

MAINE STATE LEGISLATURE

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One Hundred and Twenty-Third Legislature

State of Maine

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Pages 1 - 1266

Senator MARTIN for the Committee on **NATURAL RESOURCES** on Bill "An Act To Change the Impact of the Rate of Growth Ordinance Limit on the Town of York"

S.P. 360 L.D. 1108

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-90)**.

Report **READ** and **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-90) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DAMON for the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Laws Pertaining to the Licensing of Motor Vehicle Dealerships"

S.P. 82 L.D. 245

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-81)**.

Report **READ** and **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-81) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Encourage the Use of Safe Chemicals in Public Schools

S.P. 32 L.D. 88

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-84)**.

Signed:

Senators:

BOWMAN of York
MITCHELL of Kennebec
MILLS of Somerset

Representatives:

NORTON of Bangor
FINCH of Fairfield
MAKAS of Lewiston
FARRINGTON of Gorham

HARLOW of Portland
MUSE of Fryeburg
STRANG BURGESS of Cumberland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Representative:

EDGECOMB of Caribou

Reports **READ**.

On motion by Senator **BOWMAN** of York, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-84) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Patients with Their Medication"

S.P. 496 L.D. 1418

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

BRANNIGAN of Cumberland
RAYE of Washington

Representatives:

PERRY of Calais
GROSE of Woolwich
CONNOR of Kennebunk
WALKER of Lincolnville
CAMPBELL of Newfield
LEWIN of Eliot
FINLEY of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-88)**.

Signed:

Representatives:

WALCOTT of Lewiston
MILLER of Somerville
BEAUDOIN of Biddeford

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

Reports **READ**.

Senator **BRANNIGAN** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Strimling.

Senator **STRIMLING:** Thank you, Madame President. I rise in opposition to the pending motion. Just to give a little background on this, a number of years ago, I think it was 1999, Maine people voted, overwhelmingly, by over 100,000 votes statewide, one in every county, to proceed forward with careful medical marijuana laws to make sure that patients can get the medicine that they need to be able to take care of the pain or actually cure some ills. This was 8 years ago now and sadly the state has done very little to carry out the wishes that Maine people put forth. I will tell you personally the reason that this issue is important is because my own mother, who lives in California, sadly has glaucoma and a number of years ago the pressure behind her eyes grew so great that a doctor out there, because they have a medical marijuana law, told her to start taking marijuana pills to relieve that pressure. She did for a year and it helped. During that year of time that she gained they were able to get some new medication that was able to help. Now she can put drops in her eyes to continue to relieve that pressure. My mother is a Professor of Classics and a Professor of Comparative Literature at UCLA. As you can imagine, someone who is a Professor of Comparative Literature must have her eyes to read, 80% of what she does is reading. The thought that she is slowly going blind tears me apart every day. She knows it will come, but she's doing everything she can to try to slow that down. For one year this medicine was able to help. Maine people voted 8 years ago to put this in place so that we could help Maine people the same way. What this bill does, originally it was much broader, is to try to find some way to dispense medication because people in Maine get doctor's prescriptions to use medical marijuana, to use it for their medication. The problem is you've got to go on the black market to get it unless you can grow it yourself. If you can grow it yourself, and you can grow 6 plants, that's fine, but for those who can't they have to go on the black market. We don't solve that with this bill. One hypocrisy in our law is that you can grow 6 plants but once you cultivate 6 plants that's a lot more than what you are allowed to possess. We're basically saying to folks is that they are allowed to have 6 plants but as soon as they cultivate them they are going to be arrested. What this law does, and what the amendment on the minority report does, is simply say to increase the amount that somebody may possess after they have cultivated it when they have a doctor's prescription to make sure that people can have it because you can't grow it year-round unless you have all the intricate systems in your home. Madame President, I would request that we vote this motion down so that we can pass the Minority Report so that Maine people can finally get the medicine that they need.

Senator **STRIMLING** of Cumberland requested a Division.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brannigan.

Senator **BRANNIGAN:** Thank you, Madame President. I think this was a far-ranging bill. I, for one, introduced a medical marijuana bill back in 1980. This is an issue that we've been trying to do well by for many years. The people did vote but you have to remember at all times that we are fighting the federal government on this issue. They are very persistent in trying to thwart the good use of marijuana for medical purposes. The bill was wide-ranging, so we quickly rushed to whittle it down to just that issue of how much possession someone can have. They can have 1 1/2 ounces and they can have 6 plants. It is a problem for those who grow outdoors. I believe they have to grow the 6 plants all at the same time. Indoors, if you have grow lights, then you are able to do a much better job of keeping your plants going and your harvest under control. The Minority Report is to raise the amount allowed for possession from 1 1/2 ounces to 2 1/2 ounces. I'm not sure of the federal law, my understanding is that the federal law makes from 1 1/2 to 2 or more a much higher crime. Practically no crime for 1 1/2. Anyways, some of us felt that we would keep the law exactly as it is. We certainly would love to change it to some degree. We would love to make this kind of medication more available, but at this time we felt with this bill it was a way to go. Thank you.

On motion by Senator **WESTON** of Waldo, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you, Madame President. I rise to support the comments of the Senator from Cumberland, Senator Brannigan. We spent a good deal of time discussing this issue in committee and it was the overwhelming vote of the committee that we should remain with the current law that the people of Maine passed at referendum and that it is not necessary to increase the amount of marijuana that one can have for medical use. There is no reason that people have to grow those plants so that they all have to be harvested at the same time. It was the committee's wisdom that this legislation is not necessary.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Brannigan to Accept the Majority Ought Not to Pass Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#61)

YEAS: Senators: BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, COURTNEY, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: BRYANT, STRIMLING

ABSENT: Senator: PLOWMAN

EXCUSED: Senator: DAMON

31 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, the motion by Senator **BRANNIGAN** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Remove Barriers to Smoking Cessation Treatment in Maine

S.P. 499 L.D. 1421

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-89)**.

Signed:

Senators:

BRANNIGAN of Cumberland
RAYE of Washington

Representatives:

PERRY of Calais
WALCOTT of Lewiston
GROSE of Woolwich
MILLER of Somerville
BEAUDOIN of Biddeford
CONNOR of Kennebunk
WALKER of Lincolnville
CAMPBELL of Newfield
FINLEY of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Representative:

LEWIN of Eliot

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Reports **READ**.

On motion by Senator **BRANNIGAN** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-89) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Establish a Complimentary Moose Permit Drawing for 100% Disabled Veterans"

S.P. 353 L.D. 1101

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

BRYANT of Oxford
PERRY of Penobscot
GOOLEY of Franklin

Representatives:

JACKSON of Allagash
RICHARDSON of Carmel
SAVIELLO of Wilton
FINCH of Fairfield
EBERLE of South Portland
WHEELER of Kittery
LUNDEEN of Mars Hill
RICHARDSON of Greenville
BRYANT of Windham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-82)**.

Signed:

Representative:

McLEOD of Lee

Reports **READ**.

On motion by Senator **BRYANT** of Oxford, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following: