

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 electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. ROGER J. KATZ, CHAIR
SEN. KIMBERLEY C. ROSEN
SEN. JOYCE A. MAKER
SEN. MARK N. DION
SEN. SUSAN A. DESCHAMBAULT

REP. TERESA S. PIERCE, CHAIR
REP. KIMBERLY J. MONAGHAN
REP. SCOTT M. HAMANN*
REP. AARON M. FREY*
REP. CRAIG V. HICKMAN
REP. ERIK C. JORGENSEN
REP. LYDIA C. BLUME
REP. DONALD G. MAREAN
REP. BRUCE A. BICKFORD
REP. LANCE EVANS HARVELL
REP. PATRICK W. COREY
REP. MICHAEL D. PERKINS
REP. KENT ACKLEY

STAFF:

JANE ORBETON, SENIOR LEGISLATIVE ANALYST
DANIELLE FOX, LEGISLATIVE ANALYST
DANIEL TARTAKOFF, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

*Committee member for a portion of the session

STATE OF MAINE

128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

LD 231 **An Act To Allow Municipalities To Regulate the Growing of Marijuana** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P NADEAU C		

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

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

LD 243 **An Act To Amend the Marijuana Legalization Act to Provide Licensing, Rulemaking and Regulatory and Enforcement Authority within the Department of Administrative and Financial Services; Assign Rulemaking, Regulatory and Enforcement Authority Related to Agricultural Purposes to the Department of Agriculture, Conservation and Forestry; and Allocate Funds for Implementation** **PUBLIC 278
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON S THIBODEAU M	OTP-AM OTP-AM	H-221 S-312 HAMPER J

This bill changes the state licensing authority under the Marijuana Legalization Act from the Department of Agriculture, Conservation and Forestry to the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services. It also establishes the Retail Marijuana Regulatory Coordination Fund to be used by the director for rulemaking and other duties related to implementation of a regulatory scheme for the cultivating, distribution and sale of retail marijuana. This bill also transfers \$1,600,000 from unappropriated General Fund surplus to the fund.

Committee Amendment "A" (H-221)

This amendment is the majority report of the committee. The amendment changes the title, strikes the bill and does the following.

1. The amendment assigns to the Department of Administrative and Financial Services authority to license the distribution, tracking and sale of retail marijuana and retail marijuana products and the licensure of retail marijuana social clubs.
2. The amendment assigns to the Department of Administrative and Financial Services rule-making, regulatory and enforcement authority regarding the tracking, distribution and sale of retail marijuana and retail marijuana products and the licensing and operation of retail marijuana social clubs.
3. The amendment assigns to the Department of Agriculture, Conservation and Forestry rule-making, regulatory and enforcement authority regarding marijuana cultivation, including, but not limited to, all aspects of marijuana seeds, clones, seedlings and plants, use of pesticides, harvesting and storage, and the preparation, manufacturing, production, packaging, labeling and testing of retail marijuana. The amendment authorizes the Commissioner of Agriculture, Conservation and Forestry to delegate rule-making authority to the Commissioner of Administrative