

Town Council Workshop Meeting

Minutes

October 16, 2019

The meeting was called to order at 6:06 pm.

Roll Call

All Councilors were present and answering roll call.

Item 1 Workshop to discuss marijuana regulation.

Chair Kuhn said that the goal of the workshop was to provide guidance to staff for moving forward.

Ethan Croce reviewed a handout with background information on marijuana legislation in Maine.

Amy Lamontagne presented a seconded handout from Maine Municipal Association listing which municipalities have opted in.

Councilors discussed whether to ask the Retail Marijuana Committee to research regulating medical marijuana home occupations.

Mr. Croce said that municipalities cannot prohibit but may limit the number of offsite growths of personal plant allotments. Some Councilors expressed interest in having the Committee research this. Councilors discussed how enforcement would work. It would likely have to be on a complaint basis. Other Councilors expressed concern that the Town would be regulating a problem that does not exist.

Councilor Trickett suggested hiring a consultant who could advise on what loopholes have arisen in other jurisdictions. Other Councilors expressed interested in meeting with a consultant.

Mr. Croce said that caregivers are required to register with the State but that the State will not provide municipalities with lists of the caregivers in their jurisdictions. Municipalities can require caregivers to register/obtain licenses.

Councilor Cahan said that most banks will not loan money to people who want to open marijuana businesses. The State will allow municipalities to enter into tax increment financing agreements with testing facilities. Councilor Trickett added that the banking issue might change with the SAFE Banking Act that is before Congress. He also discussed issues with cash-based businesses.

Councilor Cahan was interested in exploring the idea of Falmouth opting in for testing and manufacturing facilities.

Councilor Johnson felt that the Retail Marijuana Committee should not be tasked with regulating CBD because the THC levels are so low and there is not much regulation yet at the state and federal levels.

Councilor Hemphill did not see a need for Falmouth to allow retail sales at this time. Cultivation can be an issue if it occurs in heavily populated areas. He felt that manufacturing and testing are clean and low key, but he did not feel that there is currently a need for these businesses in Falmouth. Chair Kuhn and Councilor De Lima agreed.

Nathan Poore said that if the Council decides to opt in, it can create zoning regulations.

Councilor Trickett was interested in exploring what potential economic benefits for the Town could arise out of opting in. Councilors De Lima and Asherman agreed.

Directive:

1. The Council was not interested in allowing marijuana retail or cultivation at this time.
2. Some Councilors expressed interest in the Retail Marijuana Committee researching the potential benefits to the Town of having manufacturing/testing facilities.
3. Some Councilors expressed interest in the impacts to small towns
4. The Council expressed interest in the Committee researching offsite personal growth limitations
5. The Council expressed interest in the Committee researching options for medical caregiver licensing/registration
6. Some Councilors expressed interest in the Committee considering at what point in time it makes sense to solicit public comment.
7. Some Councilors expressed interest in meeting with consultants.

Adjourn

The meeting adjourned by consensus at 6:54 pm.

Respectfully submitted,

Marguerite Fleming
Recording Secretary