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Testimony of the Maine Center for Disease Control and Prevention
Maine Department of Health and Human Services

Before the Joint Standing Committee on Veterans and Legal Affairs

In opposition to LD 1952, *An Act to Allow On-site Cannabis Consumption*

Sponsor: Representative Boyer
Hearing Date: January 24, 2024

Senator Hickman, Representative Supica, and members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Megan Scott, and I serve as the Substance Use Prevention Program Manager for the Maine Center for Disease Control (Maine CDC) Division of Disease Prevention in the Department of Health and Human Services. I am here today to testify in opposition of LD 1952, *An Act to Allow On-site Cannabis Consumption*.

LD 1952 seeks to establish ‘cannabis hospitality establishments’ and provides provisions for these facilities to be licensed for the on-site consumption of adult use cannabis and adult use cannabis products under the Cannabis Legalization Act. Among other requirements, this bill requires tracking of cannabis products and requires the Department of Administrative and Financial Services (DAFS) to adopt rules regarding the licensing and operation of cannabis hospitality establishments. These rules must include requirements governing cannabis hospitality establishment operations that ensure odor control and workplace safety, including ventilation requirements to limit employee exposure to cannabis smoke.

Since the launch of Maine’s Adult Use Cannabis Market in 2020, the market has expanded rapidly. While the perceived economic advancements are largely in focus, the expansion is occurring despite ongoing recommendations for comprehensive evaluation of policies to better understand the full public health impacts on communities and populations at higher risk of adverse outcomes related to cannabis use and misuse. Additionally, while the market expands, the State has yet to dedicate sustained funding into its public health arm or community partners working to address concerns such as underage consumption, impaired driving, safe storage, and health interventions. This proposal to establish a license for cannabis hospitality establishments would pose numerous risks to public health and safety. Visible and multiple cannabis retail outlets in a community change social norms and normalize use. Research suggests that exposure to cannabis retail outlets within one’s physical environment may be associated with increased use and potentially dependence¹. Increased licenses would add to the current saturation of

¹ Berg CJ, Henriksen L, Cavazos-Rehg PA, Haardoerfer R, Freisthler B. The emerging marijuana retail environment: Key lessons learned from tobacco and alcohol retail research. *Addict Behav.* 2018 Jun;81:26-31. doi: 10.1016/j.addbeh.2018.01.040. Epub 2018 Feb 1. PMID: 29421347; PMCID: PMC5845833.

cannabis access in areas throughout the state - the extent to which is currently not fully known or understood due to the inability to map access to caregiver retail establishments due to statute.

The language as proposed would allow for the sale of cannabis, cannabis products, and plants and seedlings. The effects of these products differ from one another, with some having more rapid impacts, while others, such as edibles, can take between 30 minutes and two hours to take effect. The impact of these products also differ based on individual tolerance and other factors such as frequency of use, sex, and biology². There are many short-term effects of cannabis products containing THC, including but not limited to, challenged critical thinking, impaired memory, judgement, balance, and coordination³. Recommendations formed from Colorado's work to extensively review literature include not driving for at least six hours after smoking *up to* 35mg of THC and at least eight hours after eating or drinking cannabis products containing 18 mg or less of THC⁴. This suggests that to drive after a visit to a cannabis hospitality establishment, a consumer would have to stay on premises for several hours after the conclusion of use to safely transport themselves. Results from Maine's 2023 Young Adult Survey indicates that of 18 to 30 year-olds surveyed (n=2611), 11% reported having driven after using cannabis in the past year, and 40% reported being passengers of a driver under the influence of cannabis in the past year.

In the alcohol space, dram shop liability is a tool to help prevent and reduce harms related to alcohol consumption. Dram shop liability means that if a customer buys a drink, leaves the location and causes harm to person or property, the owner of the location where the alcohol was served is legally responsible⁵. A similar system of commercial liability for the cannabis space would be important in the consideration of allowing on-premises consumption.

This bill does include requirements for employee training on recognition of impairment of cannabis use- however, the bill language should be expanded to recognition of impairment from substance use in general to further prevent sales of cannabis to a person who enters the establishment visibly intoxicated. Such a training is in the process of being developed through a collaborative effort led by the New England Prevention Technology Transfer Center involving Maine CDC, the Office of Cannabis Policy, and prevention partners with the intention of having prepared trainers be able to deliver this education. This training also includes other relevant information including detecting fraudulent ID, sales refusal skills, health information, and laws and regulations, and reflects the Responsible Beverage Server/Seller training provided to alcohol licensees.

² Centers for Disease Control and Prevention. (2021, September 9). *What We Know About Marijuana*. Centers for Disease Control and Prevention. Retrieved February 22, 2023, from <https://www.cdc.gov/marijuana/what-we-know.html>

³ NIDA. 2019, December 24. Cannabis (Marijuana) DrugFacts. Retrieved from <https://nida.nih.gov/publications/drugfacts/cannabis-marijuana> on 2023, February 22

⁴ Colorado Department of Public Health and Environment. (n.d.). *Cannabis Public Health Statements- Driving .Monitoring Health Concerns Related to Marijuana*. Retrieved February 22, 2023, from <https://marijuanahealthreport.colorado.gov/literature-review/public-health-statements>

⁵ Guide to Community Preventive Services. Alcohol Excessive Consumption: Dram Shop Liability. <https://www.thecommunityguide.org/findings/alcohol-excessive-consumption-dram-shop-liability.html>

In conclusion, Maine CDC strongly urges the committee to vote ought not to pass, as there are several concerns to public health and safety. There is an ongoing need for evaluation of the impacts of newly implemented policies before further expansion, as well as further support for enforcement and education to enhance public health and safety efforts.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.