



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1315

William D. Pluecker

State Representative
1133 Finntown Road
Warren, ME 04864
(207) 273-3044

Bill.Pluecker@legislature.maine.gov

Testimony Presenting LD 939 “An Act To Support Maine's Medical Marijuana Program and Ensure Patient Access”

Presented by Representative Bill Pluecker, House District 95. Presented to the Veterans & Legal Affairs Committee, Monday, March 29th, 2021.

Senator Luchini, Representative Caiazzo, and other distinguished members of the Veterans & Legal Affairs Committee. I am Representative Bill Pluecker from Warren and I represent House District 95 which is Appleton, Hope, the eastern half of Union, and Warren. Thank you for allowing me to present LD 939 “An Act To Support Maine's Medical Marijuana Program and Ensure Patient Access”.

Our medical marijuana program has been running for decades, treating the sick and dying, and supporting the farmers of Maine. It is a tremendously successful program. As I am sure you have seen, total revenues from marijuana in Maine are more than potatoes and blueberries combined, and thousands of patients have been treated. This is a program that deserves the unreserved support of the legislature.

As a small farmer myself, I understand the work, the risk, and hope behind any act of agricultural entrepreneurship. I have seen how the medical growers of my district have managed to succeed despite an inhospitable regulatory system.

This is a multi-part bill that creates an overall more hospitable regulatory framework for our small business owners and farmers so that we can see this industry continue its success into the future.

I'll go through the changes as they are numbered in the summary of the bill:

District 95: Appleton, Hope, (part) Union & Warren

1. This speaks directly to the fact that these are small scale family growers who would like to have the help of their kids, as any small farmer would. It allows family members down to the age of 18 to be able to help the family business.
2. This allows growers to sell and trade plants - just as any other farmer would be able to sell seedlings to another grower. If a business is good at growing healthy seedlings, then it would make sense that they should be able to profit by selling seedlings. And if another farmer is good at growing them to harvest, they should be able to specialize in that aspect of the market. This is a basic move that allows the market to specialize and diversify.
3. In these times of COVID, we have seen how digital transactions are so important to keeping the markets moving. This is a simple change that allows the initial purchase to be made with a digital copy of a written certification, and then followed by verification of the hard copy at the point of the transaction. Once again, a small tweak to the rules that allows these farmers to do business.
4. This allows a worker to change employers within the industry and not have to get a new background check each time within the calendar year. This allows a certain amount of freedom for the workers to leave a bad situation, or if they run out of work at one site, to move on to another when the work is done. We expect the workers to get a background check annually, and this does nothing to change that expectation.
5. Not all plants are made the same. Some varieties grow large canopies and are large plants, and others are smaller plants. For those of you accustomed to gardening, you could think of growing fingerling potatoes versus russets. If you are regulated by the plant, you will always grow the variety that returns the most weight, but if you can grow more plants per square foot, you might just grow the more delicious, though smaller, fingerlings. This change allows the farmers to grow smaller plants of different varieties rather than having to focus on always growing the ones that return the most product per plant.
6. We are seeing these producers growing for both the medical and adult use markets. This makes sense as the products are so similar, and the growth of the plants is so similar. Fundamentally, it is the regulatory framework that is different. We should allow these businesses to market all of their products at

the same time. Having separate advertising for the same business, just doesn't make good business sense.

7. Currently, we say that marketing on mobile devices can only happen if the grower develops an app, and the consumer uses that app. Growers should be able to advertise their businesses just as any other business on the internet. Forcing the costly development of apps and trying to have consumers download that app before any advertising happens just doesn't make economic sense. This is a way of trying to get regulation out of the way of the small businessperson.
8. Maintaining records for seven years is just burdensome. The IRS doesn't even require records to be kept that long. Organic certified growers don't have to keep records for that long. Even clean election candidates spending tax dollars don't have to keep records that long. Let's make a sensible timetable that works for these businesses.
9. Finally, this section allows growers to not have to hire third party auditors every year. They are keeping their records and are open to inspection from the state at any time. They submit all their applications and licensing materials every year. It does not make sense that they must also hire another round of inspections on their own dime annually.

Once again, we need to get out of the way, so these small businesspeople can do their job. They are making money in a difficult environment in a state that needs small entrepreneurs that can operate in a rural environment. These folks are growing from their farms and selling out of their homes. This is medicine that is helping sick people feel better and heal. They are providing a service for the community, fuel for our economy in hard times, and healing our sick. It is time that the state government treats them as the hardworking small businesspeople they are.