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EDUCATION AND CULTURAL AFFAIRS

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

COMMITTEE AMENDMENT “ ” to H.P. 381, L.D. 557, Bill, “An Act To Provide Reasonable Accommodations for School Attendance for Children with Disabilities for Whom Medical Marijuana Has Been Recommended”

Amend the bill by striking out the title and substituting the following:

'An Act To Provide Reasonable Accommodations for School Attendance for Children Certified for the Medical Use of Marijuana'

Amend the bill by striking out all of section 1.

Amend the bill by adding after section 2 the following:

'Sec. 3. 22 MRSA §2426, sub-§1, ¶B, as enacted by IB 2009, c. 1, §5, is amended to read:

B. ~~Possess~~ Except as provided in subsection 1-A, possess marijuana or otherwise engage in the medical use of marijuana:

(1) In a school bus;

(2) On the grounds of any preschool or primary or secondary school; or

(3) In any correctional facility;

Sec. 4. 22 MRSA §2426, sub-§1-A is enacted to read:

1-A. School exceptions. Notwithstanding subsection 1, paragraph B, a primary caregiver designated pursuant to section 2423-A, subsection 1, paragraph E may possess and administer marijuana in a nonsmokeable form in a school bus and on the grounds of the preschool or primary or secondary school in which a minor qualifying patient is enrolled only if:

A. A medical provider has provided the minor qualifying patient with a current written certification for the medical use of marijuana under this chapter; and

6 This amendment removes the provision in the bill that prohibits a school board from
7 prohibiting possession of medical marijuana and instead provides that a parent, guardian
8 or other person designated as a primary caregiver for a minor child certified for the
9 medical use of marijuana may possess and administer marijuana in a nonsmokeable form
10 to that child in a school bus or on the grounds of a preschool or primary or secondary
11 school.