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Date: (Filing No. S- )

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
128TH LEGISLATURE  
SECOND SPECIAL SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 1060, L.D. 1539, Bill, “An Act To Amend Maine's Medical Marijuana Law”

Amend the amendment in section 7 in §2423-A in subsection 2 in paragraph P in the first line (page 13, line 9 in amendment) by striking out the following: "a retail" and inserting the following: 'one retail'

Amend the amendment in section 21 by striking out all of §2429-D (page 44, lines 37 to 40 and page 45, lines 1 to 3 in amendment) and inserting the following:

**§2429-D. Local regulation**

Pursuant to the home rule authority granted under the Constitution of Maine, Article VIII, Part Second and Title 30-A, section 3001, a municipality may regulate registered caregivers, registered caregiver retail stores operating pursuant to section 2423-A, subsection 2, paragraph P, registered dispensaries, marijuana testing facilities and manufacturing facilities.

A municipality may not:

**1. Registered caregivers.** Prohibit or limit the number of registered caregivers;

**2. Stores, dispensaries, testing and manufacturing facilities.** Prohibit registered caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are operating with municipal approval in the municipality prior to the effective date of this section; or

**3. Municipal authorization needed.** Authorize registered caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are not operating on the effective date of this section to operate in the municipality unless the municipal legislative body, as defined in Title 30-A, section 2001, subsection 9, has voted to adopt or amend an ordinance or approve a warrant article allowing registered caregiver retail stores, registered dispensaries, marijuana testing facilities or manufacturing facilities, as applicable, to operate within the municipality.'

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**SUMMARY**

This amendment provides that a registered caregiver may operate one retail store to sell harvested marijuana to qualifying patients. It provides that a municipality may not prohibit registered caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are operating with municipal approval in the municipality prior to the effective date of this legislation and that a municipality may not authorize registered caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities that are not operating on the effective date of this legislation to operate in the municipality unless the municipal legislative body has voted to adopt or amend an ordinance or approve a warrant article allowing registered caregiver retail stores, registered dispensaries, marijuana testing facilities or manufacturing facilities to operate within the municipality.

**FISCAL NOTE REQUIRED**

**(See attached)**

SPONSORED BY: \_\_\_\_\_

(Senator KATZ)

COUNTY: Kennebec