

MAINE STATE LEGISLATURE

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Date: 6/17/13

Majority

L.D. 1423

(Filing No. H-537)

HEALTH AND HUMAN SERVICES

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

COMMITTEE AMENDMENT "A" 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.

FISCAL NOTE REQUIRED
(See attached)



Approved: 06/17/13 *MAC*

126th MAINE LEGISLATURE

LD 1423

LR 1869(02)

An Act To Amend the Medical Marijuana Law Regarding Excess Harvested Marijuana

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Health and Human Services

Fiscal Note Required: Yes

A (H-537)

Fiscal Note

Potential current biennium cost decrease - General Fund

Correctional and Judicial Impact Statements

Eliminates Class B, C and D crimes; decreases correctional and judicial costs.

A reduction in fines will decrease General Fund revenue by minor amounts.