

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

**JOINT SELECT COMMITTEE ON MARIJUANA  
LEGALIZATION IMPLEMENTATION**

October 2018

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128<sup>th</sup> 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 667      An Act To Repeal the Legalization of Recreational Marijuana**

**INDEF PP**

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

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature. It was again carried over to the Second Special Session by joint order S.P. 748. During the Second Special Session, the bill was taken from committee without a committee report pursuant to Joint Rule 309.

The bill repeals the Marijuana Legalization Act, which allows the commercial cultivation, sale, purchase, manufacture, possession and use of marijuana and marijuana products; the personal cultivation, possession and use of marijuana and marijuana products; and the taxation 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.

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

**Leave to Withdraw  
Pursuant to Joint  
Rule**

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

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

The 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.

**LD 734      An Act Extending the Time Period for Municipalities To Approve  
Marijuana Businesses**

**Leave to Withdraw  
Pursuant to Joint  
Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L		

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

The bill extends the time period, from 14 business days to 60 business days, within which a municipality is required to either approve or deny an application for a marijuana business.