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May 8, 2025

Re: LD 1669, An Act to Establish the Cannabis Advisory Council

Senator Hickman, Representative Supica, Members of the Joint Standing Committee on Veterans and Legal Affairs:

The Office of Cannabis Policy (OCP) respectfully submits the following comments neither for nor against LD 1669 to provide the committee insight into the history of the previous iteration of this council, the Cannabis (formerly “Marijuana”) Advisory Commission, and to share with the committee the formal and informal stakeholder engagement done by our Office to assist in your assessment of the necessity of this proposal.¹

This bill would re-establish, with minimal input from the Executive branch, a “cannabis advisory council” with broad oversight of the programs administered by OCP. However, in accordance with a proposal brought last session by this bill’s sponsor, the 131st Legislature eliminated the existing Cannabis Advisory Commission that had only met twice since it was created in 2018. The difference between that commission and this council is the rollback of the involvement of the Executive branch, specifically the commissioners of our department, the Department of Agriculture, Conservation and Forestry (DACF), the Department of Health and Human Services (DHHS), the Department of Economic and Community Development (DECD), and the Department of Public Safety (DPS).

This bill also assigns an oversight role to the council that appears to overlap with the duties of the cannabis business advocate created last year pursuant to PL 2023, ch. 683. The charge of that cannabis business advocate is:

1. Assisting licensees under the Cannabis Legalization Act and registrants under the Maine Medical Use of Cannabis Act, referred to in this section collectively as "participants," in navigating the regulatory process and resolving problems with the office;
2. Identifying areas in which participants have problems in dealings with the office;
3. Receiving complaints from participants, mediating conflicts between participants and the office and, when appropriate, making recommendations to the director of the office with respect to these complaints. Within 3 months of receiving recommendations, the director of the office shall provide a formal response to the cannabis business advocate on all recommendations submitted;

¹ Reports of the now dissolved Cannabis/Marijuana Advisory Commission can be found at <https://legislature.maine.gov/marijuana-advisory-commission> (accessed April 30, 2025).

4. Proposing changes in the administrative practices of the office to mitigate problems identified under subsections 1, 2 and 3; and
5. Maintaining a record of the volume, nature and resolution status of complaints received from participants and providing the director of the office with this information by November 1st of each year.

In addition to the cannabis business advocate, PL 2023, ch. 683 provides for the creation of a social equity program at DECD to increase workforce development programs and provide support to individuals who are members of impacted communities and businesses that are owned by members of impacted communities.² In establishing that program at DECD, the law also established a Social Equity Program Advisory Committee and created at the Department of Labor an apprenticeship navigator position for members of impacted communities. That law further requires the Executive branch to report back to the Legislature by December 15, 2026, details on those activities within the various departments and the impact of those efforts. The report back required by our department must also include a report on the volume, nature, and resolution of complaints received by the cannabis business advocate.

It is likely that the information provided in those reports would be helpful in informing this committee's assessment of what kind of oversight might be necessary or appropriate for Maine's cannabis programs. To implement a new council without the benefit of additional information seems premature in light of the 131st Legislature's determination that the previous Cannabis Advisory Commission was not necessary. Furthermore, as we shared with the committee during our introduction, we provide stakeholders with a number of different avenues to engage with the Office. For the past three summers, OCP has hosted in-person community and municipal events 12 of the state's 16 counties and intends to visit the remaining four counties later this year as part of our efforts to meet interested stakeholders where they are. Additionally, we make ourselves available to meet both individually and in groups with stakeholders; we provide trainings and panel discussions (always with opportunities for questions from attendees); we attend municipal meetings and stakeholder group meetings as invited; we periodically solicit feedback from stakeholders through surveys; and we host a complaint portal on our website.³

As always, we thank the committee for its consideration of our comments and we are happy to take any questions you may have at the work session.

² PL 2023, ch. 683 defined "impacted community" as "A racial, ethnic or tribal population that has experienced incarceration at rates disproportionate to the racial, ethnic or tribal population's rate of criminality starting in or about the year 1971 and as a result the racial, ethnic or tribal population has experienced direct or indirect discrimination in access to housing, employment and education."

³ Information about OCP's recent stakeholder engagement efforts can be found at: <https://www.maine.gov/dafs/ocp/stakeholders> and the complaint submission form is available at: <https://www.maine.gov/dafs/ocp/file-a-complaint> (accessed April 30, 2025).