

**Jay McCreight
Harpowell
March 4, 2024**

**Testimony: Veterans and Legal Affairs Committee
In Opposition to LD 40 Amendment**

Currently titled: "An Act To Protect Liberty and Advance Justice in the Implementation, Administration and Enforcement of the Cannabis Legalization Act and To Implement Certain Recommendations of the Subcommittee on Non-substantive Changes to the Maine Medical Use of Cannabis Act"

Formerly a Concept Draft titled, "An Act to Amend Cannabis Laws"

Senator Hickman, Representative Supica, esteemed members of the Veterans and Legal Affairs Committee (VLA), I am Jay McCreight of Harpswell submitting testimony in opposition to the proposed amendment of LD 40. I formerly served eight years in the Maine House of Representatives with four of those on VLA. I also served on Health and Human Services, Taxation and Judiciary Committees and chaired the Legislative Opioid Task Force and Marine Resources Committee.

I won't be the first, I'm sure, to comment on the problematic nature of many aspects of this proposed amendment. These include, but are not limited to, the length and complexity of the amendment including its title, the lack of public availability of the proposed amendment until six days before the public hearing, the misleading title of the bill purporting to be specific to medical cannabis and to "Protect Liberty and Advance Justice," the assertion that the content of the bill is "Non-substantive Changes" and the lack of a Summary section. This proposal goes way beyond medical cannabis and, among other substantive changes, seeks to remove many of the health and safety protections currently in place in Maine law.

Though this proposed amendment presents many problems, I will limit myself to a few that are specifically related to the critical areas of public health and safety. Throughout my career as a clinical counselor/social worker, my time in the Maine Legislature, and my work since terming out where I serve on multiple committees and boards, I have always focused on promoting and protecting the health and safety of our youth. On the VLA Committee, I consistently advocated for protecting youth in cannabis bills we passed out of committee in an Ought To Pass posture. From this perspective and in regard to ensuring the important societal norm that we will promote the health and safety of the public, I share several of the concerns I have with this proposal.

The proposed amendment threatens the health of Mainers in significant ways. The amendment seeks to allow minors, that is, those who have not reached 21 years of age, to work in cannabis facilities. The substitution for "one who has not yet reached 21 years of age" with "minor" is in itself troubling. Maine's cannabis laws restrict use and exposure, other than medically prescribed products, to those who have reached majority, that is, those who are 21 or older. The proposed amendment would also remove training requirements for those delivering products; repeal labeling requirements specifically intended to protect health and safety; allow facilities to sell non-cannabis foods; deliver to hotels without the hotels' permission; allow youth (minors) to enter facilities currently restricted to those 21 years and older and would overturn the current policy of disallowing posters, advertisements, and marketing toward youth and where youth are present.

Keeping in mind that the words “Protect Liberty and Advance Justice” are included in the title, the proposed amendment nevertheless adds an entirely new chapter that would place significant penalties on minors, effectively shifting the responsibility away from cannabis businesses. Of course Maine has a tradition of entrepreneurship and thriving small businesses as well as a tradition of support for their success. However, this does not negate the responsibility of those businesses to follow good business practices, practices that protect their customers. Shifting the burden onto youth, counter to the lofty words included in the title, removes this as a responsibility of the businesses.

Thank you for your attention to these significant problems with this proposed amendment. I urge you to vote Ought Not To Pass on LD 40.

Jay McCreight
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