

# MAINE STATE LEGISLATURE

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Date: 6/8/15

L.D. 752  
(Filing No. H-331)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 505, L.D. 752, Bill, "An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults"

Amend the bill in section 1 in subsection 1 in the 2nd line (page 1, line 5 in L.D.) by inserting after the following: "including" the following: 'but not limited to'

Amend the bill in section 1 in subsection 1 in paragraph B in the last line (page 1, line 16 in L.D.) by inserting after the following: "cultivation" the following: 'A qualifying patient who is an incapacitated adult may not cultivate marijuana for that patient's personal use unless that patient's legal guardian or person to whom the patient has granted power of attorney for health care decisions is designated as the patient's primary caregiver. That primary caregiver may assist the qualifying patient who is an incapacitated adult with cultivation of the patient's own marijuana if the marijuana plants that are dedicated to the patient are segregated from all other marijuana plants. A public guardian or conservator described under Title 18-A, section 5-601 may not cultivate marijuana for a qualifying patient who is an incapacitated adult but may designate a 2nd primary caregiver to assist that patient with cultivation if the marijuana plants that are dedicated to that patient are segregated from all other marijuana plants'

**SUMMARY**

This amendment adds to the bill by further specifying that a qualifying patient who is an incapacitated adult may not cultivate marijuana for that patient's use unless the patient's legal guardian or person to whom the patient has granted power of attorney for health care decisions is designated as the patient's primary caregiver. That primary caregiver may assist the qualifying patient with cultivation of the patient's own marijuana if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants. Additionally, this amendment prohibits a public guardian or conservator described under the Maine Revised Statutes, Title 18-A, section 5-601 from cultivating marijuana for a qualifying patient who is an incapacitated adult, but that guardian or conservator may designate a 2nd primary caregiver to assist that patient with

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 505, L.D. 752

1 cultivation if the marijuana plants that are dedicated to the patient are segregated from  
2 any other marijuana plants.