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## **An Act To Further Protect Patient Access to Safe Medical Marijuana by Allowing Dispensaries To Purchase Excess Marijuana from Other Dispensaries**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §2428, sub-§1-A, ¶E**, as enacted by PL 2011, c. 407, Pt. B, §32, is amended to read:

E. Obtain prepared marijuana from a primary caregiver under section 2423-A, subsection 2, paragraph H or from another registered dispensary.

**Sec. 2. 22 MRSA §2428, sub-§6, ¶G**, as amended by PL 2011, c. 407, Pt. B, §32, is further amended to read:

G. AExcept for the purchase from or sale to another registered dispensary of excess prepared marijuana, a dispensary is prohibited from acquiring, possessing, cultivating, manufacturing, delivering, transferring, transporting, supplying or dispensing marijuana for any purpose except to assist qualifying patients who have designated the dispensary to cultivate marijuana for them for the medical use of marijuana directly or through the qualifying patients' primary caregivers.

**Sec. 3. 22 MRSA §2428, sub-§6, ¶L** is enacted to read:

L. If a dispensary has excess prepared marijuana, the dispensary may sell that excess prepared marijuana to another registered dispensary.

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

B. A dispensary may not dispense, deliver or otherwise transfer marijuana to a person other than a qualifying patient who has designated the dispensary to cultivate marijuana for the patient or to the patient's primary caregiver except that a dispensary may sell and purchase excess prepared marijuana to and from another registered dispensary.

**Sec. 5. 22 MRSA §2428, sub-§9, ¶E**, as corrected by RR 2013, c. 1, §41, is amended to read:

E. A dispensary may acquire prepared marijuana only from a primary caregiver in accordance with section 2423-A, subsection 2, paragraph H or K ~~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 or by purchase from another registered dispensary that has excess prepared marijuana.

### **SUMMARY**

HP1195, LD 1623, item 1, 126th Maine State Legislature  
An Act To Further Protect Patient Access to Safe Medical Marijuana by  
Allowing Dispensaries To Purchase Excess Marijuana from Other Dispensaries

Under the Maine Medical Use of Marijuana Act, a registered dispensary may obtain prepared marijuana only from a primary caregiver. This bill allows registered dispensaries to purchase and sell excess prepared marijuana from and to each other.