

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act To Amend the Maine Medical Use of Marijuana  
Act with Regard to Excess Prepared Marijuana'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 22 MRSA §2423-A, sub-§2, ¶G,** as amended by PL 2011, c. 407, Pt. B, §16, is further amended to read:

G. Prepare food as defined in section 2152, subsection 4 containing marijuana for medical use by a qualifying patient pursuant to section 2152, subsection 4-A and section 2167; and

**Sec. 2. 22 MRSA §2423-A, sub-§2, ¶H,** as enacted by PL 2011, c. 407, Pt. B, §16, is amended to read:

H. For the purpose of disposing of excess prepared marijuana, transfer prepared marijuana to a registered dispensary or another primary caregiver if nothing of value is ~~received~~provided to the primary caregiver. A primary caregiver who transfers prepared marijuana pursuant to this paragraph does not by virtue of only that transfer qualify as a member of a collective.; and

**Sec. 3. 22 MRSA §2423-A, sub-§2, ¶I** is enacted to read:

I. For the purpose of disposing of excess prepared marijuana, transfer prepared marijuana to a registered dispensary for reasonable compensation. The transfer of prepared marijuana by a primary caregiver to one or more dispensaries under this paragraph is limited to a registered primary caregiver. A registered primary caregiver may not transfer more than 2 pounds of excess prepared marijuana for reasonable compensation under this paragraph in a calendar year. A primary caregiver who transfers prepared marijuana pursuant to this paragraph does not by virtue of only that transfer qualify as a member of a collective.

**Sec. 4. 22 MRSA §2428, sub-§9, ¶E,** as amended by PL 2011, c. 407, Pt. B, §32, is further amended to read:

E. A dispensary may ~~only~~ acquire prepared marijuana ~~or marijuana plants~~only from a primary caregiver in accordance with section 2423-A, subsection 2, paragraph H or I or through the cultivation of marijuana by that dispensary either at the location of the dispensary or at the one permitted additional location at which the dispensary cultivates marijuana for medical use by qualifying patients who have designated the dispensary to cultivate for them.'

## SUMMARY

This amendment is the majority report of the committee and replaces the bill. This amendment authorizes a registered primary caregiver, for the purpose of disposing of excess prepared marijuana, to transfer for reasonable compensation up to 2 pounds per year to a dispensary and allows a dispensary to accept that transfer. This amendment corrects an error in current law on dispensaries regarding acquisition of marijuana plants.