

MAINE STATE LEGISLATURE

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OMY
ROFS

L.D. 1229

Date: 6/3/13

Minority

(Filing No. H-324)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 868, L.D. 1229, Bill, "An Act To Regulate and Tax Marijuana"

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

Sec. 1. Development of plan for personal use, taxation and regulation of marijuana. The Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations shall develop a plan, including, but not limited to, proposed rules and legislation, to allow persons 21 years of age or older to engage in the personal use of marijuana, and to regulate and tax commercial marijuana-related activities. The bureau shall provide the plan, proposed rules and any necessary implementing legislation to the Joint Standing Committee on Criminal Justice and Public Safety no later than January 31, 2014. The joint standing committee may report out legislation related to that report to the Second Regular Session of the 126th Legislature.

Sec. 2. Referendum procedure; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor allowing adults 21 years of age and older to engage in the personal use of marijuana, regulating commercial marijuana-related activities and imposing a tax on the sale of marijuana and favor requiring the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to develop a plan to permit this use, and to implement regulation and taxation of marijuana?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of

COMMITTEE AMENDMENT

1 State in the same manner as votes for members of the Legislature. The Governor shall
2 review the returns. If a majority of the legal votes are cast in favor of this Act, the
3 Governor shall proclaim the result without delay and this Act becomes effective 30 days
4 after the date of the proclamation.

5 The Secretary of State shall prepare and furnish to each city, town and plantation all
6 ballots, returns and copies of this Act necessary to carry out the purposes of this
7 referendum.'

8 **SUMMARY**

9 This amendment is the minority report of the committee. This amendment strikes the
10 bill and replaces it with a requirement, contingent upon approval of the voters at
11 referendum, that the Department of Administrative and Financial Services, Bureau of
12 Alcoholic Beverages and Lottery Operations develop a plan that includes proposed rules
13 and any legislation needed to implement the use and taxation of marijuana. The bureau is
14 required to report its plan to the Joint Standing Committee on Criminal Justice and Public
15 Safety by January 31, 2014. The Joint Standing Committee on Criminal Justice and
16 Public Safety may report out legislation to the Second Regular Session of the 126th
17 Legislature related to that report.

FISCAL NOTE REQUIRED
(See attached)



126th MAINE LEGISLATURE

LD 1229

LR 21(02)

An Act To Regulate and Tax Marijuana

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-324)

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Referendum Costs

Month/Year	Election Type	Question	Length
Nov-13	General	Referendum	Standard

The Secretary of State's budget includes sufficient funds to accommodate one ballot of average length for the general election in November. If the number or size of the referendum questions requires production and delivery of a second ballot, an additional appropriation of \$107,250 may be required.

Fiscal Detail and Notes

Additional costs to the Department of Administrative and Financial Services associated with developing the plan and reporting the results can be absorbed within existing budgeted resources.

If approved by the voters, legalizing and taxing the sale of marijuana will increase General Fund and Municipal Revenue Sharing revenue. The amount of increased revenue is undetermined at this time due to the lack of specifics provided in this bill. Maine Revenue Services will require a one-time General Fund appropriation to implement a new system for administering the taxation of marijuana.