



# Cannabis At-a-Glance: Legalized Marijuana in Maine

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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 helpful educational resources.
- 5 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.



# Purview of OMP as a Regulator

## **Office of Marijuana Policy**

- Licensing
- Programmatic Compliance
- General Oversight

## **Maine Revenue Services/ Internal Revenue Service**

- Tax Compliance

## **Center for Disease Control and Prevention**

- Retail Tobacco License

## **Department of Agriculture, Conservation & Forestry**

- Food Processing, Food Establishment, Beverage Plant Licenses

## **Department of Environmental Protection**

- Waste, Air, Water, Land Permitting



# Maine Law: Adult Use vs. Medical Use

## **Marijuana Legalization Act (Adult Use) – Title 28-B**

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

## **Maine Medical Use of Marijuana Act – Title 22, Chapter 558-C**

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



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

## Adult Use

- Mandatory Testing.
- State and Federal Background Checks.
- Excise and Sales Tax.
- Universal Symbol.
- Edible THC Limits.
- Fines, Penalties, Administrative Holds, Suspension, Revocation

## Medical Use

- Voluntary Testing.
- State Background Checks.
- Sales Tax.
- “Edible marijuana … must include a signifier…”
- No Edible THC limits.
- Suspension and Revocation.



# Adult Use vs. Medical Use: Types of Establishments

## Adult Use

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

## Medical Use

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



# What is a Caregiver Retail Store?

**22 M.R.S. § 2422(1-F) - A store with attributes generally associated with retail stores, including, but not limited to:**

1. A fixed location
2. A sign
3. Regular business hours
4. Accessibility to the public
5. Sales of goods directly to the consumer

