



Joint Standing Committee on Veterans and Legal Affairs: Introduction and Overview

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Today's Goals and Objectives

1

Introduction to Office of Marijuana Policy (OMP) and its mission, vision, and values.

2

Understand the Office of Marijuana Policy's role and responsibility in regulating Maine's marijuana industries.

3

Understand the difference between the adult use and medical use of marijuana.

4

Provide information on the Office's forthcoming policy proposals.

5

Discuss the future of marijuana in Maine and answer any questions.



OMP Introduction – Mission and Vision Statements

- **Mission Statement** - To ensure the health and safety of all Mainers by effectively and responsibly licensing and regulating marijuana establishments.
- **Vision Statement** - Develop a good faith partnership between the State of Maine and stakeholders by establishing rules and policies that provide interested consumers with access to a regulated industry while diminishing an unregulated, untested illicit market.



OMP Introduction – Guiding Principles

1. The public's health, safety, and well-being are always our top priority.
2. Develop and institute regulations that are necessary, not over burdensome.
3. Compliance every day, enforcement only when needed.
4. Strive to be transparent and clearly communicate with the public and stakeholders.
5. Treat everyone fairly and with respect.



OMP Introduction – Divisions

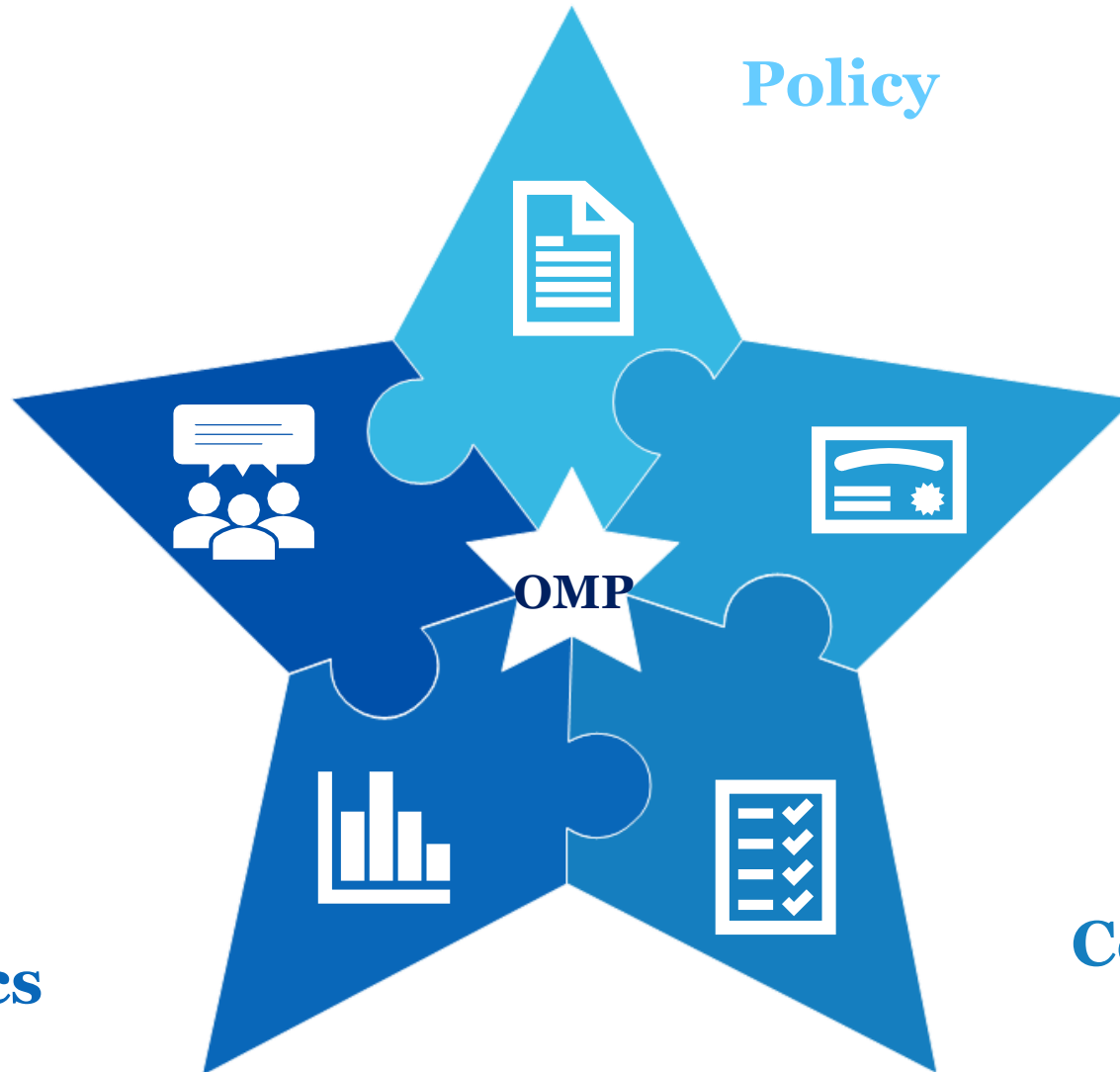
**Engagement and
Community
Outreach**

**Data
Analytics**

Policy

Licensing

Compliance



Purview of OMP as a Regulator

Office of Marijuana Policy

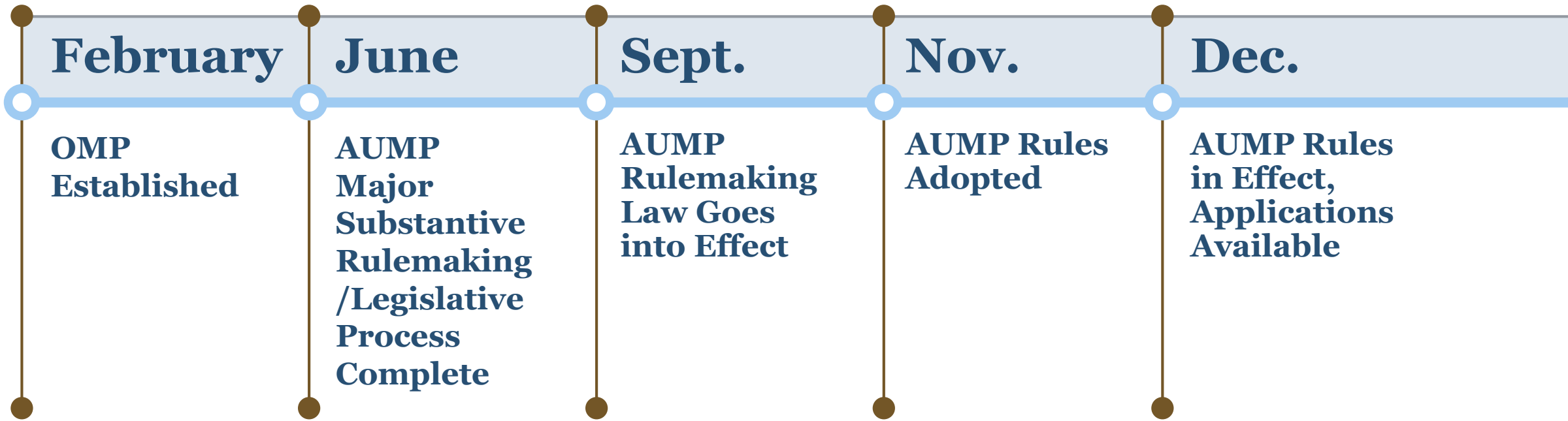
- Adult Use Marijuana Program (AUMP) & Maine Medical Use of Marijuana Program (MMMP)
 - Licensing
 - Compliance
 - General Oversight
 - Consultation with Other State Agencies

