

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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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 1209 **An Act To Reserve for County Government One Percent of the Excise Tax Revenue from the Sale of Retail Marijuana** **CARRIED OVER**

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

This bill requires that 1% of the revenue from sales tax imposed on the sale of retail marijuana and retail marijuana products be provided to the counties to offset the costs of planning, policy development, monitoring and enforcement with respect to the Marijuana Legalization Act.

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

LD 1431 **An Act To Dedicate a Portion of the Tax on the Sale of Marijuana to Substance Abuse Prevention and Treatment, Law Enforcement Costs and Regulatory Oversight** **CARRIED OVER**

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

This bill establishes the Substance Abuse Education, Prevention and Treatment Fund to provide funding for:

1. Programs for education regarding prevention of and support and treatment for substance abuse, including the prevention of marijuana use by minors;
2. Regulatory oversight of the retail marijuana industry; and
3. Increased costs to law enforcement agencies and the courts associated with the retail marijuana industry.

The fund is administered by the Department of Health and Human Services and disbursed based on the recommendations of the Substance Abuse Services Commission.

The fund is funded by an increase in the tax imposed on the retail sale of marijuana and marijuana products from 10% to 15%, an increase on the tax imposed on medical marijuana from 5.5% to 15% and a wholesale tax imposed on the sale of marijuana and marijuana products for retail sale of 3%. Five percent of the revenue from these taxes is deposited in the Substance Abuse Education, Prevention and Treatment Fund; the balance is deposited in the General Fund.

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

LD 1448 **An Act To Clarify Certain Provisions of the Marijuana Legalization Act and To Deter the Use of Marijuana by Minors** **CARRIED OVER**

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

This bill provides clarifications to the Marijuana Legalization Act, as approved at referendum in November 2016, as follows: