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Maine's Medical Marijuana Law

Maine State Law and Legislative Reference Library

IMPLEMENTATION

[DHHS Div. of Licensing and Regulatory Services](#)

[Rulemaking](#)

[Maine Medical Use of Marijuana Program Annual Report \(March 2011\)](#)

[PL 2009, c. 631](#)

- [LD 1811 \(Governor's bill in 2010\)](#)
- [Maine Medical Assoc. testimony](#)

[PL 2011, c. 383](#)

[PL 2011, c. 407](#)

TASK FORCE

- [Report to the Governor \(Jan '10\)](#)
- [Report Cover Letter](#)
- [DHHS Task Force webpage](#)
- [Governor's Executive Order \(Nov '09\)](#)

Maine has allowed prescribing, and limited possession, of medical marijuana since 1999 but [the law](#) lacked any distribution mechanism and questions arose of noncompliance with federal law and of how patients could legally obtain the prescribed marijuana. In October the Obama administration announced that it would halt prosecution of medical marijuana users and caregivers if they were in compliance with their state's law [\[read more\]](#). On November 3, 2009 Maine voters approved Question 5, which enacted the citizen-initiated bill, "[An act to establish the Maine Medical Marijuana Act](#)" (LD 975, IB 2). The [committee file for LD 975](#) contains additional information, such as the activity schedule, testimony sign-in sheet, testimony submitted at the public hearing, working papers and memoranda of the Joint Standing Committee on Health and Human Services, and the committee vote tally sheet. (The contents of the file are not word searchable.)

Maine is the [fifth state](#) to provide for dispensaries of medical grade marijuana for persons with debilitating and chronic medical conditions. These not-for-profit dispensaries will be licensed and regulated by the [Maine Department of Health and Human Services](#).

So, when will dispensaries open? Maine election results were verified by the Secretary of State [\[see tabulations\]](#). Governor Baldacci's [press release of November 6, 2009](#) detailed an [executive order](#) which set up a task force chaired by Brenda Harvey, Commissioner of DHHS. On November 17, 2009, the Governor announced the names of the [members of the task force](#). The Task Force issued its [report to the Governor](#) on January 27, 2010. The subsequent 2010 enactment of [LD 1811](#), the Governor's bill, paved the way for promulgation of agency rules

ARTICLES

[Maine bill would lift pesticide ban for marijuana plants](#)
6-14-2013

[Investigation reveals Maine medical marijuana dispensary used pesticides, violated rules](#)
3-26-2013

[Medical marijuana in the workplace](#)
2-15-2013

[Pittsfield woman sues temp agency, saying she was fired for using medical marijuana](#)
2-12-2013

[Legislator, ACLU : Maine's medical marijuana law falls short](#)
12-11-2012

[Advocates seek wider use for medical marijuana](#)
12-6-2012

[Medical marijuana: is it working?](#)
10-21-2012

[Maine State Housing commissioners lift pot ban for six months.](#)
10-17-2012

[Maine State Housing Authority to revisit medical marijuana decision.](#)
10-16-2012

[Patients, caregivers:](#)

- [Members and meetings](#)

SECRETARY OF STATE

- [Nov '09 Election results by county](#)

U. S. DEPT. OF JUSTICE

- [Memo re: investigations and prosecutions \(Oct '09\)](#)

under the [Administrative Procedures Act](#). Emergency rules were adopted on May 5, 2010 . Only eight dispensaries (one for each of the eight districts) will be approved the first year. Instructions and applications, as well as the text of the rules, are available on DHHS' [Division of Licensing and Regulatory Services webpage](#).

Local governments are also preparing for implementation of the law. Initially one community enacted a moratorium on the dispensaries. Brewer's city council voted unanimously to ban dispensaries for six months until the state rules and procedures for operating the dispensaries are in place. Since then Auburn, Ellsworth and South Portland have enacted or plan to enact similar moratoriums. For more recent developments see articles linked in the tan column on the right.

[new rules unreasonable for growing medical marijuana. 8-13-2012](#)

[Medical Marijuana: Do States Know How to Regulate It? : Colorado's decade-long debate over how to manage medical marijuana has produced a tightly controlled approach that more states are starting to emulate. Aug 2012](#)

[Medical marijuana : how Maine is facing the challenge implementing the law 12-28-11](#)

[Pot patient privacy bill gets LePage OK 6-19-11](#)

[Maine – Panel Oks Bill To Kill Marijuana Registry 5-15-11](#)

[Bill eases Maine's medical marijuana rules 4-24-11](#)

[Maine to open first medicinal marijuana dispensaries on East Coast, but not without concerns 3-6-11](#)

[Councilors adopt medical marijuana rules 12-8-10](#)

[From 'marijuana is an herb' to 'how did this happen?' - 11-15-10](#)

[Auburn site OK'd for marijuana dispensary 11-14-10](#)

[State and federal marijuana laws collide 11-9-10](#)

[Maine's first dance
with Mary Jane](#)
8-15-10

[Some Mainers object
to California
connection](#) 8-15-10

[Dispensaries "starting
to crack the closet
door"](#) 8-15-10

[Medical marijuana -
caught Between state
and federal law: what
is an employer to do?](#)
8-13-10

[Maine's medical
marijuana law runs
into federal conflicts](#)
7-13-10

[Northeast Patients
Group snares four of
six marijuana
dispensary licenses](#)
7-13-10

[Applications to
Operate Maine's
Medical Marijuana
Dispensaries Pour in](#)
6-25-10

[Medicinal marijuana : a
patient-driven
phenomenon](#) 6-14-10

[Maine still struggling
with new medical
marijuana rules](#)
6-8-10

[Medical pot users :
proposed fees too high](#)
6-8-10

[Conference addresses
medical marijuana use](#)
6-6-10

[Montel Williams lights
up the Maine Medical
Marijuana Conference](#)
6-6-10

[State opens applications for pot shops 5-7-10](#)

[Bangor seeks moratorium on pot dispensaries 5-5-10](#)

[The East Coast stumble in legalizing medical marijuana 4-20-10](#)

[Maine bill allows 8 marijuana dispensaries 4-6-10](#)

[Medical pot deal reached : Legislative panel OKs 8 dispensaries, registration and a state ID card 3-19-10](#)

[STATE HOUSE: Growing, distributing medical marijuana at issue 3-18-10](#)

[Much work remains for medical marijuana system 3-12-10](#)

[Topsham moves closer to moratorium on medical marijuana dispensaries 3-10-10](#)