



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1499

S.P. 524

In Senate, April 20, 2017

An Act To Better Regulate Marijuana

Reference to the Joint Select Committee on Marijuana Legalization Implementation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator JACKSON of Aroostook.

Cosponsored by Senators: DESCHAMBAULT of York, DILL of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **CONCEPT DRAFT**

3 **SUMMARY**

4 This bill is a concept draft pursuant to Joint Rule 208.

5 This bill proposes to revise the laws regarding recreational marijuana sales and use
6 to:

7 1. Change the state licensing authority from the Department of Agriculture,
8 Conservation and Forestry to the Department of Administrative and Financial Services,
9 Bureau of Alcoholic Beverages and Lottery Operations;

10 2. Clarify the licensing preferences for medical marijuana dispensaries and
11 caregivers under the Marijuana Legalization Act;

12 3. Establish a provisional license to allow marijuana dispensaries licensed under the
13 Maine Medical Use of Marijuana Act to participate in the retail sale of marijuana prior to
14 the establishment of licenses for retail marijuana establishments;

15 4. Expand protections for minors by modeling the laws regarding distribution,
16 possession and use of marijuana by persons under 21 years of age on the laws prohibiting
17 the distribution, possession and use of alcohol by persons under 21 years of age;

18 5. Establish a special marijuana tax at the rate of 10% on the retail sale of marijuana
19 by marijuana dispensaries. This tax is in addition to the sales tax currently imposed on
20 medical marijuana and is only imposed until the retail sale of marijuana by other
21 establishments is authorized by the bureau;

22 6. Modify the record-keeping, audit and other compliance requirements of a person
23 licensed as a retail marijuana establishment or retail marijuana social club;

24 7. Authorize a nonprofit medical marijuana dispensary to reorganize as a for-profit
25 entity; and

26 8. Increase the sales tax on retail marijuana and marijuana products from 10% to
27 20%.