



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 387

S.P. 128

In Senate, February 2, 2017

### **An Act To Provide for Oversight of Maine's Recreational Marijuana Laws**

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

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator GRATWICK of Penobscot.  
Cosponsored by Representative McCREA of Fort Fairfield and  
Senators: DESCHAMBAULT of York, DILL of Penobscot, DION of Cumberland, VITELLI  
of Sagadahoc, Representatives: HUBBELL of Bar Harbor, STEWART of Presque Isle,  
ZEIGLER of Montville.

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

2 **Sec. 1. 7 MRSA §2444, sub-§1**, as enacted by IB 2015, c. 5, §1, is amended to  
3 read:

4 **1. Commissioner is chief administrative officer.** The Commissioner of  
5 Agriculture, Conservation and Forestry is the chief administrative officer of the state  
6 licensing authority and may employ such officers and employees as may be determined to  
7 be necessary. The state licensing authority has the authority to:

8 A. Grant or refuse licenses for the cultivation, manufacture, distribution, sale and  
9 testing of retail marijuana and retail marijuana products as provided by this chapter;

10 B. Suspend, fine, restrict or revoke licenses under paragraph A upon a violation of  
11 this chapter or any rule adopted pursuant to this chapter; and

12 C. Impose any penalty authorized by this chapter or any rule adopted pursuant to this  
13 chapter.

14 Pursuant to Title 22, section 412, subsection 6, paragraph A, the Statewide Coordinating  
15 Council for Public Health serves in an advisory capacity to the Commissioner of  
16 Agriculture, Conservation and Forestry on public health matters related to retail  
17 marijuana.

18 **Sec. 2. 22 MRSA §412, sub-§6, ¶A**, as amended by PL 2011, c. 306, §2, is  
19 further amended to read:

20 A. The Statewide Coordinating Council for Public Health shall:

21 (1) Participate as appropriate to help ensure the state public health system is  
22 ready and maintained for accreditation;

23 (4) Assist the Maine Center for Disease Control and Prevention in planning for  
24 the essential public health services and resources to be provided in each district  
25 and across the State in the most efficient, effective and evidence-based manner  
26 possible;

27 (5) Receive reports from the tribal district coordinating council for public health  
28 regarding readiness for tribal public health systems for accreditation if offered;  
29 ~~and~~

30 (6) Participate as appropriate and as resources permit to help support tribal  
31 public health systems to prepare for and maintain accreditation if assistance is  
32 requested from any tribe; and

33 (7) Serve, pursuant to Title 7, section 2444, subsection 1, in an advisory capacity  
34 on public health matters related to retail marijuana to the Commissioner of  
35 Agriculture, Conservation and Forestry as chief administrative officer of the state  
36 licensing authority for the cultivation, manufacture, distribution, testing and sale  
37 of retail marijuana and any of that commissioner's officers and employees.

38 The Maine Center for Disease Control and Prevention shall provide staff support to  
39 the Statewide Coordinating Council for Public Health as resources permit. Other

1 agencies of State Government as necessary and appropriate shall provide additional  
2 staff support or assistance to the Statewide Coordinating Council for Public Health as  
3 resources permit.

4 **SUMMARY**

5 This bill directs the Statewide Coordinating Council for Public Health to serve in an  
6 advisory capacity on public health matters related to retail marijuana to the Commissioner  
7 of Agriculture, Conservation and Forestry acting as chief administrative officer of the  
8 state licensing authority for the cultivation, manufacture, distribution, testing and sale of  
9 retail marijuana.