MAINE STATE LEGISLATURE

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STATE OF MAINE

 129^{th} Legislature First Special and Second Regular Sessions



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

JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS

November 2020

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*Committee member for a portion of the session

STATE OF MAINE

129th 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 129th 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	e
CON RES XXX	S
CONF CMTE UNABLE TO AGREE	d
DIED BETWEEN HOUSES	d
DIED IN CONCURRENCE defeated in each house, but on different motions; legislation died	d
DIED ON ADJOURNMENT action incomplete when session ended; legislation died	d
EMERGENCYenacted law takes effect sooner than 90 days after session adjournment	t
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGEemergency failed to receive required 2/3 vote	e
FAILED, ENACTMENT or FINAL PASSAGE failed to receive final majority vote	e
FAILED, MANDATE ENACTMENTlegislation proposing local mandate failed required 2/3 vote	e
HELD BY GOVERNOR Governor has not signed; final disposition to be determined at subsequent session	i
LEAVE TO WITHDRAWsponsor's request to withdraw legislation granted	d
NOT PROPERLY BEFORE THE BODYruled out of order by the presiding officer; legislation died	
INDEF PP indefinitely postponed; legislation died	d
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X ought-not-to-pass report accepted; legislation died	
P&S XXX	v
PUBLIC XXX	v
RESOLVE XXX	
VETO SUSTAINEDLegislature failed to override Governor's veto	9

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. 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 Veterans and Legal Affairs

LD 1444 An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
MADIGAN C	ONTP	
CHIPMANB		

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill changes the distance requirements under the adult use marijuana provisions from 1,000 feet to 300 feet for a marijuana establishment to a preexisting public or private school and the method by which the distance is measured to make the adult use marijuana distance requirements consistent with liquor law requirements.

LD 1477 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Facilitate the Use of Ranked-choice Voting for Governor and Members of the Legislature

CARRIED OVER

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J	OTP-AM	Н-236
MIRAMANTD	ONTP	

This resolution was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

This resolution proposes an amendment to the Constitution of Maine to allow the Legislature, or the people by using the direct initiative, to determine whether the Governor, State Senators and State Representatives are elected by a plurality or majority of the votes.

Committee Amendment "A" (H-236)

This amendment, which is the majority report of the committee, allows the Legislature, or the people using the direct initiative, to establish the method for determining the winners of general elections for Governor, State Senators and State Representatives. The amendment also clarifies that, after local officials form records of the votes received in a general election for Representatives, Senators and Governor, the ballots may be forwarded to the Secretary of State at the direction of the Secretary of State, rather than to the Governor as in the resolution. The amendment also incorporates a fiscal note.

This resolution was again carried over, still on the Special Appropriations Table, to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1545

An Act Regarding the Collection of Samples for Testing of Adult Use Marijuana and Adult Use Marijuana Products

PUBLIC 676 EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANTD	OTP-AM	S-440
HICKMAN C	ONTP	

Joint Standing Committee on Veterans and Legal Affairs

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill amends the provisions regarding the testing of adult use marijuana and adult use marijuana products by:

- 1. Requiring that any testing conform to any applicable state or federal process, protocol or standard for the testing of tobacco; and
- 2. Providing that if a testing facility does not test adult use marijuana or an adult use marijuana product within five days of receiving the marijuana or marijuana product from a licensee, the licensee may sell or distribute the marijuana or marijuana product if the marijuana or marijuana product is labeled "Untested." If upon testing a testing facility determines that the marijuana or marijuana product exceeds the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required, the testing facility is required to immediately notify the Department of Administrative and Financial Services and the licensee. The licensee is required to recover, document, quarantine and hold the marijuana or marijuana product for either remediation and retesting or destruction by the department.

Committee Amendment "A" (S-440)

This amendment, which is the majority report of the committee, changes the title of and replaces the bill and adds an emergency preamble and emergency clause. It authorizes the licensure and operation of sample collectors to collect samples of marijuana and marijuana products for testing by marijuana testing facilities. It also authorizes a cultivation facility licensee, products manufacturing facility licensee or marijuana store licensee, or an employee of a licensee, to collect samples of the licensee's adult use marijuana or adult use marijuana products for mandatory testing and to deliver those samples to a marijuana testing facility for testing; this authorization is repealed October 1, 2021.

Enacted Law Summary

Public Law 2019, chapter 676 amends the State's adult use marijuana laws to authorize the licensure and operation of sample collectors to collect samples of marijuana and marijuana products for testing by marijuana testing facilities. It also authorizes a cultivation facility licensee, products manufacturing facility licensee or marijuana store licensee, or an employee of a licensee, to collect samples of the licensee's adult use marijuana or adult use marijuana products for mandatory testing and to deliver those samples to a marijuana testing facility for testing; this authorization is repealed October 1, 2021.

Public Law 2019, chapter 676 was enacted as an emergency measure effective March 23, 2020.

LD 1621 An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store

CARRIED OVER

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T		
HANDY J		

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill amends the Marijuana Legalization Act to allow delivery of adult use marijuana and adult use marijuana products by a marijuana store if the municipality or town, plantation or township in which the marijuana store is located authorizes the operation of delivery services and the marijuana store receives approval to operate the delivery service from the Department of Administrative and Financial Services. A marijuana store is allowed to