Law Enforcement and Prosecution

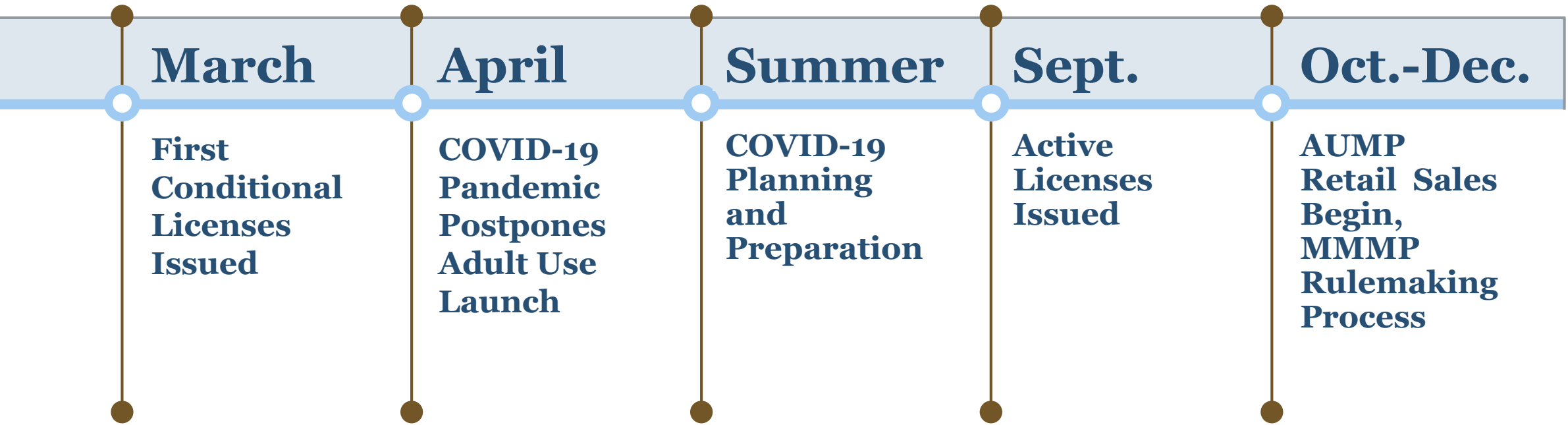
- Adult Use Marijuana Program (AUMP) & Maine Medical Use of Marijuana Program (MMMP)
 - Enforcement
- Illicit Market



OMP Timeline - 2019



OMP Timeline - 2020



Ongoing Conflict: State versus Federal Law

- Controlled Substances Act (Federal)
 - Schedule I: Drugs, substances, or chemicals with no currently accepted medical use and a high potential for abuse.
- Cole and Ogden Memos
 - U.S. Department of Justice Marijuana Priorities
 - Preventing distribution to minors, funding of criminal enterprises, diversion to other states, drivers operating under the influence, etc.



Maine Law: Adult Use vs. Medical Use

Adult Use

- Legalizes the use, sale, and taxation of marijuana for adult use purposes.
- State licensing for adult use marijuana establishments.
- Consumer-centric.

Medical Use

- Legalizes the use, sale of marijuana, and taxation of marijuana for medical use.
- State registration for medical marijuana establishments and medical providers.
- Patient-centric.



Maine Law: Adult Use vs. Medical Use (cont.)

Adult Use

- Mandatory Testing
- State and federal background checks.
- Stringent labeling.
- Universal symbol.
- Edible THC limits.
- Fines, Penalties, Administrative Holds, Suspension, Revocation

Medical Use

- Voluntary Testing
- State background checks.
- Less stringent labeling*
- “Edible marijuana ... must include a signifier...”
- No Edible THC limits.
- Revocation

*Aligning labeling requirements in MMMP Rule as directed by the legislature.



Maine Law: Types of Establishments

Adult Use

- Marijuana Stores
- Cultivation Facilities
- Manufacturing Facilities
- Marijuana Testing Facilities

Medical Use

- Registered Caregivers
 - Caregiver Retail Stores
- Registered Dispensaries
- Manufacturing Facilities
- Marijuana Testing Facilities



Adult Use and Medical Use: The Role of Municipalities

Adult Use

- Must affirmatively opt-in for any type of establishment.
 - No grandfathering.
- Must provide local authorization before OMP issues active license.

