

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

Second Special Session
beginning June 19, 2018

beginning at Page 2046

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend Maine's Medical Marijuana Law"

H.P. 1060 L.D. 1539

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-765)** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-766)** (2 members)

Tabled - June 26, 2018 by Senator **KATZ** of Kennebec

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-765) AS AMENDED BY SENATE AMENDMENTS "G" (S-539) AND "D" (S-530)** thereto, in **NON-CONCURRENCE**

(In House, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-765)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-765).**)

(In Senate, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-765)** Report **READ** and **ACCEPTED**. Committee Amendment "A" (H-765) **READ**. Senate Amendments "G" (S-539) and "D" (S-530) to Committee Amendment "A" (H-765) **READ** and **ADOPTED**.)

On motion by Senator **KATZ** of Kennebec, Senate Amendment "H" (S-540) to Committee Amendment "A" (H-765) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ:** Thank you, Mr. President. Mr. President, the purpose of this amendment is to bring consistency to how we are handling retail marijuana stores, whether they be adult use stores or medical stores. It will bring more clarity to municipalities, patients, and medical marijuana providers about what they can and cannot do. It creates an opt-in for caregiver stores, dispensaries, and testing and manufacturing facilities. It would also allow some stores which are operating at the time this law goes into effect to remain open provided they have previously obtained municipal approval through things like relative business permits and licenses, and also provided that they will continue to operate in accordance with local ordinances. Just to be clear about the intent here, the opt-in requirement applies only to caregiver stores, dispensaries, and testing and manufacturing facilities. It does not apply to other authorized caregiver conduct. Towns would continue to be able to regulate caregiver businesses and activities in the same way they regulate any other, just without discrimination. It would not allow municipalities to prohibit or limit authorized caregiver conduct based solely on the fact that they're registered caregivers. So again, Mr. President, the intent of this is to say that there's going to be a single set of rules if somebody wants to set up a marijuana store or one of those commercial activities. A town would have to opt-in rather than having an opt-out system. Thank you, Mr. President.

On motion by Senator **KATZ** of Kennebec, Senate Amendment "H" (S-540) to Committee Amendment "A" (H-765) **ADOPTED**.

Committee Amendment "A" (H-765) as Amended by Senate Amendments "G" (S-539), "D" (S-530), and "H" (S-540) thereto **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-765) AS AMENDED BY SENATE AMENDMENTS "G" (S-539), "D" (S-530), AND "H" (S-540) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

Off Record Remarks

Senate at Ease until the sound of the bell.

The Senate was called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

RECALLED FROM GOVERNOR'S DESK

An Act To Establish the Total Cost of Education and the State and Local Contributions to Education for Fiscal Year 2018-19 and To Provide That Employees of School Management and Leadership Centers Are Eligible To Participate in the Maine Public Employees Retirement System

S.P. 712 L.D. 1869
(S "B" S-491; S "C" S-495
to C "B" S-469; S "A" S-528)

(In Senate, June 21, 2018, **PASSED TO BE ENACTED**, in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order (S.P. 752), in concurrence.)

On motion by Senator **LANGLEY** of Hancock, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-469) AS AMENDED BY SENATE AMENDMENTS "B" (S-491) AND "C" (S-495)** thereto **AND SENATE AMENDMENT "A" (S-528)**.