



Maine Municipal
Association

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Testimony of the Maine Municipal Association

In Opposition to

LD 1242, *An Act To Ensure Appropriate Oversight of Maine's Medical Marijuana Program*

April 30, 2021

Senator Luchini, Representative Caiazzo and members of the Veterans and Legal Affairs Committee, my name is Kate Dufour and I am providing testimony in opposition to LD 1242 on behalf of MMA's Legislative Policy Committee.

Municipal officials strongly oppose LD 1242, because the bill effectively repeals the rules that support existing statutes authorizing much needed local regulatory authority over medical marijuana operations. From the municipal perspective, the bill presents a means for shifting decision making authority away from the communities' residents and into the hands of the industry.

The rules adopted after Feb. 1, 2018 have provided municipalities with the tools necessary to regulate the medical marijuana industry. This authority allows local decision makers to determine whether the community has the resources to develop and implement necessary ordinances, to target development to certain areas of a community, to limit certain operations, to collect fees and to conduct inspections, as appropriate.

If the bill is enacted, municipal officials are gravely concerned that the resources, time and efforts put into developing necessary ordinances will be all for naught, and the actions of communities to protect their residents' interests will be challenged in court.

Local leaders believe that the regulations in place present an appropriate balance between the interests of the medical marijuana industry and local level policy and development priorities.

Furthermore, the bill directs the Office of Marijuana Policy to consult only with the medical marijuana community prior to adopting rules. The municipal leaders who are charged with protecting the interests of all of a communities' residents, business owners and guests are by design excluded from the process. This attempt to exclude municipal voices is troubling at best, and at worst underscores the concern that the medical marijuana caregivers believe they know what is best for each of Maine's 484 communities.

Municipal officials urge the members of the Committee to oppose LD 1242 and preserve local level decision making authority.

Thank you for your time and consideration of the municipal perspective on this issue.