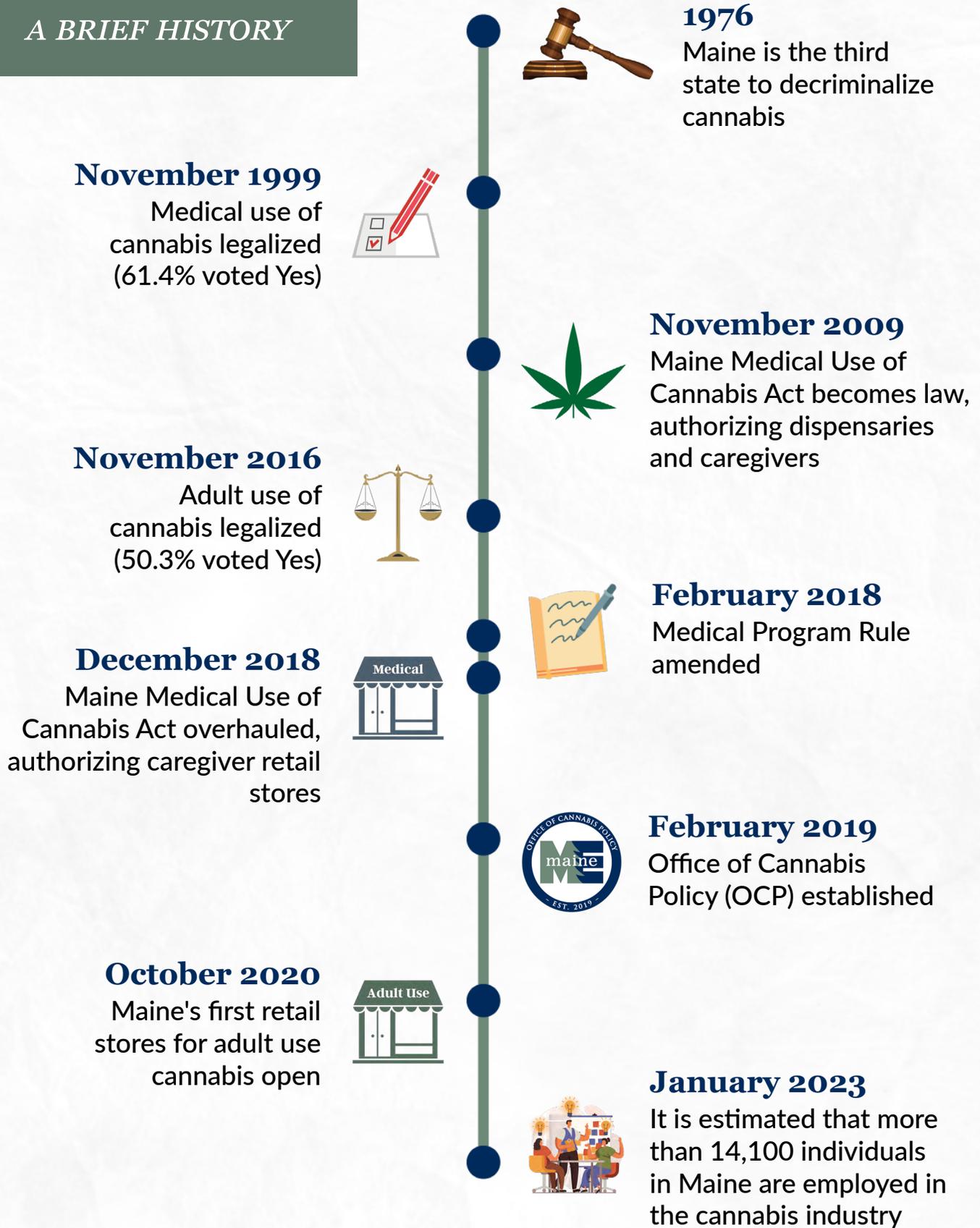


Cannabis in Maine

A BRIEF HISTORY

Learn more at www.maine.gov/dafs/ocp



Maine has two cannabis programs. How are they different?

The two regulated cannabis programs in the State of Maine are the Adult Use Cannabis Program and the Medical Use of Cannabis Program. They have different laws, features, establishments, levels of municipal involvement, and more. Additional information is available on the Office of Cannabis Policy (OCP) website at www.maine.gov/dafs/ocp.

