSTANTIAL EXPERIENCE in an academic field relating to health, agriculture, HORTICULTURE finance, SECURITIES, or addiction treatment; [or]

3. ONE MEMBER SHALL HAVE SUBSTANTIAL EXPERIENCE As a professional in a profession relating to health [, agriculture, finance,] or addiction treatment;

4. ONE MEMBER SHALL HAVE SUBSTANTIAL EXPERIENCE AS A PROFESSIONAL IN A PROFESSION RELATING TO AGRICULTURE OR HORTICULTURE.

5. ONE MEMBER SHALL HAVE SUBSTANTIAL EXPERIENCE AS A PROFESSIONAL IN A PROFESSION RELATING TO FINANCE OR SECURITIES; OR

6. ONE MEMBER SHALL HAVE SUBSTANTIAL EXPERIENCE AS A PROFESSIONAL IN A PROFESSION RELATING TO PRODUCTION, SUPPLY CHAIN OR DISTRIBUTION LOGISTICS.

(2) A member of the Commission may not:

- (i) Have a direct or indirect financial, ownership, or management interest, including ownership of any stocks, bonds, or other similar financial instruments, in any State licensed medical cannabis grower, processor, or dispensary;**
- (ii) Have an official relationship to a person who holds a license under this subtitle;**
- (iii) Be an elected official of State or local government;**
- (iv) Receive or share in, directly or indirectly, the receipts or proceeds of any State licensed medical cannabis grower, processor, or dispensary; or**
- (v) Have a beneficial interest in any contract for the manufacture or sale of medical cannabis or the provision of any independent consulting services in connection with any medical cannabis license.**

(3) To the extent practicable and consistent with federal and State law, the membership of the Commission shall reflect the racial, ethnic, and gender diversity of the State.

(4) A member of the Commission shall file a financial disclosure statement with the State Ethics Commission in accordance with Title 5, Subtitle 6 of the General Provisions Article.

(5) ALL MEMBERS OF THE COMMISSION SHALL COMPLETE AN ANNUAL CANNABIS INDUSTRY TRAINING COURSE FROM AN IN STATE ACADEMIC RESEARCH INSTITUTION.