

Good Morning Members of the Veterans and Legal Affairs Committee,

My name is Jason P. Kuvaja. I'm a proud Father and Husband, and I have three decades of experience working with the cannabis plant, and am from a generational Maine farming family. I am also a medicinal cannabis consumer. My testimony today is the testimony of one of one served by the Maine medicinal cannabis system.

There are many things in this bill I like, and the premise of the document to "Protect Liberty and Advance Justice" is commendable. I will however suggest some changes to parts of this bill that I believe to not be in line with this notion.

Pg.2 under definitions;

4. Cannabis paraphernalia

"A. Kits used for planting, propagating, cultivating or harvesting a cannabis plant"

I don't know why, or think that gardening equipment should be considered in these definitions.

Pg.8 under Sec. A-8. 22, 14. Confidentiality, D (4)

"If a registered caregiver resides at the same address where the registered caregiver cultivates, manufactures, tests, packages, stores or sells cannabis plants or harvested cannabis

under this chapter, the department may disclose that address to a state, county or municipal

employee responsible for the administration of this chapter or of rules, ordinances or warrant

articles authorized under this chapter to law enforcement officers and code enforcement officers. Any information received by a state, county or municipal employee under this subparagraph is confidential and may not be further disclosed or disseminated, except as

otherwise provided by law."

This provision endangers confidentiality as many registered caregivers are patients themselves. There is also a certain implied non-compliance tone to this line. Are other businesses reported in this manner? I think this line should be removed.

Pg.9, line F.1-2)

This line allows far too much discretion of the department to pick and choose what major violations are to be made public. Such an impactful decision should be clear cut and not subject to the whims of the department.

Pg.11 Under Definitions, line B 4) “Deliveries to drug free safe zones designated by a municipality” is listed as a major violation. I believe the first instance/offense is certainly a minor violation. This safety zone stuff is a holdover from the drug war mostly. It was intended to keep drug dealers away from kids in schools. It was not intended to keep a medical patient from legally obtaining medicine from a legal grower. Remove this and let municipalities enforce their own local ordinances.

Again, safety zones were intended to keep KIDS from ILLEGALLY buying DRUGS. That is a major violation, selling to a kid with no card. not selling to a card carrying adult 10 ft to close to a walking trail some town said is a park.

I would also add that the municipal maps and zone ordinances vary from town to town, and can be very complex and hard to navigate for caregivers and patients looking for a place to interact. They are not just “school zones” as some might believe. I would ask the Committee to re-consider this line, and also look into simplifying the safe zone issue for caregivers and patients.

I would also like to ask the Committee to make warning and corrective advice the first administrative action for first offenses, not fines. The first impulse of the department in a minor violation first offense situation should be correction, not punishment of fines for the general fund.

Pg13, line 8. Seed is listed in the definition of cannabis. I would point out to the committee that seeds do not contain any cannabinoids of medicinal value. They are food source, and are actually a “super food”. They are healthy, but are not necessarily the cannabis we are discussing here. A cannabis seed can in fact be hemp, or non-resinous male plants. Some seeds are engineered/bred to be the female cannabis flowers we are discussing here, but not all. I add this for the education of the Committee.

Pg.22, line 108.

I do not believe the department needs to or should take on the responsibility of public education. This service is already provided by the health curriculum at every public school in the state. The department could share pertinent non confidential data with educators to aid their work however.

On the subject of criminal history background checks, I am glad to see that previous cannabis convictions have been removed (Pg.25, line 4), I am dismayed to see "Other Convictions, and Tax Compliance" (Pg.26, lines 1,2) removed, and criminal checks also removed. I can see the purpose in inviting fraudsters and tax cheats to come do (cash based accounting) business in our state.To be blunt, you're asking for trouble with this.

Pg. 58- Fines.

Firstly, I will reiterate that the first minor offense should be warnings and correction, not fines. Secondly, fines should be weighted, or applied on some sort of a sliding percentage scale if they are to be of any use. A fine of \$7k to a small farmer or business could be the end, but for a large MSO, or wealthy operator, such a fee is negligible.

Pg.61- Prohibited acts by minors.

No. Stop pushing young people into the criminal justice system over cannabis. What about warnings or perhaps community service? Taking driver's licenses and not for impaired driving? This is egregious. Stop damaging young people's lives over cannabis.They have enough challenges.Leave kids alone.

Pg.65 part C

I am not in favor of setting up cannabis hospitality establishments prior to asserting the consumption rights of cannabis patients and consumers. People should be allowed to legally consume cannabis anywhere where you can legally smoke tobacco. Patients or recreational users should not be forced into designated consumption parlors and clubs that just so happen to be adjacent to a dispensary. Nor should a dispensary worker be expected to work in conditions exempted from clean air standards. .I'm sure plenty either wouldn't want to work in a smoke filled room, or can't. I know it's not tobacco, but free radicals are in all smoke. Ventilation systems or open air venues.

This a hypothetical, but not unreasonable, example of a negative impact of this ruling; “Let's say you're a dean's list college kid with a med card. You can't consume in your dorm,not on campus, not in public, and you heard the cops have been messing with college students over cannabis. You either go to that one social club down in Gorham or you take a risk. Getting booted from school is unacceptable ofcourse, so you go to that club,,and oh well, since you're there might as well use that dispensary, and skip the other local farmer options.”

This is market capture.

People and patient consumption rights first, businesses second please.

I would also like to add that I am very uncomfortable with the idea of dropping the prohibition on “collectives”.Collectives can in effect become near monopolies. Think of how guilds worked historically. A trade guild could exert total dominance over their market, and who could participate. The idea of collectives/guilds is anti-democratic, noncompetitive, and anti consumer protection. They can enable anti consumer price fixing, and can become guilds, which seems like market capture to me. Please be careful here.A "Cannabis Guild" scenario is very dangerous to an open, equal, and free market that does not discriminate. ( I've already seen job applications in the Maine cannabis industry with questions on religious and vaccine views.) Please tread with care on this subject. I am not in favor of allowing collectives as written. More safeguards are needed.

Thank you very much for reviewing my testimony,  
I am happy to discuss any of these topics further.  
Best regards,  
Jason P. Kuvaja