**A retail store is used by a registered caregiver to offer marijuana for sale to patients.**





# Adult Use and Medical Use: Licensing Process

## Adult Use

1. Conditional License
2. Local Authorization
3. Active License

***OMP has 90 days to make a decision on a conditional license application.***

## Medical Use

1. Application
2. Local Authorization\*

***OMP has 30 days to make a decision.***



# Adult Use and Medical Use: The Role of Municipalities

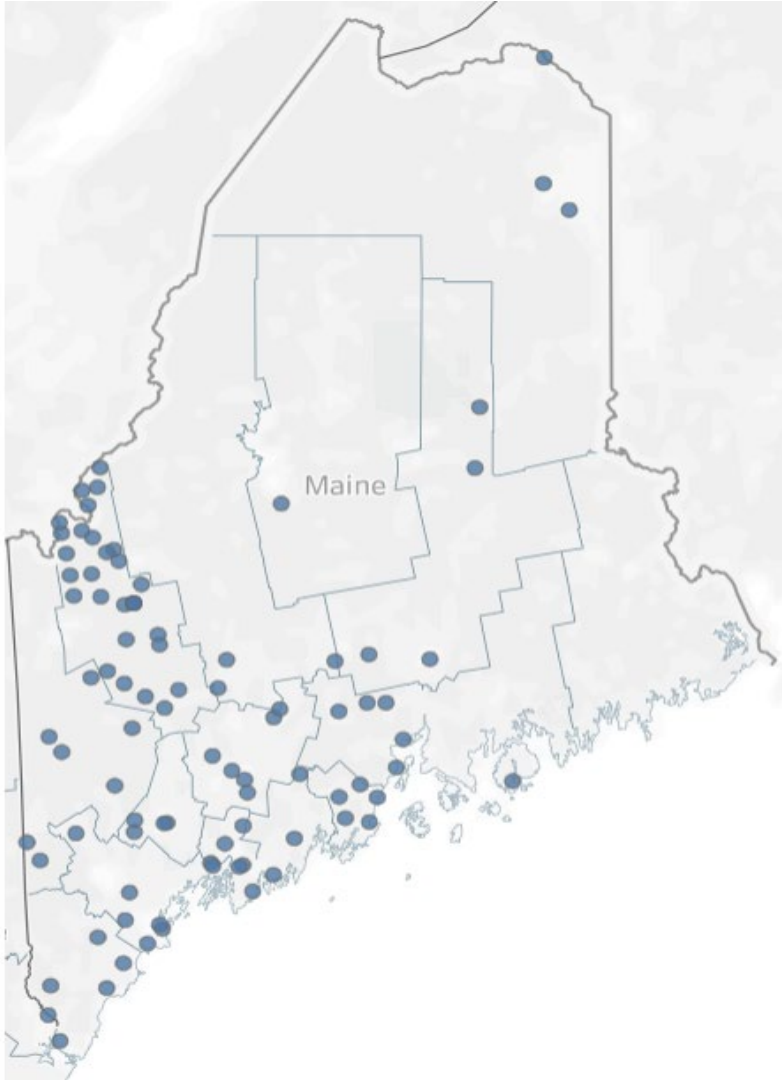
## Adult Use

- 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: Opt-in Communities



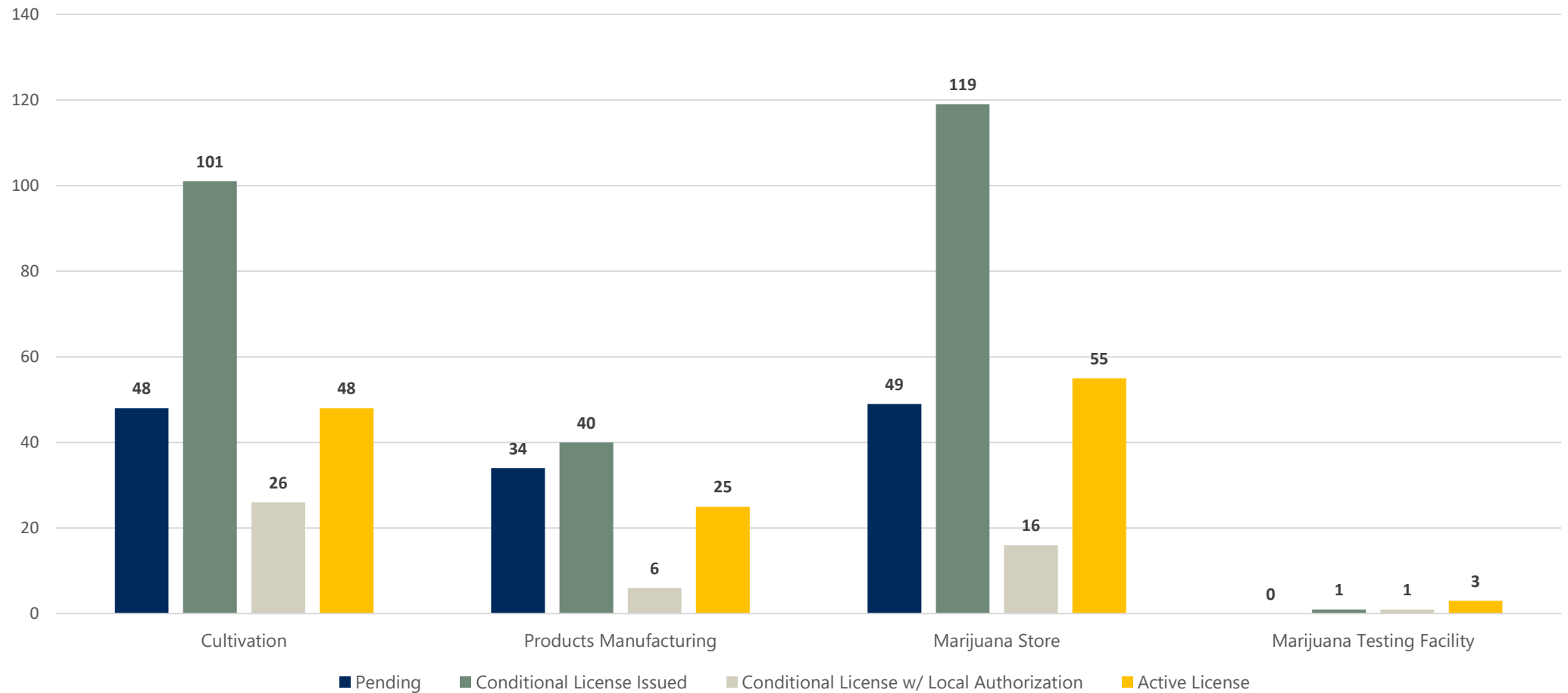
Category	Opt-ins
Retail	47
Cultivation	88
Products Manufacturing	54
Marijuana Testing Facilities	53
Total Municipal Opt-ins	91