Adult Use

Laws

Cannabis Legalization Act (Adult Use)
Title 28-B

- Legalizes the use, sale, and taxation of cannabis for adult use purposes
- State licensing for adult use cannabis establishments

Program Features

- Serves consumers
- Mandatory testing
- Track & trace
- State & federal background checks
- Stringent labeling, universal symbol
- Edible THC limits
- Delivery with regulation

License Types

- Cultivation Facilities
 - Nurseries
- Manufacturing Facilities
- Cannabis Retail Stores
- Cannabis Testing Facilities

Role of Municipalities

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

Medical Use

Laws

Maine Medical Use of Cannabis Act
Title 22, Chapter 558-C

- Legalizes the use, sale, and taxation of cannabis for medical use
- State registration for medical cannabis establishments and medical providers

Program Features

- Serves patients
- No mandatory testing
- No track & trace
- State background checks
- Edible products include a signifier
- No edible THC limits
- Delivery without regulation

Registration Types

- Registered Caregivers *-confidentiality protections*
 - Caregiver Retail Stores
- Registered Dispensaries
- Manufacturing Facilities
- Cannabis Testing Facilities

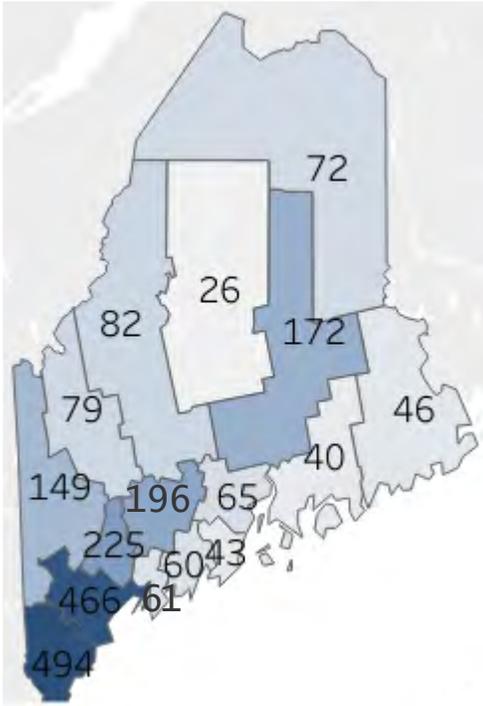
Role of Municipalities

- Must opt-in for establishments other than caregiver establishments
- Grandfathering for those operating with municipal approval prior to Dec. 13, 2018
- Limited role in state registration process

