

Scott Gagnon
Gray - Maine Marijuana Advisory Commission

Good Morning,

My name is Scott Gagnon, a resident of Gray, Maine, and I am the public health representative on Maine's Marijuana Advisory Commission. I am a Certified Prevention Specialist and have been a professional in the field of addiction prevention for over 15 years, and speak and train in Maine and nationally on marijuana science, policy, and prevention. I am providing testimony in opposition to both LDs 1242 and LD 1319.

I am deeply concerned with these bills as they will jettison important, and long overdue, guardrails for the medical marijuana industry in Maine. At the outset, let us remember that marijuana is a drug. It is an addictive substance. Moreover, it is a vastly different drug than it was in the 70s and 80s. It is much more potent, and the experience in Maine and across the country is that both the medical and adult-use markets have continued to put upward pressure on potency as dispensaries and licensees compete for customers. Additionally, we are calling this a medicine, despite the fact no single product in any medical marijuana dispensary has ever gone through the FDA phase 3 clinical trials that the COVID vaccines recently went through. The fact that we have a legislatively created regime for a potent, but scientifically unverified medicine, makes it even MORE important that we have sufficient guardrails around that industry to mitigate and prevent issues of addiction and other negative public health outcomes.

The rules put forth by the Office of Marijuana Policy put into place those guardrails that have been long missing. Over the past decade and more, the industry has exploded, in particular amongst the caregiver-operated storefronts and other retail operations. This has created many concerns and challenges for municipalities and addiction prevention coalitions across the state. I regularly receive emails from colleagues in the field about concerns whether it is diversion, marketing and advertising techniques, or other matters potentially creating increased risks to vulnerable populations.

With LD 1319 I am particularly troubled with the proposed moratorium on the rules until 2023. Maine has gone far too long with a very loosely regulated medical marijuana program, that has created issues and concerns in communities across Maine both in terms of increased risks related to youth use and addiction, but also issues in terms of quality of life for Mainers whose property abuts medical marijuana operators. Additionally, the language in the clause related to the moratorium says "the office of marijuana policy may adopt rules governing the medical use of marijuana only if the office, using existing resources and before the adoption of those rules, conducts studies on the economic impact of the rules and how the rules would affect the access of patients to marijuana for medical use", but nowhere lists public health or addiction prevention. While Maine struggles with increased issues of addiction, across multiple substances, with the first statistically significant increase in use amongst youth, how can we leave out the voice of these fields? Public health and addiction prevention should be included in all aspects of marijuana policy, to ensure we don't add to the state's addiction issues.

The rules proposed by OMP are important and should be approved. The rules have common sense measures that will protect public health.

- Rule will standardize consumer and patient protections across both marijuana programs.
- OMP's proposal holds commercial/high volume operations to a higher standard while protecting access for the most at-risk patients.
- Caregiver retail store registration will provide reliable data on retailer density, particularly as Maine's burgeoning adult use market matures.

During the 2016 legalization campaign, we often heard from proponents that we need to "tax and regulate" marijuana. However, this bill seems to be sending a message that we should not regulate marijuana, that we should not do what we can to protect the health of consumers and the public health of Maine communities. It seems to not want

to make efforts to prevent diversion of marijuana into the black market, which the tracking system would prevent.

We cannot jettison or delay these important rules. We must ensure that marijuana policy in Maine is for ALL Mainers, and not just those in the industry. All Mainers have a right to safe communities. The proposed rules from OMP help move us in that direction. If we are going to continue to call this drug a medicine, then we need to treat it like one. This bill will take us in the wrong direction and lay the groundwork for more addiction and public health issues in Maine, when we desperately need to be going in the other direction. I urge the committee to consider all Mainers and vote No on this bill and on LD 1242.