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March 29, 2021

Re: LD 881, *An Act to Make Technical Changes to the Maine Medical Use of Marijuana Act*

Senator Luchini, Representative Caiazzo, Members of the Joint Standing Committee on Veterans and Legal Affairs:

I am Erik Gundersen, Director of the Office of Marijuana Policy (OMP) and I am before you today to provide testimony on behalf of our office in support of LD 881, An Act to Make Technical Changes to the Maine Medical Use of Marijuana Act, a department bill drafted by our office.

This bill was put forward by our office to address some of the technical issues identified by our office while updating the Maine Medical Marijuana Program Rule over the past year.

First, this bill would remove “seeds” from the definition of “marijuana plant”. It clarifies the definition of “immature marijuana plant” and reduces the size of a “seedling” from 24 inches by 24 inches to 18 inches by 18 inches to ensure that identical plants in both the medical and adult use programs are uniformly identified. In recommending this change in the definition of “seedling”, OMP considered data from Washington State which found that 99 percent of marijuana seedlings are viable once they reach 8-inches by 8-inches. With that in mind, we hope that an 18-inch by 18-inch definition is a workable solution for both programs.

Next, we are proposing a separate registration fee for our caregivers who are registering with program based on plant canopy as opposed to plant count. When the legislature authorized caregivers to register based on plant canopy, it did not provide us with a separate fee schedule for that registration method. As a result, OMP has been in the position of asking canopy-based caregivers to estimate how many mature marijuana plants they will be cultivating under their 500 square feet of plant canopy. Setting a separate fee structure for these caregivers will allow OMP to assess appropriate registration fees for canopy-based caregivers.

Finally, there are several provisions of this bill regarding the implementation of a separate registration certificate for caregiver retail stores. These provisions were included in error and OMP would offer an amendment to this committee to remove those provisions.

We thank the committee for its careful consideration of this bill, and we are happy to answer any questions you may have for us.