

Testimony Opposing LD 104: An Act to Protect the Health of Maine Cannabis Patients and Streamline the Mandatory Testing of Cannabis

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 fourteen years, and have been witness to the drastic changes this industry has seen, along with different regulatory agencies and their leaders. I stand before you with a heart full of urgency and a plea that echoes the desperation of countless Mainers: **vote NO on LD 104**. This bill, cloaked as a shield for our medical cannabis patients, is a heartless betrayal driven by the Office of Cannabis Policy (OCP) to hand our beloved program to cold, out-of-state corporate giants. It rips hope from the hands of patients across Maine, shatters the dreams of our small businesses, and cruelly pushes vulnerable people toward subsidized, potentially addictive pharmaceuticals. We cannot let this travesty tear apart lives.

Maine's medical cannabis program is a lifeline, a beacon of compassion for every corner of our state. Patients have poured out their souls, sharing stories of how cannabis lifted them from pain, restored their dignity, or gave their dying loved ones moments of peace to cherish with family. This program isn't just medicine—it's a promise of hope, built on the trust that patients can choose what heals them, free from corporate greed. LD 104 would shatter that promise, chaining our medical program to the soulless, overregulated Adult Use system. **Our small, craft cultivators—the beating heart of Maine's communities—cannot bear the weight of this bill's mandatory testing and tracking systems like METRC**, forced on nearly 10,000 licensees in Oklahoma. The OCP already attempts to strangle small-batch production through (mis) guidance documents and ignoring the legislative intent from bills such as LD 40s rapid annual renewal provision. **This small-batch production ensures the quality and care patients deserve**. LD 104 would deliver a deathblow, bankrupting many of these growers and leaving patients to face a world without their lifeline.

Who's behind this cruelty? The OCP, bowing to the demands of large, out-of-state cannabis corporations. These profit-obsessed giants thrive on heavy regulations like mandatory testing and METRC because their deep pockets can swallow the costs. They crave these rules to crush our family-run operations, stealing Maine's market for themselves. The OCP's callous favoritism toward these outsiders betrays our patients and communities, trampling the local growers who poured their hearts into this program. **This isn't regulation—it's a corporate hijacking of hope.**

Mandatory testing, the core of LD 104, is a gut-punch to patients. It skyrockets costs, slamming the door on affordable cannabis for those who need it most. **Patients know products aren't always tested—the media has shouted this for years—yet they flood medical cannabis stores with because cannabis works**. This is a product over 110,000 Maine patients trust. If testing was so crucial, our medical program would not have over 10% of Maine adults as patients. Instead, they're alive with gratitude. Forcing testing won't make cannabis safer; it will price out patients, breaking their spirits as they're forced to turn to subsidized pharmaceuticals like opioids or anti-anxiety drugs. These drugs, often covered by insurance, lure patients with lower costs but ensnare them with addiction and devastating side effects. LD 104 doesn't protect patients—it abandons them, herding them toward corporate drug empires while stripping away the medicine that gives them life.

Other states bear witness to this failure. Oklahoma, California, and Oregon use METRC and mandatory testing, yet their products flood Maine's illicit market, gutting our tax-paying businesses. In Michigan, Brian Hanna, director of the Cannabis Regulatory Agency, warned lawmakers that illicit products and oversaturation are crushing small growers, some losing their life savings—their dreams reduced to ashes. **Cannabis businesses, barred from federal bankruptcy protection due to federal prohibition, are defenseless against LD 104's brutal costs.** I know half a dozen caregivers who started in 2011 who have been forced to close in the past year. Maine's small growers face the same heartbreak, their livelihoods and patients' hopes hanging in the balance.

Our growers already test for what matters. We test the flower for pesticides and heavy metals to ensure that our Integrated Pest Management is effective and water is clean. We test our concentrates for potency and residual solvents to make sure it's accurate and safe for consumption. We test our edibles for homogeneity and potency to ensure that patients can get a consistent and accurate dose of cannabis when they consume our edibles. In the past year we have done over 100 tests, costing us over ten thousand dollars. We do this not because we are mandated, but because we care.

This keeps products safe without bankrupting small businesses or betraying patients. LD 104, though, would shackle us to daily METRC updates and soul-crushing tasks. At my scale, I can't afford the staff to comply. If I close, my patients—people who've become like family—lose their medicine. They'll face an agonizing choice: turn to addictive pharmaceuticals or suffer in silence. That's not public health—it's a heartbreak, fueled by the OCP's corporate allegiance.

The OCP's push for LD 104 enriches out-of-state corporations while slamming the door on patients' access to affordable cannabis, nudging them toward dangerous drugs that steal their futures.

If transparency matters, why not force OCP to publish all data nightly? What would that fiscal note be? The cost would be unthinkable—yet that's the burden LD 104 heaps on growers fighting to survive. This is a cost LD 104 will burden small businesses with. Who wins? Not the patients clutching their medicine with trembling hands. Not Maine's economy, built on the sweat of small businesses. Only the corporate titans the OCP serves.

