



May 5th, 2025

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

**From: Alex McMahan
Lewiston, Maine 04240**

Subject: Support of LD 1488

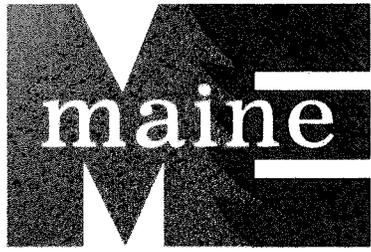
MCIA is in support of LD 1488. LD 1488 is simple and sweet. This bill allows adult use manufacturers to manufacture hemp products, which is also addressed in LD 1820. Please see my testimony on LD 1820 for our reasoning behind supporting this aspect of the bill.

LD 1488 also bolsters the *“No subsequent processing, manufacturing or alteration”* section, which we supported in 2021 when it was added to the statute. The intent of the legislature when the bill passed was to avoid redundant testing. At the time, we believed the language to be sufficiently clear: *“a licensee may sell or furnish to a consumer adult use cannabis or an adult use cannabis product that the licensee has not submitted for testing [...] if [...] The cannabis or cannabis product has previously undergone testing in accordance with this subchapter [...] and [...] the cannabis or cannabis product has not undergone any further processing, manufacturing or alteration that would result in an increase in the concentration of any contaminants”*.

Unfortunately, this language is not being interpreted as intended. LD 1488 fixes the issue in regards to edibles, however the issue is not fixed for prerolls and cartridges. As of recent guidance issued by OCP, prerolls must be tested, even if the flower used for the prerolls has already passed testing. Additionally, cartridges have to be tested when botanical (non-cannabis) terpenes are added to concentrate to make cartridges, even if the batch of concentrate has already been tested. We believe that in order for LD 1488 to be complete, these two additional scenarios should be added to §605, sub-§4.

Sincerely,

Alex McMahan
Policy Lead
Maine Cannabis Industry Association



OFFICE OF CANNABIS POLICY

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

Maine Adult Use of Cannabis Program Adult Use Establishment Release of Information

Release – An Adult Use establishment application cannot be accepted without this release.

I, _____, hereby authorize the Department of Administrative and Financial Services, Office of Cannabis Policy, (hereafter, the Office) to conduct a complete investigation into the background of the person(s) and/or entity applicant, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Office to provide any and all such information deemed necessary by the Office. I hereby waive any rights of confidentiality in this regard.

I hereby authorize and request all persons to whom this request is presented having information relating to or concerning the above-named applicant to furnish such information to a duly appointed agent of the Office whether or not such information would otherwise be protected from the disclosure by any constitutional, statutory or common law privilege. I authorize the release of this information, even though such information may be designated as “confidential” or “nonpublic” under the provisions of state law or federal laws.

The Office reserves the right to investigate all relevant information and facts to their satisfaction. I understand that the Office may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, the Office, and other agents or employees of the State of Maine shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to the State of Maine, Department of Administrative and Financial Services, Office of Cannabis Policy, and other agents or employees of the State of Maine for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclose or publication, of any material or information acquired during inquires, investigations, or hearings, and hereby authorize the lawful use, disclosure, or publication of this material or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Office, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

Authorizing Business Agent’s Signature:

Date:

Printed Name:

Email Address:

Phone Number:



May 5th, 2025

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

**From: Alex McMahan
Lewiston, Maine 04240**

Subject: Support of LD 1820

MCIA is in support of LD 1820. There are numerous changes proposed in this bill, so I will quickly go through each and explain why we believe each change to be necessary.

- **Repeal IICs**
 - IICs are the state-issued photographic identification cards that all principals and employees are required to have and display on their person. The argument in support of IICs is that law enforcement must be able to distinguish between regulated cannabis and illicit cannabis in the field, for example, on a traffic stop. This argument becomes a moot point when you consider the fact that all adult use cannabis is tagged with Metrc tags and accompanied with a transport manifest detailing the driver, vehicle, and specific Metrc tag numbers associated with specific quantities of cannabis. If there is ever any question about the legal status of adult use cannabis, law enforcement is able to simply reference the Metrc tags and transport manifest.
 - Additionally, we believe that RICs in the medical program should be repealed as well, for the same reasons.
- **Prohibit the Office from requiring registrants to sign any form waiving constitutional rights**
 - The rationale for our reluctance to waive constitutional, statutory, and common law rights is clear and self-evident. This form perpetuates an outdated stigma against our industry, unnecessarily burdening it with discriminatory assumptions. I have given you all a copy of this form.
- **Allow AU operators to manufacture hemp**
 - Currently, adult use manufacturers (arguably the most qualified to manufacture hemp products) are the only license type in the state prohibited from manufacturing hemp products. Hemp products can be manufactured by breweries, distilleries, medical operators, restaurants, ghost kitchens, food trucks, and even cottage kitchens - essentially anyone with a food service license from the Department of Agriculture, except for adult use manufacturers.