# Adult Use: By the Numbers

## Status of Adult Use Marijuana Establishment Applications

(as of September 17, 2021)





# Adult Use and Medical Use: Tax Structure

## Medical Marijuana

- 5.5 percent general sales tax rate at retail. Edibles at 8 percent rate.
- No excise tax.

## Adult Use Marijuana

- 10 percent sales tax rate at retail.
- Excise tax on weight or quantity of product.

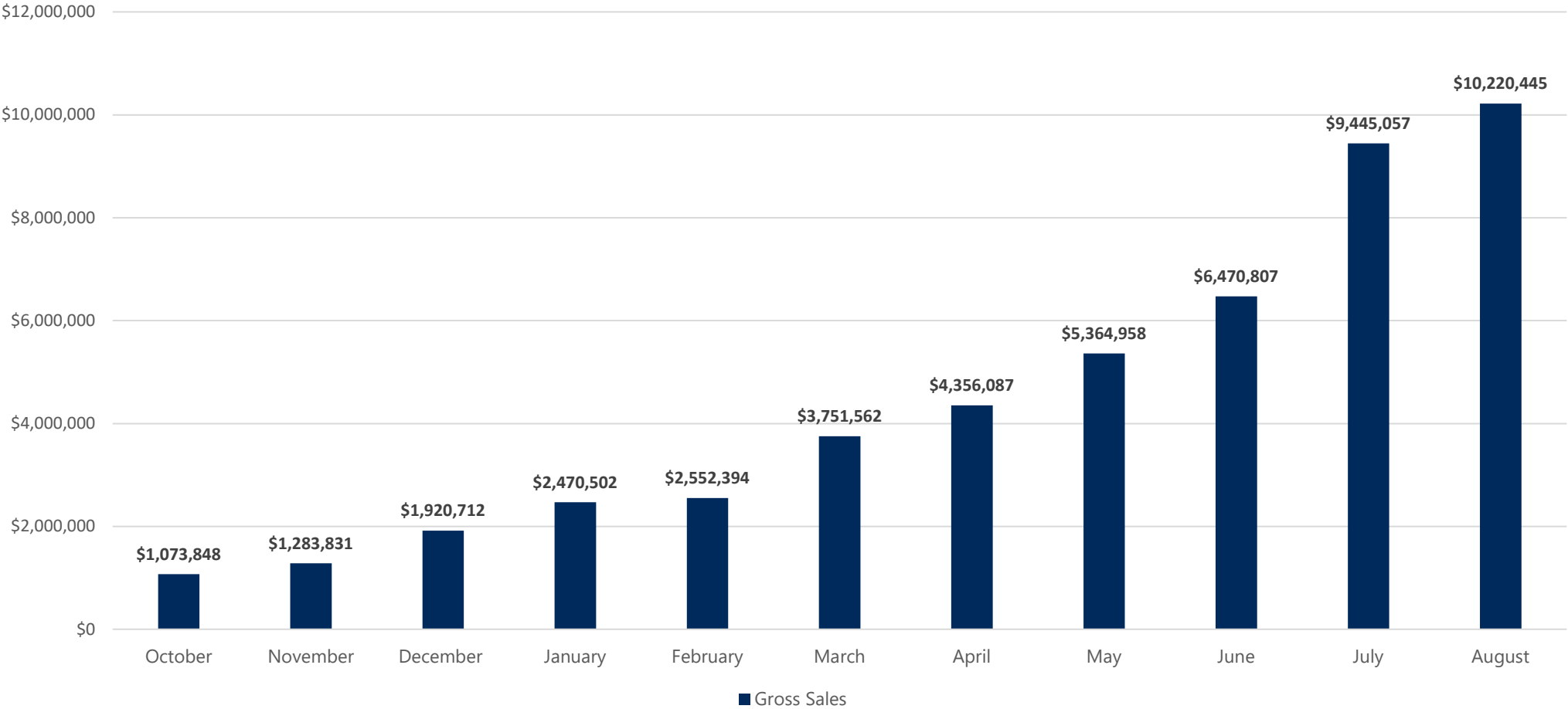
Taxable Item	Tax Rate
Marijuana flower	\$335/pound
Marijuana trim	\$94/pound
Immature plant or seedling	\$1.50/plant or seedling
Marijuana seed	\$0.30/seed
Mature marijuana plant	\$35/plant



