

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT SELECT COMMITTEE ON MARIJUANA
LEGALIZATION IMPLEMENTATION**

August 2017

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Select Committee on Marijuana Legalization Implementation

**LD 545 An Act To Ensure Maine's Unorganized Townships and Plantations
Maintain Local Control under Laws Legalizing Marijuana CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMANN S BRAKEY E		

This bill is a concept draft pursuant to Joint Rule 208. It proposes to ensure that unorganized townships and plantations maintain local control under laws legalizing marijuana.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 596 An Act To Promote Highway Safety by Restricting the Use of Marijuana
and Possession of an Open Marijuana Container in a Motor Vehicle CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY P ROSEN K		

This bill makes it a traffic infraction to consume marijuana or a marijuana product or to possess an open container of marijuana or a marijuana product in the passenger area of a motor vehicle. This bill is similar to the provisions of law making consuming alcohol or having an open container of alcohol in the passenger area of a motor vehicle a traffic infraction.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 625 An Act To Prohibit the Location of a Marijuana Facility within 2,000
Feet of a House of Public Worship or Property Associated with a House
of Public Worship CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J		

This bill prohibits a retail marijuana establishment or retail marijuana social club from being located within 2,000 feet of a house of public worship or property associated with a house of public worship.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 626 An Act To Provide Funding for County Jails from Sales Tax Collected
on Retail Sales of Marijuana and Marijuana Products CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS J WHITTEMORE R		

This bill distributes 25% of tax revenues from the sales tax on retail marijuana and retail marijuana products to the counties to support county jail operations. The funds distributed to the counties under this bill must be distributed according to the formula established for funds in the County Jail Operations Fund and must be used to supplement

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and not to supplant funding provided to the counties for jail operations from other funding sources.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 627 An Act To Establish a Data Collection Program To Monitor Effects of Marijuana Regulation CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J		

This bill establishes a program in the Department of Health and Human Services, Maine Center for Disease Control and Prevention to collect data for the purpose of monitoring the effect on the State from the legalization and regulation of retail marijuana. Reports must be published at least annually to provide data to the Legislature, the Governor's Office and appropriate state government departments overseeing the implementation of the retail marijuana laws to be used to inform needed adjustments, law changes and rule changes to minimize the financial and social costs to the people of this State.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 667 An Act To Repeal the Legalization of Recreational Marijuana CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S CAMPBELL R		

This bill repeals the Marijuana Legalization Act, which allows the commercial cultivation, sale, purchase, manufacture, possession and use of marijuana and marijuana products and the personal cultivation, possession and use of marijuana and marijuana products, and the tax that is imposed on the sale of marijuana and marijuana products, if approved by the voters at a referendum held in November 2018. The bill also amends related provisions of law.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 672 An Act To Clarify a Municipality's Authority To Adopt and Enforce Land Use Regulations for Marijuana Facilities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C		

This bill provides that a municipal ordinance or regulation may not conflict with or be more restrictive than state law with respect to an individual's use, possession or transportation of medical or recreational marijuana. It further provides that a municipality may adopt and enforce land use regulations that apply to marijuana facilities that grow, process, package, distribute, sell or provide medical or recreational marijuana in the same regulatory manner as any other activities generating similar land use and compatibility effects.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.