- Allow deliveries to record deliveries and specified events normally, and creates a generic transport manifest that does not have to be populated with customer info or tracking info
 - The way adult use delivery works with the current regulations is unnecessarily complex. I have a medical storefront that does medical delivery, and I have an adult use storefront that does adult use delivery. I use Dutchie as my point of sale system for both, so I am able to compare the two side-by-side. For medical deliveries: we take the order, enter it into Dutchie, fill out a trip ticket, then close out the transaction in Dutchie when the driver returns after completing the delivery. For adult use deliveries: we take the order, enter it into Dutchie, enter it into Metrc (including the customers name and address in the required fields), print the transport manifest, then delete the order in Dutchie and ring it in again using generic "Adult use delivery product" buttons that we have coded as non-cannabis items (if we do not delete the actual items in Dutchie, we will have a Metrc discrepancy, and if we do not ring it in again using the generic buttons, we will have a discrepancy in our cash drawer), and finally close out the order in both Metrc and Dutchie upon return of the driver. There is no loss in tracking ability if we are allowed to simply keep the transaction open in our POS (that is already required to communicate with the tracking system) and close it out when it is completed, using a generic transport manifest to accompany the delivery.
- Repeal purchase limits
 - Purchase limits are residual stigma. Other adult use products in Maine do not have purchase limits. I could legally purchase a box truck full of liquor and cigarettes. The implication of purchase limits for cannabis is that the consumer who is interested in purchasing higher than normal quantities is thereby a drug dealer. Not only is that a bold assumption with the proliferation of stores and abundance of low legal prices, this is an insult to consumers who are choosing to shop on the regulated market.
 - Additionally, we believe the purchase limits should be lifted in the medical program as well, for the same reasons.
- Repeal requirement to video record deliveries and specified events
 - There is no expectation of privacy in a public storefront. There is, however, an expectation of privacy in your home. Requiring video recording for deliveries that are exclusively allowed to be delivered to homes is an invasion of privacy.
 - Video recording at specified events is simply impractical.
- Repeal ability for law enforcement to enter premises at any time
 - All we are asking for here is the same treatment as every other legal business. Last session I discussed this with Sheriff Troy Morton of the Maine Sheriffs Association and he agreed.



- Remove "Any other information required by rule by the office" from labeling requirements
 - The current labeling requirements are comprehensive. An open ended allowance for any other information deemed necessary by the office is unnecessary.
- Allow for therapeutic testimonials to be used in marketing and packaging with an FDA disclaimer
 - This was passed in the medical program last session, and is reasonable to carry over into adult use. Remember, Maine does not have a recreational program. We have an adult use program, because some adults choose to use cannabis for medicinal purposes.
- Taxes all biomass used for extraction as trim instead of flower
 - There is a category of cannabis concentrates that is referred to as "live," such as live resin and live rosin. These concentrates are made with "fresh frozen" material, which is typically the majority of the plant, cut down and frozen without being dried. Currently, the input of all other concentrates is taxed as trim. The trim category for excise tax is essentially only used for material that is going to be made into concentrates, which should include fresh frozen biomass.

This is a full list of the changes proposed by the bill. There is one additional change that we would like to see added to this bill. Currently, we are unable to transfer back up the supply chain, (e.g. a retailer transferring cannabis back to a cultivator to be processed into concentrates). We believe the ability to transfer up the supply chain belongs in this bill. I would be happy to make myself available for any questions. Thank you for your thoughtful consideration of this important bill.

Sincerely,

Alex McMahan
Policy Lead
Maine Cannabis Industry Association