

Town of Madison

Special Town Meeting Minutes

To: Ms. Kathy Estes, Resident in the Town of Madison, in the County of Somerset, State of Maine:

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Madison, in said County and State, qualified by law to vote in Town affairs, to meet at the ***Main Street Middle School Auditorium***, in said Town, on Tuesday, the twenty second (22nd) day of October, 2024 A.D., at seven o'clock in the evening, then and there to act upon Article 1 through 4 as set out below to wit:

The meeting began at 7:18PM. The Town Clerk, Cheyenne Stevens, opened the meeting with the pledge of allegiance and by reading the warrant address.

Article 1

To choose a moderator to preside at said meeting.

Ernest Hilton was nominated as moderator by Kathy Estes and Shawn Bean. Ernest Hilton took the oath of moderator.

Article 2

Shall all ordinance entitled “**Chapter 170: Outpatient Substance Use Disorder Treatment Programs**” be enacted?

Motion made by Albert Veneziano, second made by Kathy Estes. There were 55 YES votes and 10 NO votes for this article.

Article 3

Shall the following amendment to Article I: Adult Use Cannabis Establishments, Chapter 180: Drugs and Drug Paraphernalia, be enacted?

“§180-1 Authority

This article is enacted pursuant to the Adult Use Cannabis Act, M.R.S. Title 28-B, Subchapter 4 and Municipal Home Rule Authority, Me. Const., art. VIII, pt. 2; and 30-A M.R.S.A § 3001.

§180-2 Purpose

The State Legislature, through the adoption of PL 2017 c. 409, the Marijuana Legislation Act and later the Adult Use Cannabis Law, requires municipalities to “opt-in” or vote to allow certain activities and facilities associated with adult use cannabis if the municipality wants to allow such activities to operate in the municipality. The Town of Madison decided that adult use

cannabis facilities (including manufacturing, testing, commercial cultivation, social club, and retail) are not appropriate facilities for Madison. The purpose of this Ordinance is to provide for and regulate adult use cannabis establishments as defined in this Ordinance and by the State of Maine under the Adult Use Cannabis Act, M. R. S. Title 28-B, Subchapter 4 (definitions are in subchapter 1).

§180-3 Definitions

Adult use cannabis establishment

An adult use cannabis cultivation facility, an adult use cannabis products manufacturing facility, an adult use cannabis store, an adult use cannabis social club or an adult use cannabis testing facility.

Cannabis

The leaves, stems, flowers and seeds of a cannabis plant, whether growing or not. “Cannabis” includes cannabis concentrate but does not include hemp as defined in Title 7, section 2231, subsection, 1-A, paragraph D or a cannabis product.

Cannabis Store

A facility licensed under M.R.S. Title 28-B to purchase and sell adult use cannabis, immature cannabis plants, seedlings from a cultivation facility, and adult use cannabis products from a products manufacturing facility to consumers.

Cannabis Testing Facility

A public or private laboratory that

- A. Is authorized in accordance with M.R.S. Title 22, Ch. 558-C, section 2433-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and*
- B. Is accredited pursuant to standard ISO/IEC 17025 of the International Organizations for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the department*

Cultivation facility

A facility licensed under M.R.S. Title 28-B to purchase cannabis plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use cannabis; to sell adult use cannabis products to manufacturing facilities, to cannabis stores and to other cultivation facilities; and to sell cannabis plants and seeds to other cultivation facilities and immature cannabis plants and seedlings to cannabis stores.

Manufacturing or manufacture

The production, blending, infusing, compounding or other preparation of cannabis and cannabis products, including but not limited to, cannabis extraction or preparation by means of

chemical synthesis.

Products manufacturing facility

A facility licensed under M.R.S. Title 28-B to purchase cannabis from a cultivation facility or another products manufacturing facility; to manufacture, label and package cannabis and cannabis products; and to sell cannabis and cannabis products to cannabis stores and to other products manufacturing facilities.

§180-4 Prohibition on adult use cannabis establishments

Adult use cannabis establishments are expressly prohibited in the town of Madison.

§180-5 Effective date; duration.

This article shall take effect immediately upon enactment by the municipal legislative body unless otherwise provided and shall remain in effect until it is amended or repealed.

§180-6 Violations and Penalties

This article shall be enforced by the municipal officers or their designee. Violations of this article shall be subject to the enforcement and penalty provisions of 30-A M.R.S.A. § 4452.”

A motion was made by Albert Veneziano, second made by Kathy Estes.

A question was asked by a resident to clarify what the article changes. Town Manager, Denise Ducharme responded that this article only discusses recreational use cannabis (removing medical use terminology) and that the removal of the medical use wording is the amendment of the article that is being voted on.

There were 54 YES votes and 12 NO votes.

Article 4

Shall an article entitled “**Article II: Medical Use Cannabis Establishments**” be enacted as a second article in Chapter 180: Drugs and Drug Paraphernalia?

A motion was made by Albert Veneziano, second made by Kathy Estes.

There were 55 YES votes and 8 NO votes.

A motion to adjourn was made by Albert Veneziano, second made by Kathy Estes.