

Good afternoon Chairman Hickman, Chairwoman Supica and honorable members of the Veterans and Legal Affairs Committee, my name is Paul T. McCarrier. I have been a registered caregiver for over thirteen years, am a member of the Maine Cannabis Union and have been witness to the drastic changes this industry has seen, along with different regulatory agencies and their leaders.

There is the perception that OCP will retaliate through inspections and administrative actions - which will take up precious time and increasingly scarce money. Some caregivers did not want to provide testimony or show up today out of their concern they would be targeted for being critical of OCP.

While many factors have lead to the drastic decrease in the number of Caregiver registrations, one is the perception the rules are not enforced evenly between large and small businesses. The perception is that smaller businesses, with less time and resources to challenge any OCP finding, are being found in violation or in need of "technical guidance," to meet quotas set by OCP leadership. Similar to quotas in other fields, these statistics will be used to push an agenda. When you're told you're only tool is a hammer, everything starts looking like a nail.

So far, many field investigators have been professional, and sometimes helpful to program registrants. They are an enforcement arm, not social workers so they can seem a little gruff. An inspection can feel very intimidating when it's you're livelihood being reviewed. They are not here to punish right off the bat - instead to instruct the registrant what they are doing wrong and if the registrant does not correct the potential violation, they can escalate it to enforcement and or sanction.

As citizen legislators, who often have jobs outside of you're elected duties, I know you understand what its like to work 7 days a week. When it comes to hearings like this, reviewing potential legislation and rules and working with OCP to ensure compliance, we don't get paid. This can cause a lot of stress and force us to triage important work duties. At the end of the day, the staff will get paid for the time they work and we will not get paid for the time we spent following their instructions, changing procedures, packaging etc. Please keep this in mind as you review these rules.

Below is my brief review of the rules, the section and my comments. Thank you for taking the time to review them and I can answer any questions.

3,1(B)- is this really necessary

3,2- can this be clarified clearly so there is little interpretation as possible. Specifics work best for us in the regulated industry. For example, what does "ensure safety" mean?

3,2(A)- this is extremely cost prohibitive, commercial or security grade fencing. Any fencing, if not viewable from a public space or roadway, should be sufficient. There is no definition of commercial or security fencing. This should not include patients, at a minimum no commercia or security grade fencing.

3,2(A-1) does local ordinance Trump this potential rule? Ordinances can prohibit commerical or security fencing. Is there grand fathering for this section?

3,2(B)- what is a commercial grade lock? No definition.

4,C- clarify "any samples taken" does that include the full 7-7, 7-8(A-E), 9, 10? Which sections does thus apply to? If any, it should be clearly listed under 4,C

6,1- define "required documents for compliance purposes."

6,1(C)- who are authorized sources?

6,6(A-1) caregivers should be allowed to assist each other for no remuneration. This is freedom of association and the realities of agricultural businesses.

8,2(G)- does this include ethanol or solventless extractions?

9,3(E)- this should not prevent an application from being deemed complete, just A-D

9,8- can an application be submitted 90 or more days before it is due?

10,B(1)- this should make clear it does not include the caregivers personal medical and adult use plants.

10,C(3)- Should not be required. (A) can be challenging (B) too subjective, does not disturb neighbors? C and D

10,2(E-5), any sample taken for testing should clearly define criteria. what tests are being done, what are acceptable ranges, etc.

10,3(2-A), put definitions of violations before this section

10,3(2-D), is the caregiver card active during an appeal? Needs clarification.

10,3(4) emergency suspension and revocation needs to clearly define what the health and safety concerns lead to this action.

10,3(B,B iii) marketing violations seems extreme and subjective  
(Viii) extreme ans should not be major if this is a greenhouse or outdoor cultivation area.

10, 2(B, ii) log and trip ticket mistakes spoils not be major violations.

10, C(1, a-c) fines are too high and prohibitively costly. The \$200-\$1,500 range is reasonable.

10,D- should not be able to seize products without a court order. If it is a public safety risk, court will issue order and expedite the process.