

On Wednesday, May 2, 2018, the Maine Legislature voted to override Governor LePage's veto of LD 1719, "An Act to Implement a Regulatory Structure for Adult Use Marijuana." This new law, which was enacted as an emergency, takes effect immediately, and completely replaces the existing recreational marijuana statutes.

The Adult Use Marijuana Act prevents adult use (formerly recreational) marijuana establishments from operating until municipalities "opt-in" to the operation of adult use marijuana establishments within their jurisdiction, through a vote of the legislative body. For those municipalities wondering whether to extend their moratorium ordinances, or enact prohibition ordinances, you can relax. Under the "opt-in" process of the new law, municipalities are no longer required to take any additional action to prevent commercial adult use marijuana activity from occurring in the municipality. However, those municipalities interested in authorizing commercial adult use marijuana activity, and enacting local regulation of adult use marijuana establishments, have broad home rule authority to do so under the new law.

Keep in mind that the state licenses for adult use marijuana establishments cannot be issued until the state licensing agencies develop the necessary application forms and rules, which will probably not happen for several months. It will still be some time before adult use marijuana businesses are up and running in the State.

MMA Legal Services is in the process of developing an Information Packet with details on the Adult Use Marijuana law. Stay tuned.