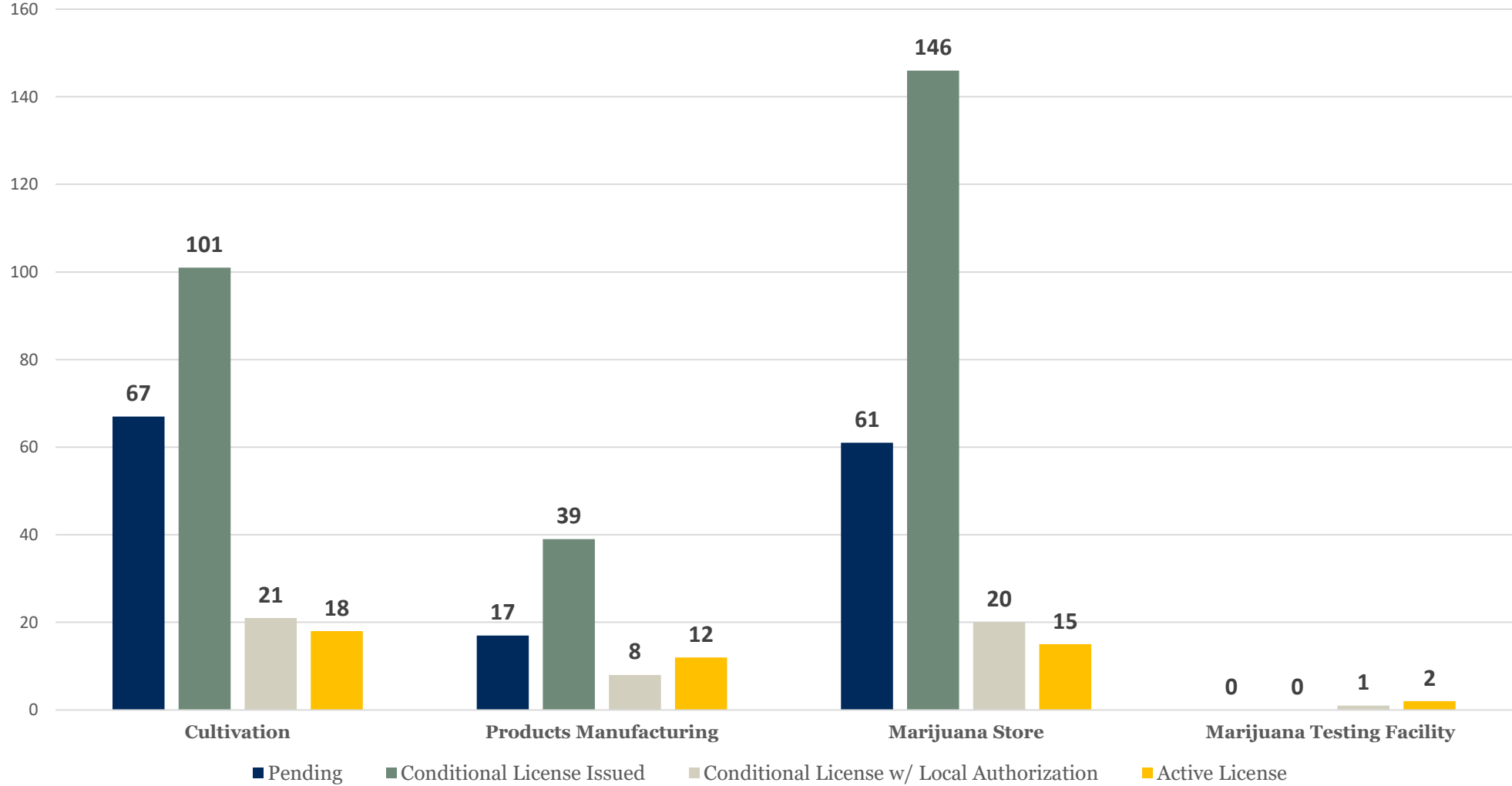
Medical Use

- Must opt-in for establishments other than caregivers.
 - Facilities operating with municipal approval prior to December 13, 2018 grandfathered.
- Limited role in state registration process.