Maine's medical cannabis program is a sacred trust, woven from compassion, choice, and results. Don't let the OCP's devotion to out-of-state corporations extinguish it, condemning patients to the clutches of addictive pharmaceuticals. Stand with the patients whose lives hang in the balance. Stand with the small businesses pouring their souls into Maine's future. **With all my heart, I ask you to vote NO on LD 104.**

Thank you and I'm happy to answer any questions.

To calculate the METRC-specific costs for a 1,000-plant cannabis grow, store, and kitchen in Maine, including METRC-compliant testing for 60 flower strains, 50 edibles, and 60 concentrates, along with the previously requested staff time (20 hours/week at \$30/hour), we need to update the testing and package tag costs to reflect the specified product types. Maine's adult-use cannabis regulations require testing for each batch of flower, edibles, and concentrates (for potency, pesticides, heavy metals, microbials, etc.), and METRC tracks these via package tags. Below is the revised cost breakdown.

**** Assumptions ****

- ****Product Types****: 60 flower strains, 50 edibles, 60 concentrates (170 unique products total, replacing the previous 50-product assumption).
- ****Testing****: Each batch of flower, edibles, and concentrates requires testing at \$100–\$200 per batch, with 4 batches per year per product (aligned with 4 harvest cycles).
- ****Package Tags****: Each product requires METRC package tags for inventory tracking, with 100 packages per product per cycle (standard batch size assumption).
- ****Plant Count****: Remains 1,000 plants, sufficient to produce 60 strains (via different genetics or phenotypes) and supply trim/biomass for edibles and concentrates.
- ****METRC Scope****: Includes monthly fees, plant tags, package tags, staff time, and testing costs tied to METRC compliance.

****METRC-Specific Costs****

- ****Setup (One-Time)****:
 - Training (staff time for METRC Learn) and hardware (barcode/RFID readers): \$2,000.
- ****Annual Costs****:
 - ****Monthly Fees****: \$40/month per license (cultivation, retail, manufacturing) = $\$40 \times 3 \times 12 = \$1,440$.
 - ****Plant Tags****: $1,000 \text{ plants} \times \$0.45/\text{tag} \times 4 \text{ cycles/year} = \$1,800$.
 - ****Package Tags****:
 - Total products: 60 strains + 50 edibles + 60 concentrates = 170 products.
 - Tags: $170 \text{ products} \times 100 \text{ packages/product} \times \$0.25/\text{tag} \times 4 \text{ cycles/year} = \$17,000$.
 - ****Staff Time****: $20 \text{ hours/week} \times \$30/\text{hour} \times 52 \text{ weeks} = \$31,200$.
 - ****Lab Testing****:
 - Testing required for each batch of flower, edibles, and concentrates.
 - Total batches: $170 \text{ products (60 strains + 50 edibles + 60 concentrates)} \times 4 \text{ batches/year} = 680 \text{ batches}$.
 - Cost per test: \$100–\$200.
 - Total testing cost: $680 \text{ batches} \times \$100\text{--}\$200 = \$68,000\text{--}\$136,000$.
 - ****Total Annual Costs****: $\$1,440 + \$1,800 + \$17,000 + \$31,200 + \$68,000\text{--}\$136,000 = \$119,440\text{--}\$187,440$.

**Total METRC Costs**

- ****First Year****: \$2,000 (setup) + \$119,440–\$187,440 (annual) = ****\$121,440–\$189,440****.
- ****Subsequent Years****: ****\$119,440–\$187,440****.

****Notes****

- ****Testing Costs****: The \$100–\$200 per batch range is based on industry standards for Maine labs. Edibles and concentrates may have higher testing costs due to additional requirements (e.g., homogeneity for edibles, solvent residuals for concentrates). The estimate assumes consistent pricing across product types for simplicity.
- ****Package Tags****: The increase from 50 to 170 products significantly raises package tag costs (from \$5,000 to \$17,000). The 100 packages/product assumption reflects typical batch sizes; actual numbers may vary.
- ****Plant Feasibility****: 1,000 plants can support 60 strains by allocating plants to different genetics (e.g., 16–17 plants per strain) and using trim/biomass for edibles and concentrates. This aligns with the yield estimate of 350 lbs. flower + 100 lbs. trim.
- ****METRC Compliance****: METRC tracks all tests and packages, linking results to tags for OCP reporting. Non-compliance risks fines or license suspension.

If you need further refinement (e.g., specific batch sizes, different testing costs per product type, or integration with METRC-compatible software), please let me know!

****Final Answer****:

First-year METRC costs, including staff time and testing for 60 strains, 50 edibles, and 60 concentrates: ****\$121,440–\$189,440****.

Subsequent years: ****\$119,440–\$187,440****.