

March 29<sup>th</sup>, 2021

John Engler  
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To the Esteemed Committee on Veterans and Legal Affairs,

**IN SUPPORT OF LD 939**

My name is John Engler and I reside in Lewiston. I grew up in Bowdoinham. I am a Medical Marijuana Caregiver and the owner of High Sail Medicinals and the Above Board Caregiver Storefront in Auburn. I am also a founding member of the Maine Craft Cannabis Association, a diverse group of independent professionals and activists committed to defending and strengthening an authentic and responsible craft cannabis industry in Maine.

I support the passing of LD 939, 'An Act To Support Maine's Medical Marijuana Program and Ensure Patient Access'.

This bill proposes a few common sense improvements to Maine's Medical Program, including:

- Elimination of the 75% wholesale limit to make the medical cannabis market more efficient and equitable
- Equalization of the fee structure between canopy area & plant count licensing to align with the Legislature's original intent and allow more efficient farming practices

The first problem that LD939 seeks to remedy is the requirement for all Caregivers to sell 25% of their crop directly to patients. By forcing Caregivers to engage in direct retail sales, the 25% policy generates several problems:

- It makes it difficult to operate as a Cultivating Caregiver in municipalities where ordinances prohibit or restrict retail activities by Caregivers
- It forces Caregivers to meet a retail sales quota by opening a Storefront, making deliveries, and/or meeting patients in the Caregiver's home or in public – all of which can be difficult, costly, and problematic, particularly for rural growers
- It makes more difficult for rural & Northern Maine Caregivers to take advantage of the out-of-state patient market in Southern Maine
- It makes it more difficult for Caregivers to 'specialize' in what they do best, e.g. cultivate rare strains that target specific diseases or formulate special medicines

Elimination of the 75% wholesale limit will solve all these issues.

Another improvement proposed by LD939 is a small change to align the Statute with the Legislature's original intent regarding canopy license fees. The Legislature created the option to grow unlimited plants within 500 SF instead of with a 30 plant limit, but the OMP needs authority to charge fees on a canopy-area basis (rather than per plant). This missing sentence in Statute led to the unintended consequence that Caregivers pay twice as much for a canopy license while not actually being able to crop unlimited small plants in the canopy area as they wish (they are now limited to 60).

The original intent of the Legislature was for the Caregiver to be able to choose one or the other cultivation style and pay the same license price, since cultivators can produce similar amounts of cannabis with either 500 SF or 30 plants, but the 'square-footage' approach allows for more specialty varieties and more efficient farming practices.

The other items in this bill reflect common sense revisions to improve elements of the Program without adverse impacts on public safety. Thank you for listening and your due consideration.

John Engler