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Re: LD 1365, An Act to Allow Consumption of Adult Use Cannabis in Locally Approved Hospitality Lounges

Senator Hickman, Representative Supica, Members of the Joint Standing Committee on Veterans and Legal Affairs:

The Office of Cannabis Policy (OCP) respectfully submits the following testimony on behalf of the Administration in opposition to LD 1365. Although the amendment to this bill takes significant steps in the right direction on the issue of consumption lounges, the Administration cannot support any further expansion of cannabis-related activities in this state until lawmakers approach matters of cannabis policy—including youth access, patient safety, and criminal drug trafficking—with the seriousness they deserve.

Too often, changes to cannabis policy are made in a vacuum, without regard for the broader problems, challenges, and even consequences brought on by those potential changes. For six years, this Administration has been committed to ensuring that Maine's two cannabis programs are regulated properly, prioritizing the well-being of consumers and patients, and maintaining the integrity of the system. Time and again, however, this commitment is hampered by the refusal to bring common sense reforms—such as a closed loop tracking system and a mandatory testing program—to the state's medical cannabis program. With regard to the state's adult use program, this Legislature, like the one before, is actively entertaining bills to eliminate the integrity of the tracking system, weaken the state's testing program, repeal OCP's inspection authority, prevent the Office from using application forms, and restrict the agency's ability to communicate effectively with program participants. These efforts make no tangible improvements to the state's regulated cannabis programs, but they do ignore science, endanger patients and consumers, erode regulation, and empower unauthorized activities.

During the Governor's budget address this year, she made her priorities clear: "...the time has come to better regulate the medical market with testing and tracking requirements so that those consumers – just like recreational users – can be confident that those products are safe. If you are ingesting cannabis for medical reasons, you should want to know that you are not consuming pesticides or other contaminants that are going to make your health worse. We cannot continue to encourage the wild wild west of medical cannabis, which is contributing to the illicit market that has emerged – and that needs to be fought – across rural Maine." Several bills during this session seek to undermine those priorities by rolling back the regulations that promote consumer confidence in the adult use market.

It is time for the Legislature to address the clear weaknesses in the state's cannabis programs and to work cooperatively, honor agreements negotiated in good faith, and come to terms with a simple reality: Maine's medical cannabis program must be modernized, and Maine's Adult Use Cannabis Program must be protected from efforts that prioritize profits over public health and safety. Until that time, the Administration cannot and will not support the expansion of either program into new areas.

To be clear, the primary concern here involves the broader cannabis policy landscape. That position is not to diminish the hard work and productive efforts of the Cannabis Hospitality Task Force, convened in 2024. That group of stakeholders worked collaboratively to produce a report that effectively found common ground between regulators and the industry. It is important to applaud that task force for its efforts as well as its ability to consider a complex issue with mutual respect. This amendment makes great strides in addressing many of the public health, public safety, and functional concerns that often arise in policy conversations around consumption lounges.

Unfortunately, the amendment's advances in those areas are undermined by changes proposed in other bills this session, as well as a pattern of bad faith bargaining by individuals who return year after year to undo compromises agreed to months before. There is currently no reason to believe that any advances made would last, as the campaign to eliminate the state's cannabis regulatory framework persists from one legislative session to the next.

The Legislature must take seriously the needs of the state's cannabis programs. The goal cannot be to diminish the state's adult use program to mirror its woefully underregulated medical program. Instead, the Legislature must ensure both programs institute and maintain basic regulatory and enforcement standards that prioritize consumers and patients.

As always, we thank you for your time and we'll do our best to answer any questions you may have.