Medical Use of Cannabis Program Data

Learn more at www.maine.gov/dafs/ocp/open-data

Registered Caregivers by County in 2022

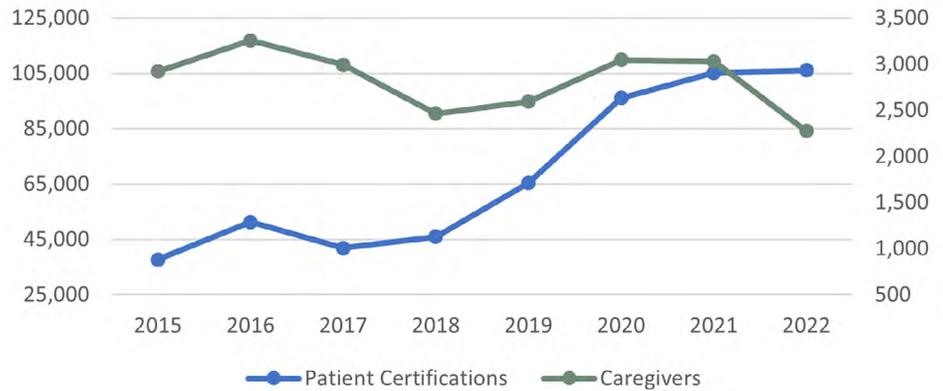


As of 2022, about **7.7%** of all Mainers have a medical card

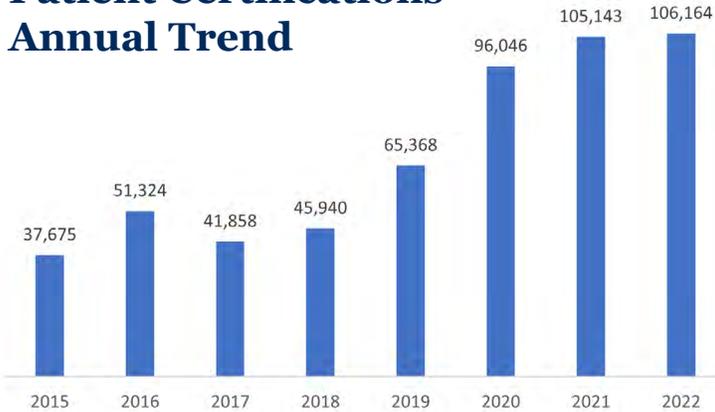
Key Numbers for the Medical Program

	As of Dec. 31, 2022
Patient Certifications	106,164
Medical Providers	722
Caregivers	2,276
Dispensaries	46
Employees/assistants	4,619

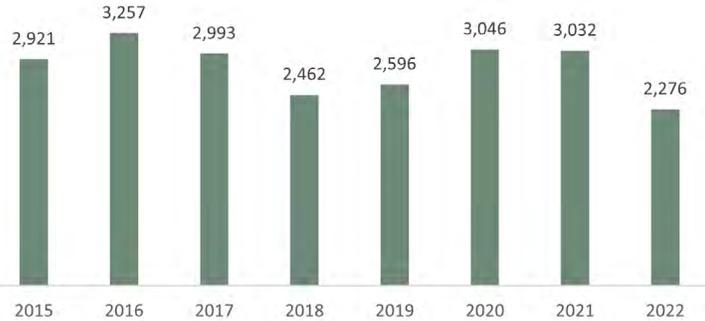
Patient Certifications vs. Registered Caregivers, 2015-2022



