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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1011, L.D. 1423, Bill, “An Act To Amend the Medical Marijuana Law Regarding Excess Harvested Marijuana”

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

**COMMITTEE AMENDMENT**

1 transfers prepared marijuana pursuant to this paragraph does not by virtue of only that  
2 transfer qualify as a member of a collective.

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

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

11 **SUMMARY**

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