



# MAINE CHIEFS OF POLICE ASSOCIATION

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## Statement in Opposition of

### L.D. 40, “An Act to Amend Cannabis Laws”

March 7, 2024

Senator Craig Hickman, Senator Stacy Brenner, and honorable members of the Committee on Veterans and Legal Affairs. My name is Jason Moen. I am the Chief of the Auburn Police Department, and the Acting President of the Maine Chiefs of Police Association. I am submitting testimony on behalf of the Maine Chiefs of Police Association in opposition of LD 40.

The Mission of the Maine Chiefs of Police Association is to secure a closer official and personal relationship among Maine Police Officials; to secure a unity of action in law enforcement matters; to enhance the standards of police personnel, police training and police professionalism generally; to devise ways and means for equality of law enforcement throughout the state of Maine; to advance the prevention and detection of crime; to prescribe to the Law Enforcement Code of Ethics; and to promote the profession of law enforcement as an integral and dedicated force in today's society sworn to the protection of life and property.

LD 40, “An Act to Amend Cannabis Laws,” hampers the ability of law enforcement to ensure public safety. This is demonstrated by numerous provisions in this 66-page bill. To begin, the law will restrict access to law enforcement from entering multiple cannabis related businesses, to include retail establishments that are already open to the public. Sufficient constitutional constraints already in place prevent law enforcement from improperly entering private property and engaging in unlawful search and seizure practices.

LD 40 will shift important training funds that are derived from cannabis sales away from law enforcement. Currently these funds are used to promote classes such as “Green Lab” that train officers how to detect marijuana impairment in drivers. This is an important tool in the enforcement of OUI laws that we believe will ultimately make the roads safer.

LD 40 virtually eliminates penalties to cannabis business for selling to individuals who are underage. This effectively incentivizes the industry to involve minors in the sale and use of cannabis. This is especially concerning as minors are particularly at risk for cognitive damage when they ingest cannabis. This bill weakens other provisions provisions designed solely to protect minors.

At a time when Maine law enforcement is struggling to deal with illicit marijuana grows run by foreign trans-national criminals, provisions in LD 40 make this job significantly more difficult. In particular, it will eliminate the ability of OCP to share information with law enforcement. The first step in investigating a reported illicit grow is to find out if it is legal. LD 40 will force law enforcement officers to obtain a search warrant to obtain this information. This is unreasonable and not in the interest of the public. A number of sources, including the US Border Patrol, have identified hundreds of such illicit grows throughout the Maine. These illicit grows are funneling untested cannabis into the black market, creating environmental damage, and effectively damaging homes.

For these reasons, we urge you to vote Ought Not to Pass for this bill.

The bill itself is 66 pages long, contains confusing language, and was introduced only last week for review.