

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE  
AND PUBLIC SAFETY**

August 2015

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# STATE OF MAINE

127<sup>TH</sup> LEGISLATURE

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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 127<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.

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on Criminal Justice and Public Safety*

- 9. It amends the bill's labeling requirements for retail sales of marijuana and marijuana products;
- 10. It allows municipalities, unorganized places and plantations to impose a local marijuana sales tax of up to 2%;
- 11. It changes from 15% to 5% the excise tax imposed in the bill on marijuana that is sold or transferred from a commercial marijuana cultivation facility; and
- 12. It clarifies that the 10% sales tax on the retail sale of marijuana is in addition to the regular state sales tax.

**LD 1387 An Act Regarding the State Board of Corrections**

**CARRIED OVER**

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend the laws regarding the State Board of Corrections.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1401 An Act To Allow for and Regulate the Adult Use of Cannabis**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION GERZOFKY	ONTP OTP-AM	

This bill reforms state marijuana laws by establishing an excise tax on marijuana, allowing the personal use and cultivation of cannabis and allowing, regulating and licensing certain commercial cannabis-related activities, while providing provisions to protect persons under 21 years of age, employers and schools.

Part A of the bill establishes a 10% sales tax on cannabis, which is in addition to the current sales and use tax. Revenue from the sales tax on cannabis is distributed on a monthly basis as follows:

- 1. Ten percent each to regulate cannabis establishments; to counties and municipalities, based on the ratio of sales of cannabis products in the municipality or county to the sales of cannabis products in the State; to the Fund for a Healthy Maine for the elderly low-cost drug program; to the Department of Education for school construction; to conduct research on cannabis; to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for a public awareness campaign to reduce the use of cannabis by persons under 21 years of age and the use of alcohol and tobacco; and to the Department of Health and Human Services to obtain federal funding for MaineCare; and
- 2. The balance to the General Fund.

Part A directs the Department of Administrative and Financial Services, Bureau of Revenue Services to report annually, beginning January 30, 2017, the amount of tax revenue generated and the amount distributed to each program to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and taxation matters. The bill directs the Bureau of Revenue Services to review methods for ensuring that all