

To the Committee on Veterans and Legal Affairs
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Mark Barnett
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My name is Mark Barnett, and I am the owner of Higher Grounds, a coffee and caregiver retail shop in Portland, Maine. I am a registered caregiver and a founder of the Maine Craft Cannabis Association. I do not write in that formal capacity. I would like to present testimony in favor of LD 525, 'An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space.'

In our view, allowing co-location of medical and adult use sales of cannabis is, from a policy perspective, one of the cleanest ways to support the continued health of both markets. Any store would still need to comply with licensing and permitting from the state and the host municipality, and the potential conflict between patient access and the advent of adult use sales would be, in our view, greatly lessened.

Many municipalities are seeking to curtail their overall number of stores and this will, in the present and in the future, prove a significant obstacle to medical patients as most retailers will pursue an adult use license to reach an eventually larger addressable market. If there is an either/or choice, most retailers choose adult use, particularly as municipalities increasingly apply the same zoning and licensing criteria and cost burden to both types of store. Further, if the Office of Marijuana Policy is successful in their concerted efforts to reduce the number of caregivers and make it far more expensive and difficult to operate caregiver stores, this policy would at least offset that reduction in access to the high quality MMMP cannabis products that Maine patients rely on.

Portland and Windham are great examples of how regulation can impoverish the availability of brick and mortar options for medical patients and potentially encourage them to seek product from the informal market, particularly if the state is going to be increasing costs and regulations on the medical program in the future. While this may require additional work from the OMP, if the OMP is going to try and shrink patient access through other methods then this could at least help offset that.

From a municipal perspective, it also eliminates the need for 'redundant' real estate engaged in the business of selling cannabis and could reduce the compliance burden. Adult use and medical products are clearly distinguishable from each other due to the track and trace system, testing requirements, and strict adult use labeling rules. Requiring a separate point of sale helps make a clean separation for inspectors and experience for customers and patients. Every point of sale must be under video surveillance at all times. We would note that nearly every type of retail store carries products taxed at different rates without complication. For example, in my retail store in Portland, we have three different tax levels—5.5%, 8%, and tax exempt—and maintain clean records and payments to the state. We ask the Committee to consider this as a way to help both the medical and adult use markets over time, especially in the face of the OMP's anti-caregiver agenda.

Respectfully,

Mark Barnett