

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

---

Legislative Document

No. 611

S.P. 183

In Senate, February 8, 2001

**An Act to Create a Pilot Project to Fully Implement the Maine Medical  
Marijuana Act of 1998.**

---

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator RAND of Cumberland.  
Cosponsored by Representative QUINT of Portland and  
Senator CATHCART of Penobscot, Representatives: DUPLESSIE of Westbrook, SNOWE-  
MELLO of Poland.

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

4 **CONCEPT DRAFT**  
6 **SUMMARY**

8 This bill is a concept draft pursuant to Joint Rule 208.

10 This bill proposes to create a pilot program allowing one  
12 medical marijuana distribution center in the State. The center  
14 would be incorporated as a nonprofit entity managed and overseen  
16 by a diverse community group. In particular, this bill would  
18 propose the following.

20 1. A single nonprofit center, referred to herein as the  
22 "center," would be incorporated for the purpose of cultivating  
24 and distributing medical marijuana to individuals qualified under  
26 the Maine Medical Marijuana Act of 1998. The center would also  
28 be authorized to distribute or lend, or both, cultivation  
30 equipment, supplies and seeds to qualified individuals for  
cultivation for personal use.

32 2. The center would be overseen and managed by a community  
34 board made up a wide range of individuals drawn from the  
36 community area of the center's site. Members of the community  
38 board might include members drawn from the following groups: law  
40 enforcement, current and former patients, patient advocates,  
42 hospice facilities, education professionals, legal community,  
44 business, pharmacists, clergy, medicine and other groups involved  
in the community.

46 3. The framework for the operation of the community board  
48 would be included in the enabling legislation. Among other  
50 things, the framework would provide for term length of board  
members, qualifying members as described above, civil and  
criminal immunity protection for board members and employees  
acting within the scope of the center's mission and the  
authorization to use Maine's nonprofit business statute as a  
basis for organizational structure.

42 4. The center would be able to charge patients for the  
44 product to help cover the cost of the center. The center would  
also be prohibited from securing medical marijuana from outside  
the State.

46 5. A mandatory registry system for patients using the  
48 center would be created to ensure that only qualified individuals  
50 access the center's services. The system would be maintained by  
the center with oversight and input from the sheriff of the  
county within which the center is located. Other law enforcement

2 personnel could confirm the participation of individuals in the  
center's services, if necessary, through that particular  
4 sheriff's office or the center. Among other things, the registry  
system would consist of a photo identification card, and the  
6 center would be authorized by the patient to check with the  
individual's physician that the individual falls within the  
8 provisions of the Maine Medical Marijuana Act of 1998. The  
center would also check with the appropriate state medical board  
10 or with the statewide medical association to determine that the  
physician is duly licensed to practice in the State.

12 6. The center would be required to keep records of  
patients' usage from the center in order to monitor compliance  
14 with statutory limits.

16 7. The center would be required to report to the  
Legislature within 18 months of commencement of operation  
18 concerning the center's operations, an evaluation in meeting  
patients' needs and the unmet needs of patients. The report may  
20 also contain suggestions for additional legislation to meet needs  
of patients. The Legislature could then take additional action,  
22 including the authorization of additional sites with the State.

24 8. A person qualified under the Maine Medical Marijuana Act  
of 1998 who possessed appropriate documentation under the current  
26 law of that person's qualification at the time of a stop or  
encounter with law enforcement would not be subject to seizure of  
28 a lawful amount of marijuana or the equipment necessary to  
maintain, grow or consume medical marijuana.