

Good Day Ladies and Gentlemen of the Veterans and Legal Affairs Committee.

My name is Amy McFarland. I am a patient, medical cannabis farmer and the Co-Director of Liberate Maine Cannabis. (A grassroots political action committee.)

Today I am testifying in opposition to LD 2185.

Maine Law defines a fence as 4 feet high and in good repair, built from rails, timber, stone walls, iron or wire. Natural barriers such as rivers, ponds, creeks, ditches and ledges are sufficient.

Under the current medical program rules, an enclosed 6 foot privacy fence with locks sufficient to discourage theft and unauthorized entrance is required.

Now, if we go over to the statute for "Home Cultivation of Cannabis for Personal Use" (21+), we will see it states "Ensure that the cannabis is not visible from a public way without the use of aircraft or binoculars or other optical aids. Take reasonable precautions to prevent unauthorized access by a person under 21 years of age". It also requires legible tags that include the person's name, driver's license number or identification number, a notation that the cannabis plant is being grown for personal adult use as authorized under this section and, if the cultivation is on a parcel or tract of land owned by another person, the name of that owner.

Within the rules proposed by the Office of Cannabis Policy (OCP), it would require both patients and caregivers who cultivate outdoors to have a fence that is "permanently installed, tamper resistant, commercial or security grade fence in good repair that is at least six feet high that obscures the view of the cannabis, deters theft of cannabis, and prevents access to the cultivation area by unauthorized persons".

How is this fair?

How do you expect a patient, or a caregiver, to pay for such an exorbitant cost?

There are less regulations for "Home Cultivation" than there are for patients and caregivers.

The medical rules need to be corrected to reflect the "Home Cultivation Statute".

Next, under "Compliance and Enforcement" it states, " Any activities not explicitly authorized by the Act and the rules governing the medical cannabis program are prohibited".

This statement would exclude farmers' markets and festivals, both of which the patients and caregivers have been engaging in for as long as the medical program has existed. Excluding them would have a negative impact on the access to cannabis for patients, and also financially harm many caregivers who vend at these locations.

Cannabis farmers' markets are no different than any other type, they allow farmers to engage in direct to consumer sales without having to operate a costly store.

I want to point out under the section (b) Major violations affecting public safety,
(iii) Engaging in a deliberate pattern of 2 or more instances of marketing or advertising cannabis or cannabis products, by or on behalf of a registrant, to individuals under 21 years of age or individuals who are not qualifying patients.

How can this be a major violation?

I can drive anywhere in the state with my underage children and see big trucks on the road advertising beer. Please explain to me how this makes any sense.

Lastly, listed under Registration Violation

(2) Major registration violation

(viii) Conducting any authorized activity at a location not provided to, and approved by, the Department;

There may be an issue with this language, it could exclude deliveries.

With that said, I ask you all to vote "Ought Not to Pass".