



STATE OF MAINE
OFFICE OF THE GOVERNOR
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AUGUSTA, MAINE
04333-0001

Paul R. LePage

27 April 2018

GOVERNOR

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1719, "An Act To Implement a Regulatory Structure for Adult Use Marijuana."

Under federal law, marijuana is a Schedule 1 controlled substance. As a Schedule 1 drug, the federal government has deemed that marijuana has a high potential for abuse and has no currently accepted medical use in treatment in the United States. In Maine, doctors cannot legally prescribe marijuana to patients; they only "certify" its use. Possession of any amount of marijuana under federal law is a misdemeanor crime. In 2011, I took an oath to support the Constitution of the United States, and I cannot in good conscience support a law that, on its face, violates federal law.

Even if federal law were of no concern, there are other significant issues that must be addressed. This bill does not adequately address the failings of the medical marijuana program. It moved the oversight of the program from DHHS to DAFS, but then fails to truly integrate the two programs. The drafters of this bill chose to largely ignore the significant effects on medical marijuana of a recreational program—a program that still has different levels of regulatory oversight and a different tax structure.

As I have stated previously, a concurrent medical program with weaker regulation and a lower tax rate will undermine the regulations established by this bill. The two programs must be fully integrated. In the run-up to the 2016 referendum, the medical program saw a significant increase in the number of registered caregivers, as well as the exploitation of loopholes in medical marijuana regulations to broaden the sales base for medical marijuana, which has a much lower tax rate.

The need for policymakers to get this issue correct has never been higher. As this administration looked to other states that have legalized adult-use marijuana, we noticed a gruesome similarity. In the few short years since marijuana has been legalized by some states, those same states have seen staggering increases in motor vehicle fatalities resulting from marijuana impairment. After one of the worst years in recent memory for crashes, fatalities, and pedestrian fatalities, we should take every step to ensure safety on Maine roads instead of making them more hazardous. No branch of government has a monopoly on good ideas; if Maine is going to legalize and regulate marijuana, it will require our joint efforts to get this important issue right.

For these reasons, I return LD 1719 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

Paul R. LePage
Governor



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