Patient Certifications Annual Trend



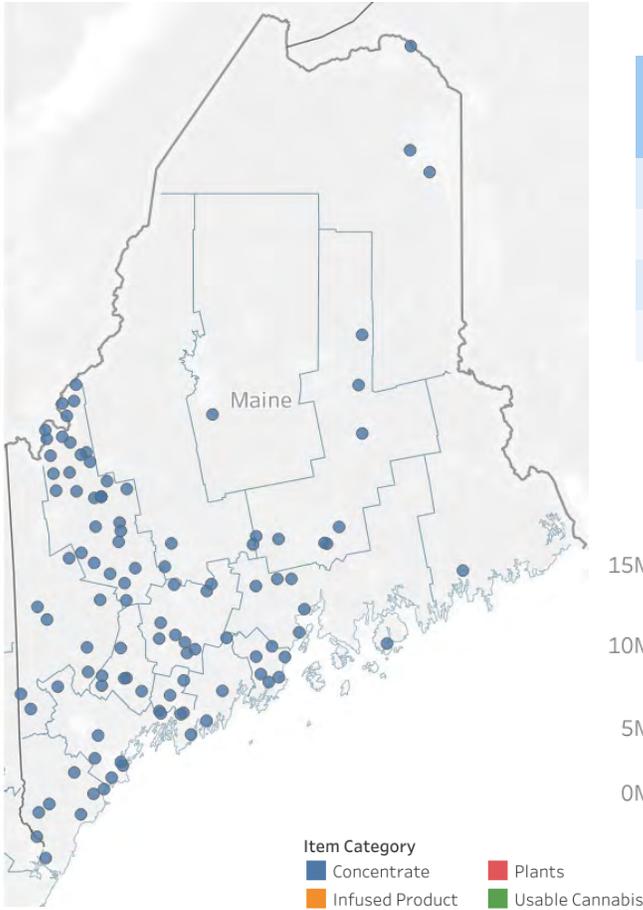
Registered Caregivers Annual Trend



Adult Use Cannabis Program Data

Learn more at www.maine.gov/dafs/ocp/open-data

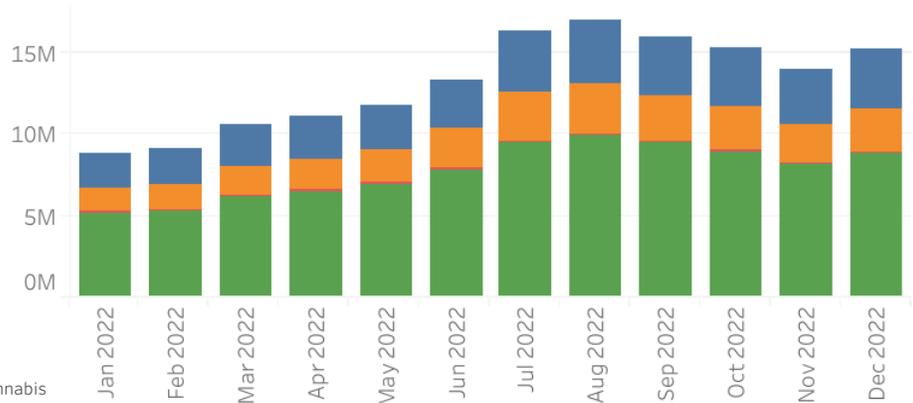
Opt-in Communities



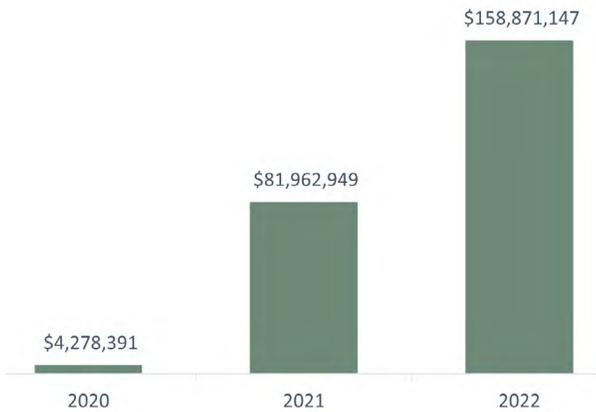
Municipal Opt-ins & Active Businesses by Adult Use License Type

License Type	Opt-ins	Active Businesses
Retail	62	112
Cultivation	102	87
Products Manufacturing	68	57
Cannabis Testing Facilities	66	3

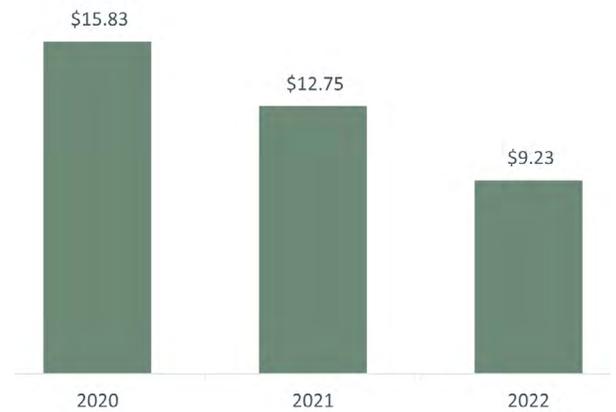
2022 Retail Sales by Product Category



Adult Use Retail Sales Annual Trend



Avg. Price/Gram of Bud/Flower Annual Trend



Recent Cannabis Legislation

Recent changes to the laws governing the Maine Adult Use Cannabis Program (AUCP) and the Maine Medical Use of Cannabis Program (MMCP) as a result of the Second Regular Session of the 130th Legislature.

AUCP Bills

An Act To Assist Qualifying Municipalities To Defray the Costs of Opting In To Permit Adult Use Cannabis Establishments, P.L. 2021, ch. 645 (LD 1195)

Allows OCP to reimburse municipalities up to \$20,000 for qualifying expenses incurred as a result of opting to permit the operation of at least one adult use cannabis license type in their city or town.

An Act To Allow the State's Adult Use Cannabis Tracking System To Track Plants and Products by Group, P.L. 2021, ch. 628 (LD 1817)

Allows adult use cultivation facilities to track, as one group, cannabis plants that are at the same stage of growth and the same varietal and/or transplanted in the same specific area at the same time, otherwise known as batch tracking. Also tasked OCP with forming its Metrc User Workgroup.

An Act To Permit Curbside Pickup and Limited Delivery of Adult Use Cannabis, P.L. 2021, ch. 667 (LD 1827)

Allows licensed adult use retail stores to offer limited delivery and curbside pickup of cannabis products. Staff are required to have training on consumer age verification for 21+ and delivery is not permitted to "drug free safe zones."

An Act To Allow for a Variance Rate in the Amount and Potency of Cannabinoids in Adult Use Edible Cannabis Products, P.L. 2021, ch. 558 (LD 1846)

Permits the passage of testing for edible cannabis products that have a variance of up to 10% above the defined limit for potency per serving size (10mg) and/or package (100mg).

