

Mark Barnett
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To the Committee on Veterans and Legal Affairs,

My name is Mark Barnett and I am testifying neither for nor against LD 1319 as I believe the bill has a laudable goal but one that I would like to see addressed in a different way.

My concern with this bill is that it would block small Maine businesses from applying for dispensary licenses and unintentionally continue to enforce the duopoly that Maine's two largest multistate operators (MSOs) currently enjoy in the licensing of dispensaries. These incumbent operators enjoy unlimited cultivation versus the extremely small 500 SF that caregivers are currently limited to. They also enjoy significantly higher revenues and profits per location than any caregiver store as they had exclusive access to retail medical marijuana outlets for many years.

I think the bill laudably highlights the unfair and uneven system of regulation and licensure that created the dispensary limit in the first place, and raises very legitimate issues of market control and MSO influence on the political process in Maine. However, license caps ultimately serve only to reinforce the power of those who control the licenses, and as it stand two MSOs, Acreage Holdings and Curaleaf, control at least 6 of the 8 current licenses and stand to each gain an additional 2 under the current framework. If the cap of 14 remains, then that could leave at most 4 dispensary licenses within reach of Maine businesses.

That would be harmful in my view because the OMP seems clearly hostile to the caregiver program in Maine and is actively seeking to unravel it. Without the ability to apply for dispensary licenses, this leaves many cultivators in a terrible position. Leaving aside the validity of the OMP's position on caregivers, which I find extremely perverse and misguided, we stand the very real risk of seeing the caregiver program dismantled AND having no avenue to participate in the Maine Medical Use of Marijuana Program if the OMP has its way with rulemaking and if this policy is passed. We could in fact be strengthening the very dispensary holding companies that pose such a great risk to fair and progressive cannabis regulation in this country and in this state.

That being said, we believe the direction being taken towards regulation of the medical program--both caregivers and dispensaries--is overall a major step backwards in time to the failed fearmongering around the harm and dangers of cannabis and its cultivators. The caregiver community has been demonized and otherized to serve the agenda of the investor class which very much disadvantages the people of Maine in this ecosystem and which has very predictable consequences down the road: overregulation, small business extinction, corporate domination, then corporate abandonment when profit is greater elsewhere. So we support the spirit of blocking the OMP's rulemaking and of reexamining the approach to dispensary regulation so that the creation of unlimited dispensary licenses DOES NOT jeopardize the future of Maine citizens' ability to benefit from the medical program in terms of healthcare, affordable access, economic opportunity, and social impact.

Sincerely,
Mark Barnett