MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from electronic originals

(may include minor formatting differences from printed original)

Legislative Record

House of Representatives

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

Second Regular Session

Beginning January 3, 2024

Beginning with Page H-1190

ABSENT - Adams, Crockett, Hasenfus, Hepler, Jauch, Roberts.

Yes, 81; No, 63; Absent, 6; Vacant, 1; Excused, 0.

81 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-709)** on Bill "An Act to Amend the Cannabis Laws"

(S.P. 32) (L.D. 40)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
ANDREWS of Paris
BOYER of Poland
COLLINGS of Portland
HYMES of Waldo
RUDNICKI of Fairfield
WILLIAMS of Bar Harbor

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

MALON of Biddeford
MONTELL of Gardiner

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-709) AS AMENDED BY SENATE AMENDMENT "A" (S-717)** thereto.

READ.

Representative SUPICA of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative RUDNICKI of Fairfield **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just want to give you a little bit of a history on this particular bill while you're thinking about it. This bill's really been about two years in the making, and the bipartisanship on this was a lot of work and they did a good job.

A lot of this is technical and the stakeholders were all involved, meaning we had the Good Senator from Androscoggin County and the Good Senator from Kennebec County worked really hard with both the industry and OCP. So, basically, the Department is on board with this as well. And the amendment that will be coming, just so that you know, is more about disclaimer and some technical things as well. So, I just wanted you; and a lot of this also includes the rulemaking. So, I just wanted to give that and let you know this was a bipartisan effort and we believe it cleans everything up, it's more of a technical than it actually; and it's about the industry more than it is about cannabis. So, thank you.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've been looking into this and yes, there was a lot of work done of the stakeholders, but the stakeholders were a collaborative effort of 10-plus cannabis advocacy groups in Maine and then the OCP, and that's it. They did not include Maine Public Health Association, the Maine Medical Association, Maine Osteopathic Association and the Maine Chapter of American Academy of Pediatrics, which is a very important piece, I would think, as far as talking about health issues.

So, I think the one thing that really, you know; this shouldn't be taken lightly, you know, when you look at the cannabis industry. You know, it's saying it deserves a thoughtful deliberation of all stakeholders; well, this didn't include all stakeholders and it just went; it's not just the industry representatives that should be included. And I think if we're going to be honest with each other about looking at safety for our children and the welfare of even adults, we should be taking a look at this on the public medical part. For one thing, I got a sheet today and it said that this treats cannabis like alcohol or tobacco, because these substances are highly addictive and toxic in low doses. Well, and it says it does not, but also that they want to be treated about the same. And the reason why that cannabis should not be treated the same as alcohol and tobacco is because the federal government has designated cannabis as a Schedule I drug still, which means there is limited research on cannabis health effects on the body and lack of federal regulation infrastructure.

To date, it says we, you know, where the public health concerns are considered and they really want removed from the bill, and it was removed from the bill, is that right now, in the original form of LD 40, it allowed children to smoke cannabis, permitted off-premises sales of medical cannabis without municipal approval and much more. So, some of the concerns had been addressed. It's a 60-plus page bill that has 100-plus statutory changes. More balanced stakeholders engaged will improve the process of the bill.

Also, considering how to exempt cannabis hospitality establishments from clean indoor air laws are not considered, and that's; to me, we experienced that right here in the House not just too long ago, we could smell marijuana in here. And it offends me because I don't want to smoke marijuana, I don't want to inhale it, I just feel that that's my right. And for this to say, well, we can go to any establishment and do it, it's going to be a problem.

Also, this includes free giveaways, including vape cartridges and edibles, up to two samples per person per day. It's also removing controlled entry and allowing minors to enter the cannabis store. I don't want to be having my child brought into a store because they want their cannabis and it gives that child the sense of it being normal. That is wrong. And I just think that we really have to be careful and there's no reason why the child even has to be there. Many people that smoke cigarettes, they don't go in the store bringing their kid or to get alcohol. Many times, they just bring them home and then if they need to go get something, they go get it, and it doesn't have to

be going to a Schedule I drug establishment and taking their child in there. Increasing youth exposure to cannabis products and paraphernalia, marketing and lowering the standard of deterring the youths from going into those establishments are very important and we just don't want them exposed to that.

And then there's another part. It erodes customer trust and transparency by allowing for unproven patient testimonials as advertisements on cannabis products. A lot of these advertisements are just testimonials that are not proven fact. And if there was so much fact, we would've had much more on these papers and would've had statistics. They don't have any.

So, here we are, we're going to vote something in that really needs a lot of work. Now, the medical association in these say that we could work on this and maybe next year, if they really, truly wanted to put this collaborative effort, to have them included, maybe they could come up with some good ideas and I think it would be much more stable for what we'd be doing. As it is, we just don't think that this is ready for primetime and it's just making a loose way of doing things and we're just endangering more kids. Right now, the statistics of kids right now and users; the data on youth use is 32% of high schoolers and 9% of middle schoolers report having used cannabis at least once, and 19% of the high schoolers and 5% of the middle schoolers used it in the last 30 days. Fifty-four percent of the high schoolers and 22% of the middle schoolers think it would be sort of easy or very easy to get cannabis. That's over half the high school kids. Tell me that's not influencing kids. We really need to start thinking about our children and our welfare of their health. They don't call cannabis dope for nothing. We want our kids to be having a degree someday and college, we don't want them to lose the concentration and also the skills to be able to study and also it has them; the way of feeling laid back and they don't have the energy, there's a whole lot of problems that exist with cannabis and we've got to take that in consideration when we make these votes.