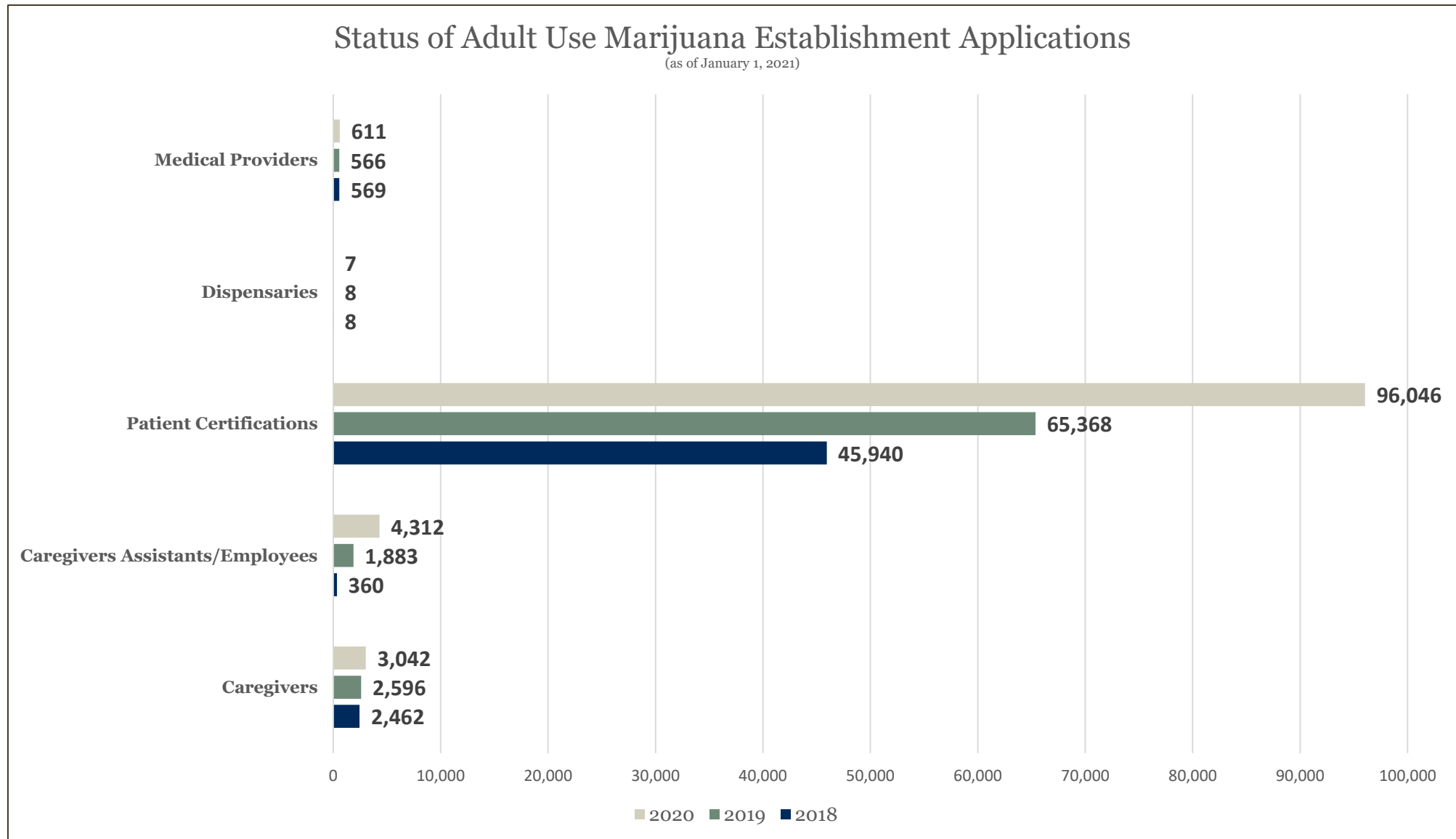


Adult Use: By the Numbers

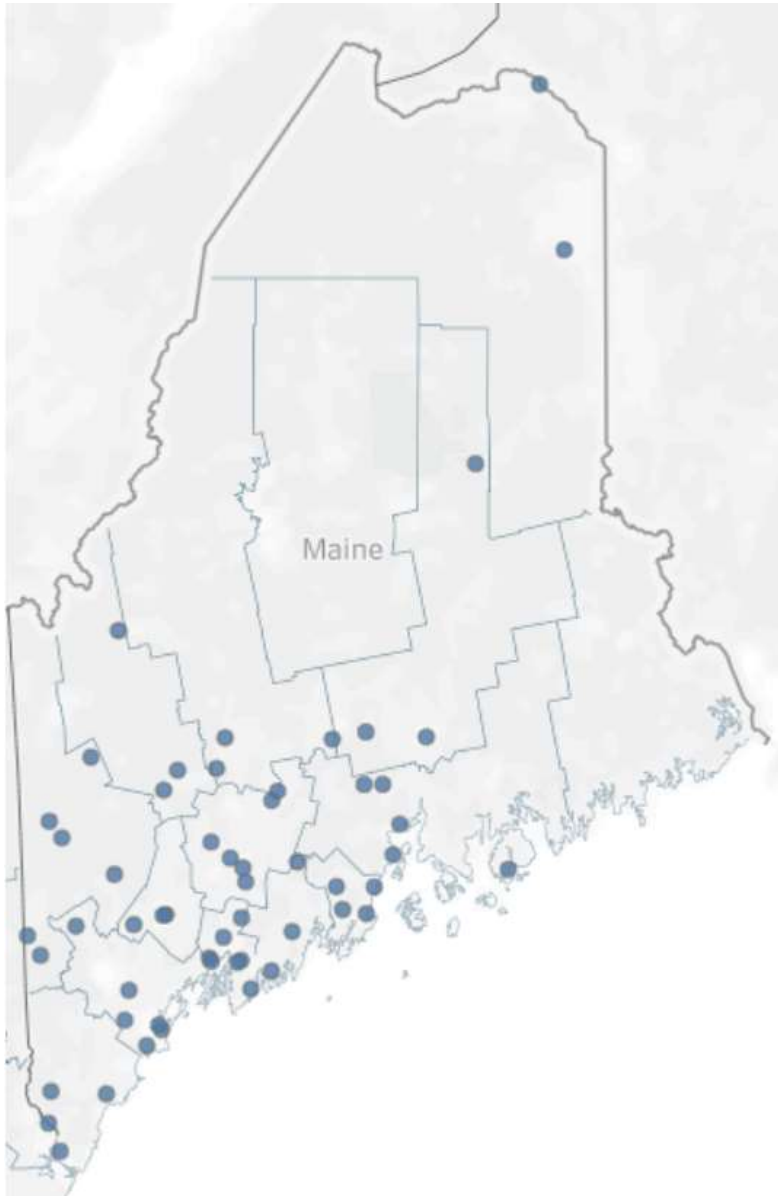
Status of Adult Use Marijuana Establishment Applications
(as of January 22, 2021)



Medical Use: By the Numbers



Adult Use: Opt-in Communities



Category	Opt-ins
Retail	40
Cultivation	53
Products Manufacturing	48
Marijuana Testing Facilities	47
Total Municipal Opt-ins	56



Department Bills

- **Adult Use**

- An Act to Amend the Marijuana Legalization Act
- An Act to Clarify Provisions Regarding the Marijuana Excise Tax

- **Medical Use**

- An Act to Make Technical Changes to the Maine Medical Use of Marijuana Act
- An Act to Amend the Maine Medical Use of Marijuana Act



Medical Use Rulemaking

- 18-691 C.M.R. ch. 2, Maine Medical Use of Marijuana Program Rule, was put into effect in May 10, 2018.
 - Last Amended in February 2018.
- Legislative changes
 - Local authorization.
 - Inventory tracking.
 - Packaging and labeling.
 - Security requirements.
 - Operating plans.



Rulemaking Process

- OMP has begun the process of revising MMMP programmatic rules.
 - Complete: Informal public comment period on preliminary draft.
 - OMP received more than 1,500 comments.
 - To-do: Formal rulemaking with a proposed rule.
 - Twenty days notice.
 - Public hearing.
 - Minimum 10-day public comment period.
 - To-do: Complete final adoption.



Immediate Next Steps

- Medical Rule Implementation
- MMMP Systems Buildout
 - Online registrations.
 - Inventory tracking.
 - Compliance.
- Phase #2 Adult-Use System
- OMP Data Warehouse
- Statute and Regulations
 - Department Bills
 - Legislator/Constituent Bill



OMP's Five-year Plan

2020

Engage & Operationalize

Licensing, Track and Trace, AUMP Launch

2021

Reduce Gray & Illicit Market

Broader geographic reach for testing, data warehouse, introduce strategies that capture illicit market.

2022

Management Optimization

Implement strategies identified in 2021; Understand size of market and contributions of tax revenues.

2023

Current State Evaluation

*Conduct thorough review of rules, regulations, and compliance rates.
Identify best practices and system gaps.*

2024

Implement Best Practices

Fill gaps with best practices to ensure regulatory goals being met.



The Ideal State

- Medical Use: Patient-centric program with testing.
- Adult Use: Consumer-centric program with testing and responsible avenues for access.
- Law Enforcement and Prosecutors Tackle Illicit Activity in Their Communities
- OMP's Data Warehouse Contributing to Informed Policy Decisions
 - Public Health and Safety Initiatives
 - Legislative Proposals
 - Administrative Rulemaking



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Questions?

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