

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 231

S.P. 77

In Senate, January 24, 2017

An Act To Allow Municipalities To Regulate the Growing of Marijuana

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator DAVIS of Piscataquis.
Cosponsored by Representative HANDY of Lewiston, Representative NADEAU of Winslow
and
Senators: CYRWAY of Kennebec, DILL of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §2455** is enacted to read:

3 **§2455. Municipal regulation of marijuana cultivation**

4 Notwithstanding section 2449, section 2454 or any other provision of law to the
5 contrary, a municipality may adopt an ordinance that prohibits the cultivation of
6 marijuana for recreational use within the municipality or that restricts cultivation to
7 certain geographic areas within the municipality.

8 **Sec. 2. 22 MRSA §2430-C** is enacted to read:

9 **§2430-C. Municipal regulation of marijuana cultivation**

10 Notwithstanding section 2423-A, section 2428, subsection 10 or any other provision
11 of law to the contrary, a municipality may adopt an ordinance that prohibits the
12 cultivation of marijuana for medical use within the municipality or that restricts
13 cultivation to certain geographic areas within the municipality.

14 **Sec. 3. 30-A MRSA §3015** is enacted to read:

15 **§3015. Ordinances regarding marijuana cultivation**

16 As provided under Title 7, section 2455 and Title 22, section 2430-C, a municipality
17 may adopt an ordinance that prohibits the cultivation of marijuana for recreational or
18 medical use within the municipality or that restricts cultivation to certain geographic
19 areas within the municipality.

20 **SUMMARY**

21 This bill allows a municipality to restrict the cultivation of marijuana for recreational
22 or medical use to certain areas in the municipality or to prohibit cultivation entirely
23 within the municipality. The bill applies to cultivation of marijuana under the Marijuana
24 Legalization Act and the Maine Medical Use of Marijuana Act.