

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Report B

Corrected Copy
Discard All Previous Copies

1

L.D. 1811

2

Date: 4/7/14

(Filing No. S-499)

3

CRIMINAL JUSTICE AND PUBLIC SAFETY

4

Reproduced and distributed under the direction of the Secretary of the Senate.

5

STATE OF MAINE

6

SENATE

7

126TH LEGISLATURE

8

SECOND REGULAR SESSION

9

10

11

COMMITTEE AMENDMENT "B" to S.P. 725, L.D. 1811, Bill, "An Act To Appropriate and Allocate Funds To Strengthen the State's Efforts To Investigate, Prosecute and Punish Persons Committing Drug Crimes"

12

Amend the bill by striking out the title and substituting the following:

13

14

15

'An Act To Strengthen and Fund the State's Efforts To Investigate, Prosecute and Punish Persons Committing Drug Crimes Using Revenue from the Legalization and Taxation of Marijuana'

16

Amend the bill by striking out all of section 1 and inserting the following:

17

'PART A

18

19

Sec. A-1. 4 MRSA §157, sub-§1, ¶A, as amended by PL 2005, c. 519, Pt. III, §2, is further amended to read:

20

21

22

23

24

25

26

27

28

29

30

A. The Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary matters and to confirmation by the Legislature, shall appoint to the District Court ~~36~~ 40 judges. At least one judge must be appointed from each district who is a resident of a county in which the district lies, except that in District 3 there must be 2 judges appointed who are residents of a county in which the district lies; in District 6 there must be 2 judges appointed who are residents of a county in which the district lies; and in District 9 there must be 2 judges appointed who are residents of a county in which the district lies. Four judges must be appointed to the District Court and assigned in a manner that ensures geographic distribution and the ability of the court to address drug-related criminal matters expeditiously. Each District Court Judge has a term of office of 7 years.

31

32

33

To be eligible for appointment as a District Judge, a person must be a member of the bar of the State. The term "District Judge" includes the Chief Judge and Deputy Chief Judge.'

34

Amend the bill by inserting after section 3 the following:

COMMITTEE AMENDMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

SUMMARY

This amendment is a minority report of the committee and provides that 4 new judge positions are appointed to the District Court and assigned in a manner that ensures geographic distribution and the ability of the court to address drug-related criminal matters expeditiously.

This amendment requires the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to develop a plan that includes proposed rules and any legislation needed to implement the personal use, taxation and regulation of marijuana. The bureau is required to report its plan to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by January 31, 2015 and authorizes the joint standing committee to report out legislation, which includes enforcement and prosecution of drug crimes and the treatment of substance abuse, to the First Regular Session of the 127th Legislature.

This amendment amends the bill by submitting the question of legalizing and taxing marijuana to voters in the State at a referendum and makes establishing the new positions related to the enforcement and prosecution of drug crimes contingent on the availability of sufficient funding received from tax revenues on the sale of marijuana.

FISCAL NOTE REQUIRED

(See attached)



126th MAINE LEGISLATURE

LD 1811

LR 2762(04)

An Act To Appropriate and Allocate Funds To Strengthen the State's Efforts To Investigate, Prosecute and Punish Persons Committing Drug Crimes

Fiscal Note for Bill as Amended by Committee Amendment "B" (S-499)

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund
Contingent current biennium cost increase - General Fund
Contingent current biennium revenue increase - General Fund

Referendum Costs

Month/Year	Election Type	Question	Length
Nov-14	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

This bill includes a referendum to be included on the November ballot regarding legalizing and taxing marijuana. If approved by voters, and if the subsequent sales tax revenue is sufficient, that revenue would be dedicated to the enforcement and prosecution of drug crimes and to substance abuse treatment.

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 would 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 would require a one-time General Fund appropriation to implement a new system for administering the taxation of marijuana.