# Adult Use: Gross Retail Sales

## Adult Use Marijuana Gross Retail Sales

*(as of September 7, 2021)*

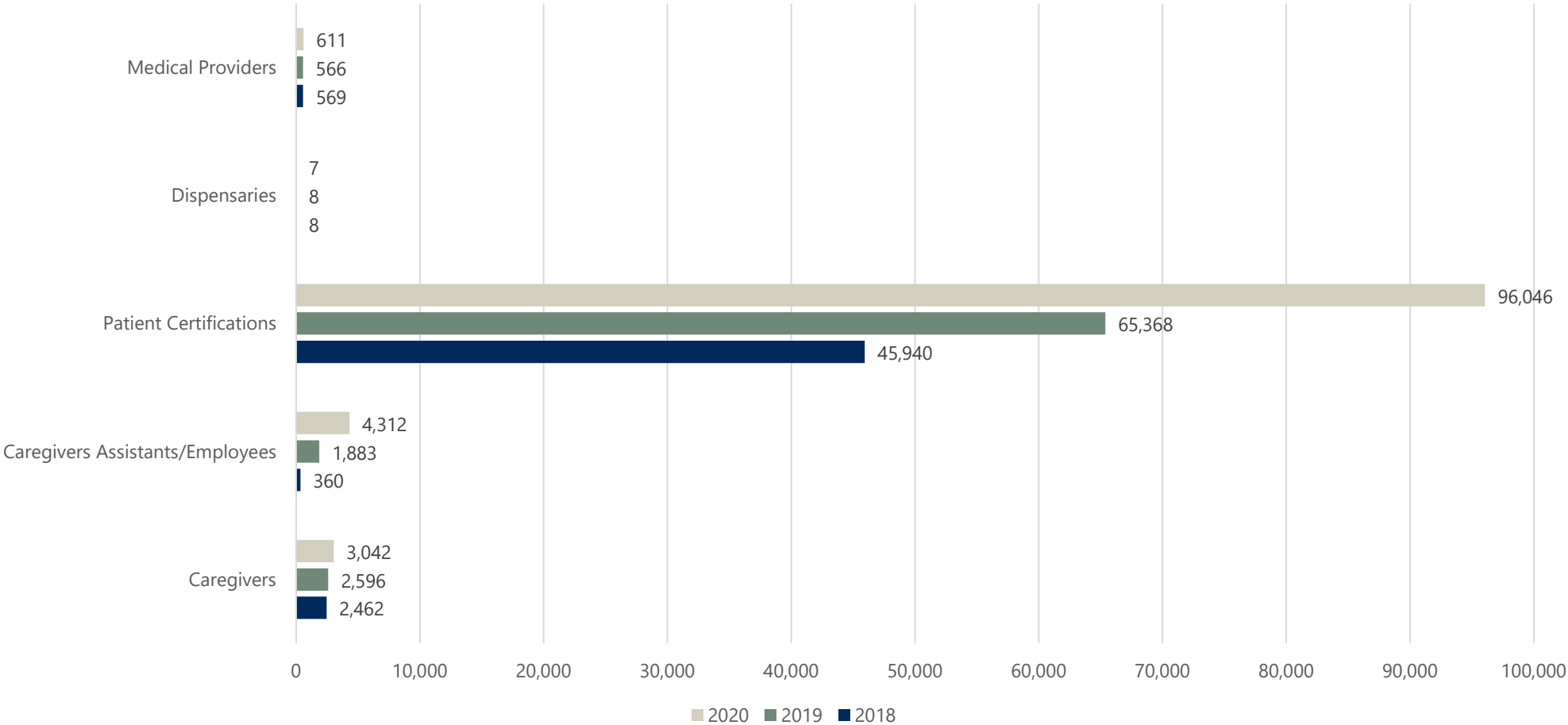




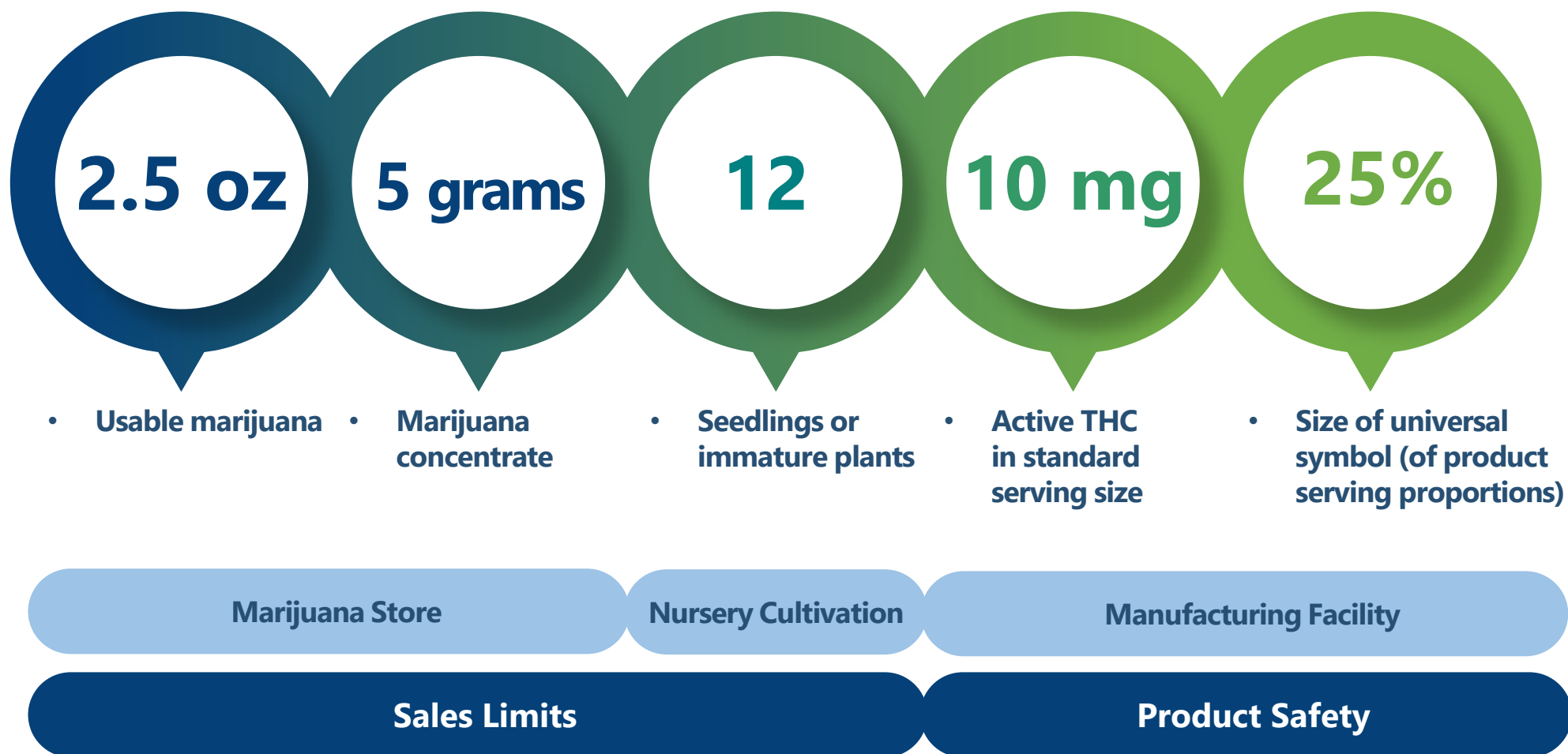
# Medical Use: By the Numbers

## Status of Adult Use Marijuana Establishment Applications

(as of January 1, 2021)

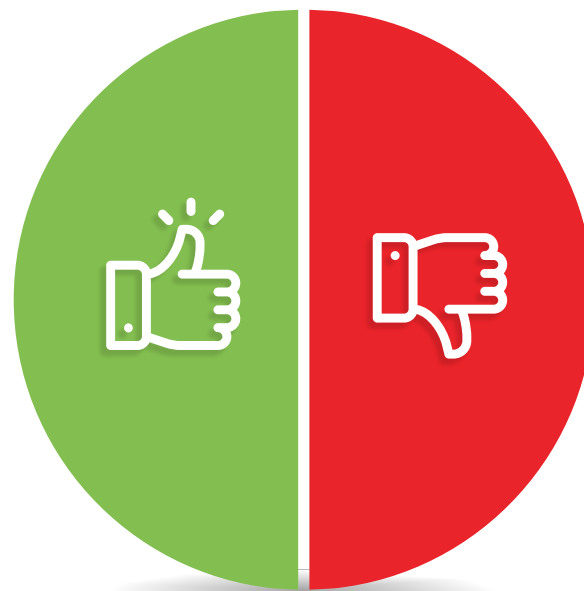
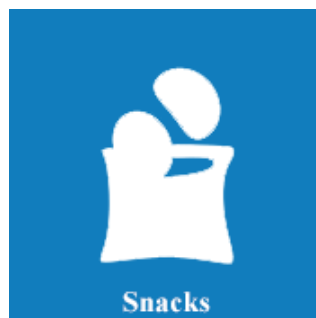


## Good to Know Numbers for Adult Use Marijuana





# Non-marijuana Products Available for Sale



# Track and Trace: Metrc

## Track and Trace System (Seed-to-sale)

- Security Tags
- Transport Manifest
- Third Party POS Integration