An Act To Authorize Certain Off-premises Sales of Adult Use Cannabis, P.L. 2021, ch. 735 (LD 1927)

Allows OCP to issue permits to adult use licensees to conduct temporary off-premises sales of cannabis products. A permit needs municipal approval, property owner approval, age verification processes, and at least 30 days' notice to OCP.

An Act To Improve Testing Requirements for Adult Use Cannabis, P.L. 2021, ch. 612 (LD 1985)

Exempts adult use cannabis products from further testing when products have already been subject to mandatory testing and further processing would not increase concentration nor introduce contaminants.

Continued on next page →



Recent Cannabis Legislation

Recent changes to the laws governing the Maine Adult Use Cannabis Program (AUCP) and the Maine Medical Use of Cannabis Program (MMCP) as a result of the Second Regular Session of the 130th Legislature.

MMCP Bill

An Act To Update and Clarify the Maine Medical Use of Cannabis Act, P.L. 2021, ch. 662 (Emergency, law without signature April 26, 2022) (LD 1928)

Updates the pediatric certification process to remove the requirement that a pediatric patient have one of several qualifying conditions to be certified by a provider without a second opinion.

Permits the acceptance of a digital image of a patient certification by registered caregivers and dispensaries to complete a transaction with a qualifying patient.

Allows assistants of caregivers and/or dispensaries to obtain a single registry identification card, not associated with any particular caregiver or dispensary, as proof of authorized conduct to operate as an assistant.

Amends the definitions “cultivation area” and “plant canopy” and allows registered caregivers to maintain up to two separate cultivation areas, one for the cultivation of up to 30 mature cannabis plants or 500 square feet of mature plant canopy, and another for the cultivation of up to 60 immature cannabis plants or 1000 square feet of immature plant canopy.

AUCP/MMCP Bill

An Act To Promote Equity and Increase Opportunities in the Cannabis Industry by Reducing Restrictions Related to Convictions for Drug Offenses and To Replace the Term "Marijuana" with the Term "Cannabis" in the Maine Revised Statutes, P.L. 2021, ch. 669 (LD 1957)

Excludes cannabis-related crimes that would have been authorized under the Cannabis Legalization Act or Maine Medical Use of Cannabis Act from the definition of “disqualifying drug offense”.

Reduces look-back period for exclusion due to other disqualifying drug offenses from 10 years to 5 years after completion of sentence.

Directs the revision of the Maine Revised Statutes (except for the Maine Criminal Code) to replace references to “marijuana” with the term “cannabis”.

Requires OCP to change the term “marijuana” to the term “cannabis” in all rules, policies, and publications.

Please note that this is a summary of some, not all, of the changes recently enacted by the Legislature. More information is available on the OCP website at www.maine.gov/dafs/ocp.

Priorities for the Office of Cannabis Policy (OCP)



- ① A commitment to transparency**
 - Build trust with the Legislature and stakeholders
 - Provide more data and analysis about OCP and its decisions
 - Broader stakeholder engagement and communication

- ② Efforts to improve safety in the medical cannabis program**
 - Focus on the needs of the most vulnerable Mainers
 - Increase information to the public on the medical cannabis program
 - Commitment to testing for pesticides and other adulterants
 - Ensure access to safe, titrated medicine

- ③ Preparing Maine for federal legalization**
 - Accept that federal legalization will eventually happen
 - Talk with industry, consumers, and patients about their concerns
 - Monitor cannabis reform bills in Congress
 - Examine how legalization will impact the regulatory space
 - Examine how legalization will affect businesses
 - Develop a gameplan with input from interested stakeholders

- ④ Using data to conduct program evaluation**
 - Measure efficiency and effectiveness in engaging with program participants
 - Measure OCP's internal efficiencies and challenges
 - Use data and findings to change internal operations
 - Use data and findings to request legislative changes

- ⑤ Engaging in regulatory lookback**
 - Reexamine all regulations every 4-5 years
 - Look for duplicative, unnecessary, outdated, or overly burdensome regulations
 - Study the question by asking industry, consumers, and patients
 - Study the question internally at OCP
 - Make regulatory changes to unburden licensees and streamline our work

Please contact OCP Director John Hudak at John.Hudak@maine.gov with any questions about these priorities and goals.