

Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT “ ” to H.P. 1168, L.D. 1597, Bill, “An Act To Clarify Provisions of the Maine Medical Use of Marijuana Act”

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

**Sec. 1. 22 MRSA §2423-A, sub-§3, ¶B**, as amended by PL 2013, c. 424, Pt. G, §1 and affected by §2, is further amended to read:

B. A primary caregiver who has been designated by a patient to cultivate marijuana for the patient's medical use must keep all plants in an enclosed, locked facility unless the plants are being transported because the primary caregiver is moving or taking the plants to the primary caregiver's own property in order to cultivate them. The primary caregiver shall use a numerical identification system to enable the primary caregiver to identify marijuana plants cultivated for a patient. Access to the cultivation facility is limited to the primary caregiver, except that an elected official invited by the primary caregiver for the purpose of providing education to the elected official on cultivation by the primary caregiver, emergency services personnel or a person who needs to gain access to the cultivation facility in order to perform repairs or maintenance or to do construction may access the cultivation facility to provide those professional services while under the direct supervision of the primary caregiver.

**Sec. 2. 22 MRSA §2428, sub-§6, ¶I**, as amended by PL 2013, c. 374, §2, is further amended to read:

I. All cultivation of marijuana must take place in an enclosed, locked facility unless the marijuana plants are being transported between the dispensary and a location at which the dispensary cultivates the marijuana plants, as disclosed to the department in subsection 2, paragraph A, subparagraph (3). The dispensary shall use a numerical identification system to enable the dispensary to track marijuana plants from cultivation to sale and to track prepared marijuana obtained pursuant to section 2423-A, subsection 2, paragraph H from acquisition to sale. Access to the cultivation facility is limited to a cardholder who is a principal officer, board member or

**COMMITTEE AMENDMENT**

1 employee of the dispensary when acting in that cardholder's official capacity, except  
2 that an elected official invited by a principal officer, board member or employee for  
3 the purpose of providing education to the elected official on cultivation by the  
4 dispensary, emergency services personnel or a person who needs to gain access to the  
5 cultivation facility in order to perform repairs or maintenance or to do construction  
6 may access the cultivation facility to provide professional services while under the  
7 direct supervision of a cardholder who is a principal officer, board member or  
8 employee of the dispensary.'

9

### SUMMARY

10 This amendment retains the emergency language in the bill and replaces the  
11 remainder of the bill. It allows an invited elected official access to a facility in which  
12 marijuana is cultivated for medical use by a primary caregiver or a dispensary if access is  
13 given for the purpose of providing education to the elected official on cultivation.