So, I'm asking the Legislature, Madam Speaker to at least do this for our children and our State. We have to take a responsibility at some point. Let's not ruin it for our kids. I look at these pages and they all got a gleam in their eye, they want to be somebody. I listened to that song this morning, it came to my heart. Let's not take that away from them. Please, Madam Speaker. Thank you.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, rise in opposition to the pending motion, I think for a lot of the reasons that the Good Representative from Albion cited. Also, coincidentally, you know, I'm on the Budget Committee back home in Vassalboro and a member of the School Board wrote to us regarding the school budget and about all the problems that they have. Included to that is the incidents that they see of marijuana causing learning and behavior problems.

Madam Speaker, I think there's a sense that things are getting a little bit out of control with this matter. Before, I've mentioned several times, that I am very concerned about the makeup of stakeholder groups and I think that a more balanced stakeholder group gives us better perspectives on all items that we consider here. We need to slow things down and I urge you to vote no on this, so, we can develop a wider range and a better-balanced stakeholder group, including those members that the Good Representative from Albion mentioned in his testimony. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Supica.

Representative **SUPICA**: Thank you, Madam Speaker. I rise just to do a couple of things. One, I wanted to just set the record straight and say that every single one of those organizations that was named was at the table; was invited to talk. I spoke with paid lobbyists from all those organizations and some executive directors, we reached out multiple times and we worked really hard to find consensus.

But I really intended to rise to thank the lead, Representative Rudnicki, for her collaborative work on this, and seeing as we're coming to the end of our work in Veteran and Legal Affairs, I wanted to thank her and all the Members for the hard work, especially when it comes to cannabis, which can be really contentious, and somehow, we made it through and found a consensus and I'm hoping folks will not let it turn them off from requesting to be on the VLA next session, because I'm looking forward to getting back and doing some really good work with all of them. So, thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 538

YEA - Abdi, Albert, Andrews, Ankeles, Ardell, Arford, Babin, Bagshaw, Beck, Blier, Boyer, Boyle, Brennan, Campbell, Cloutier, Cluchey, Collamore, Collings, Copeland, Costain, Crafts, Cray, Dhalac, Dill, Dodge, Ducharme, Eaton, Faulkingham, Fay, Fredericks, Galletta, Gattine, Gere, Golek, Gramlich, Guerrette, Hall, Henderson, Hobbs, Hymes, Jackson, Kessler, Kuhn, Lajoie, Landry, Lanigan, LaRochelle, Lavigne, Lee, Libby, Lookner, Malon, Matlack, Milliken, Moonen, Morris, O'Connell, O'Neil, Osher, Parry, Perry A, Perry J, Pluecker, Poirier, Rana, Rielly, Riseman, Roeder, Rudnicki, Runte, Russell, Salisbury, Sampson, Sargent, Schmersal-Burgess, Shaw, Sheehan, Simmons, Sinclair, Skold, Soboleski, Stover, Strout, Supica, Swallow, Terry, Theriault, Thorne, Underwood, Warren, White B, Wood, Woodsome, Worth, Zeigler, Madam Speaker.

NAY - Arata, Bell, Bradstreet, Bridgeo, Carlow, Carmichael, Craven, Cyrway, Davis, Doudera, Drinkwater, Dunphy, Foster, Geiger, Gifford, Graham, Greenwood, Griffin, Haggan, Javner, Lemelin, Lyman, Madigan, Mason, Mastraccio, Mathieson, Meyer, Millett R, Montell, Moriarty, Murphy, Ness, Newman, Nutting, Paul, Perkins, Polewarczyk, Pomerleau, Pringle, Quint, Sachs, Sayre, Shagoury, Smith, Walker, White J, Zager.

ABSENT - Adams, Crockett, Hasenfus, Hepler, Jauch, Millett H, Roberts.

Yes, 96; No, 47; Absent, 7; Vacant, 1; Excused, 0.

96 having voted in the affirmative and 47 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-709)** was **READ** by the Clerk.

Senate Amendment "A" (S-717) to **Committee Amendment "A" (S-709)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-709) as Amended by Senate Amendment "A" (S-717) thereto was **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-709) as Amended by Senate Amendment "A" (S-717)** thereto in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-979)** on Bill "An Act to Create Equity in the State's Cannabis Industry"

(H.P. 972) (L.D. 1517)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
BOYER of Poland
COLLINGS of Portland
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
WILLIAMS of Bar Harbor

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

ANDREWS of Paris
HYMES of Waldo
RUDNICKI of Fairfield

READ.

Representative SUPICA of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative RUDNICKI of Fairfield **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 539

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hobbs, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Perry A, Perry J, Pluecker, Pringle, Rana, Rielly, Riseman, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Sinclair, Skold, Stover, Supica, Terry, Warren, White B, Wood, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J.

ABSENT - Adams, Crockett, Hasenfus, Hepler, Jauch, Millett H, Roberts.

Yes, 80; No, 63; Absent, 7; Vacant, 1; Excused, 0.

80 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-979)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-979)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act to Establish the Maine Buy American and Build Maine Act"

(S.P. 812) (L.D. 1983)

Minority (4) **OUGHT NOT TO PASS** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** in the House on April 11, 2024.

Came from the Senate with the Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-677) AS AMENDED BY SENATE AMENDMENT "A" (S-697)** thereto in **NON-CONCURRENCE**.

Speaker TALBOT ROSS of Portland moved that the House **RECEDE AND CONCUR**.

Representative FAULKINGHAM of Winter Harbor **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As I pull up my note from the speech the other day, this bill is truly not necessary. The State of Maine is working with Maine businesses to the tune of 98.6; and my computer's not up yet, and I apologize; but it's nearly 99%, according to the testimony from Anya Trundy at DAFS. We are working with the Maine employers. This bill here would make it extremely cost-prohibitive for towns who are using State dollars, counties who are using State dollars, or any State projects.