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LD 104

I'd like to submit additional testimony after listening to several individuals who spoke in support of LD 104 and LD 1847. It was noted that some adult use operators are managing to shoulder the financial burden imposed by METRC. I'd like to clarify that these are most likely large, investor-backed or multi-state operators—not small, independent businesses.

As I outlined in previous testimony, numerous other states have demonstrated that the METRC track-and-trace system has failed to effectively prevent diversion and illicit sales. METRC-tagged products routinely surface in markets where they do not belong, despite the system's intended safeguards. This reflects a broader national concern: METRC has become a costly, ineffective model that burdens operators without meaningfully improving public safety.

The daily reporting requirements—demanding detailed plant and inventory counts—would overwhelm small, owner-operated businesses that lack the staff to share the workload, let alone the resources to maintain dedicated compliance departments. This creates a structural advantage for large operators, who can offload compliance tasks and redirect their time toward other operational priorities. In contrast, small businesses will be consumed by these requirements, simply trying to stay compliant.

There has also been recurring mention of potency caps. I want to emphasize the impact these could have on long-term patients, especially those living with chronic illnesses like MS. Over time, patients build a tolerance, and the dosages that once provided relief may no longer be effective. Potency caps would force these individuals to consume larger quantities or make multiple purchases to achieve the same therapeutic effect—creating unnecessary cost and logistical burdens. A patient should be able to purchase the same amount at a higher potency, rather than needing to multiply their dose.

Maine's cannabis market is not—and should not be—one-size-fits-all. Potency caps and policies that disincentivize diverse cultivation methods (like outdoor-grown, living soil, or organic practices) risk homogenizing the market toward synthetic, indoor-grown products. That's a disservice to patients and consumers who seek variety and quality.

A simple solution would be clear labeling—signage that indicates whether a product is tested, untested, or remediated. This would empower consumers to make informed choices based on their needs and preferences, whether prioritizing tested products or seeking access to a broader variety of naturally cultivated cannabis.