# Public Health and Safety: Inventory Tracking (cont.)

## Purpose

- Assists OMP in ensuring program compliance.
- Prevents diversion to the illicit market.
- Assists in ensuring consumer safety.

**New Licensed Transfer**

Transporter: 010-X0001

- Lookup -

Employee ID: LabWorker103190

Driver's Name: Lab Worker

Driver's Lic. No.: OR9999999

Phone No.: 5035555555 (use default)

Vehicle Make: Make

Vehicle Model: Model

License Plate: LICPLATE

Destination 1: 010-X0001 (clear)

Planned Route: Head North on McLoughlin. Left at 5th then go north on I5. Take I5 North to exit 283 then go east on Hwy 471 for 20 miles. Right onto Center Avenue then immediate right on McLoughlin to destination.

Type: Wholesale

Est. Departure: 01/03/2020 today 10 : 59 AM

Est. Arrival: 01/03/2020 today 12 : 30 PM

Package # 1: 1A4FFFB000927C1000000670 (clear)

Whse. Price: \$ .01

(package)

(destination)

Register Transfer Cancel



## How to Learn More: Rule and Statute

**Statute:** <http://legislature.maine.gov/statutes/>

- Adult Use: Title 28-B
- Medical Use: Title 22, Chapter 558-C
- Both: Title 36

**Rulemaking: 18-691 C.M.R. ch. 1-5**

- Adult Use: Chapters 1 and 5
- Medical Use: Chapters 2 and 4

### **OMP Guidance Documents**

- <https://www.maine.gov/dafs/omp/resources/guidance-documents>



# Questions?

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