

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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128TH 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 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 164 **An Act To Require Tamper-evident Packaging for Recreational Marijuana Products**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY P WOODSOME D		

This bill requires that all retail marijuana and retail marijuana products sold at a retail marijuana store be in tamper-evident packaging, which involves a device or process such as a seal, label or marking that makes unauthorized access to or tampering with a package, product or container easily detectable.

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

LD 215 **An Act To Require a License for the Possession, Sale, Cultivation or Transportation of Marijuana for Recreational Use**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BATTLE K DOW D		

This bill is a concept draft pursuant to Joint Rule 208. It proposes to further regulate the cultivation, transportation, sale and possession of marijuana and marijuana products by:

1. Establishing tiered licenses, issued by the State, for possession, cultivation and sale based on quantity.
 - A. Tiers for personal possession would be set at up to one ounce, more than one ounce to no more than two ounces and more than two ounces to no more than three ounces.
 - B. Possession of more than three ounces would require a commercial license, which would also be tiered, based on the quantity above three ounces.
 - C. Tiers for personal cultivation would be established at one to 50 plants and 51 to 100 plants.
 - D. Cultivation of more than 100 plants would require a commercial license, which would also be tiered, based on the quantity above 100 plants.
 - E. Tiers for engaging in the sale of marijuana and marijuana products would be based on the quantity of marijuana in the products sold.

The cost of a tiered license would increase progressively based on the quantity possessed, cultivated or sold;

2. Requiring a state-issued license for the transportation of marijuana or marijuana products by motor vehicle, watercraft or airplane within the State;
3. Prohibiting from possessing or using marijuana or marijuana products and subjecting to random drug testing certain persons, including health care workers such as physicians and nurses, commercial truck drivers, passenger or commercial vessel operators, taxi drivers, law enforcement officials, correctional officers and emergency first responders; and
4. Allowing nonresidents to purchase a temporary possession license.